



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 8.30 pm)

No. 17]

PERTH: TUESDAY, 16 FEBRUARY

[1988

Electoral (Procedures) Amendment Act 1987

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Professor Gordon Reid, Com-
GORDON REID, } panion of the Order of Australia, Governor of the
Governor. } State of Western Australia.
[L.S.]

PURSUANT to section 2 of the Electoral (Procedures) Amendment Act 1987, I, the Governor, acting with the advice and consent of the Executive Council, do hereby fix the day on which this proclamation is published in the *Government Gazette* as the day on which the Electoral (Procedures) Amendment Act 1987 shall come into operation.

Given under my hand and the Seal of the State on 16 February 1988.

By His Excellency's Command,
MALCOLM J. BRYCE,
Minister for Parliamentary and Electoral Reform.

GOD SAVE THE QUEEN !

(i)

ELECTORAL ACT 1907

ELECTORAL REGULATIONS 1988

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ELECTORAL ACT 1907
ELECTORAL REGULATIONS 1988

MADE by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Electoral Regulations 1988*.

Commencement

2. These regulations shall come into operation on the day on which the Electoral (Procedures) Amendment Act 1987 comes into operation.

Forms in Schedule 3

3. In these regulations unless the contrary intention appears a reference to a form is a reference to a form in Schedule 3.

Charges in Schedule 1

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

Appointments and Declarations

5. (1) The declarations prescribed for the purposes of sections 12 and 104 of the Act are the declarations in Forms 1 and 2 respectively in Schedule 2.

(2) An appointment of a person to act as presiding officer, assistant presiding officer, poll clerk or doorkeeper shall be in the form of Form 3 in Schedule 2.

(3) The appointment of a person to act as scrutineer shall be in writing and signed by the candidate by whom the scrutineer is appointed.

(4) A person shall not be 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 4 of Schedule 2.

Forms

6. The forms in the Schedules are the forms prescribed in relation to the provisions of the Act or of these regulations specified in the form.

Forms to be completed

7. (1) Where a form in a Schedule requires 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 for the purposes for which the form is prescribed.

(2) Where a form in a Schedule contains directions for its completion the form shall be completed in accordance with those directions.

(3) The provisions of these regulations and the forms prescribed thereunder shall, as nearly as is practicable and with such modifications as are, in the opinion of the Electoral Commissioner, necessary or expedient, apply 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.

Rolls

8. In addition to the matters prescribed in section 22 of the Act a roll shall contain the sex and occupation of each elector on the roll.

Registrar to certify roll

9. The Registrar for a district shall whenever directed by the Electoral Commissioner produce to the Electoral Commissioner a roll certified by the Registrar as the roll for the district.

Marking of roll where objection by registrar to a claim is subject to appeal (section 47 (3) (g))

10. Where the Registrar objects to the enrolment of a person on a roll and the appeal in relation to the objection has not been heard and determined on the fourteenth day next preceding the day fixed for an election or referendum the Registrar shall in accordance with section 47 (3) (g) of the Act enter the notation "47 (3) (g)" against the name of the claimant on the roll.

Issue of postal votes

11. (1) An issuing officer shall record the name of every applicant for a postal ballot paper whether the application is made orally or in writing.

(2) The list referred to in subregulation (1) shall be in the form of Form 25.

(3) The names so listed shall be numbered consecutively in arithmetical order and the number so allocated shall be recorded on every written application made.

(4) Every issuing officer shall forthwith after 6.00 pm on the day preceding the day fixed for polling forward to the Electoral Commissioner every list compiled by the issuing officer under this regulation.

(5) A postal ballot paper shall be endorsed with the words "Postal ballot paper".

Taking of postal ballot papers delivered to returning officers or presiding officers

12. Where an envelope containing a postal ballot paper is posted or delivered pursuant to section 92 (4a) the returning officer or presiding officer, as the case may be—

- (a) shall endorse on the envelope the place at which and the time when the envelope was received and sign and date the endorsement;
- (b) enter the name of the elector on a list in the form of Form 32;
- (c) number the envelope according to the number of the elector on the list; and
- (d) deposit the envelope in a locked and sealed ballot box.

13. The following provisions apply to the taking of absent votes—

- (a) an absent vote shall not 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 the authorized person shall attest the signature of that person to the statement in the form of Form 30 which may be printed on the envelope to be used for the purposes of forwarding the ballot paper to the Electoral Commissioner;
- (c) the ballot paper issued to an elector for the purposes of absent voting shall 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 shall be endorsed on the ballot paper by the appropriate officer;
- (d) the elector shall mark the ballot paper in accordance with the directions printed on the ballot paper and place the ballot paper in an envelope marked "Ballot Paper", seal the envelope and return the envelope containing the ballot paper to the appropriate officer;

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- (e) the appropriate officer shall enclose the ballot paper envelope so received in the envelope addressed to the Electoral Commissioner.

Taking of provisional votes under section 119 (4a), 122 (2) or 122A

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

- (a) before a person is issued with a ballot paper for the purposes of casting a provisional vote the person shall in the presence of an authorized person sign a statement in the form of Form 31 which may be printed on the envelope to be used for the purposes of forwarding the ballot paper to the Electoral Commissioner;
- (b) the authorized person shall attest the signature of the person voting by signing his or her name in the place specified in the form;
- (c) the ballot paper issued for the purposes of provisional voting shall 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 shall mark the ballot paper in accordance with the instructions printed on the ballot paper and place the ballot paper in an envelope marked ballot paper, seal the envelope and return the envelope containing the ballot paper to the appropriate officer;
- (e) the appropriate officer shall enclose the envelope containing the ballot paper in the envelope addressed to the Electoral Commissioner, seal that envelope and place it in a locked and sealed ballot box.

Postal votes, absent votes and provisional votes in ballot boxes

15. Postal votes, absent votes and provisional votes may be placed in any ballot boxes in use at the polling place at which the votes were cast or received.

Lists of postal votes and provisional votes to be made

16. (1) A presiding officer shall compile a list for all postal votes, absent votes and a list specifying each class of provisional votes taken at the polling and shall at the close of the poll forward every such list to the Returning Officer.

(2) When a Returning Officer has compiled a list as a presiding officer at a polling place or receives a list from a presiding officer the Returning Officer shall compile a consolidated list of each class of vote referred to in subsection (1) and forward the list to the Electoral Commissioner together with those votes.

Presiding Officers to forward postal votes, absent votes and provisional votes to Returning Officer

17. (1) Except where ballot papers are to be forwarded to a Returning Officer or Assistant Returning Officer for counting, the presiding officer shall, at the close of the polls—

- (a) cause all ballot boxes to be opened and the envelopes with postal votes, absent votes or provisional votes to be separated from the ballot papers contained in the ballot boxes;
- (b) cause the envelopes to be sorted into their respective district or region; and
- (c) forward the envelopes and the lists referred to in regulation 16 to the Returning Officer for the district or region as the case requires by any means approved by the Electoral Commissioner.

(2) Where the presiding officer is not an Assistant Returning Officer or Returning Officer the presiding officer shall send the ballot boxes unopened by the means approved by the Electoral Commissioner to an Assistant Returning Officer or the Returning Officer.

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

18. (1) The Returning Officer of a district or region shall at the close of the polls—
- (a) cause all ballot boxes received from polling places within the district that contain envelopes with postal votes, absent votes or provisional votes at the polling place at which the Returning Officer presides to be opened;
 - (b) cause all the envelopes to be sorted into their respective districts or regions and list them according to their class; and
 - (c) forward the envelopes sorted according to their respective districts or regions to the Electoral Commissioner by any means approved by the Electoral Commissioner.

**Scrutiny of envelopes containing postal ballot papers,
absent votes and provisional votes under
section 119 (4), 122 (2) or 122A**

19. (1) The officer concerned with the scrutiny of declarations made in respect of postal ballot papers shall—

- (a) open the envelope addressed to the Electoral Commissioner and examine the declaration to ensure that the postal ballot paper should not be rejected by virtue of the provisions of section 92 (9) of the Act;
- (b) if the postal vote was obtained by a written application check the declaration against the application made by the person applying for that postal ballot paper;
- (c) if satisfied that the postal ballot paper should not be rejected—
 - (i) record the elector as having voted by striking off the name of the elector on the roll issued for that purpose by the Electoral Commissioner; and
 - (ii) place the envelope in the ballot box for the relevant district or region;and
- (d) if satisfied that the postal ballot paper should be rejected set the envelope aside for retention by the Electoral Commissioner.

(2) Where a postal vote has been obtained on an oral application the officer concerned shall carry out the duties referred to in subregulation (1) (b), (c) and (d) with respect to the postal vote.

(3) Where an envelope containing a postal ballot paper cannot be checked against a written application but the Assistant Returning Officer is satisfied from the list of applications for postal votes that the postal vote was obtained by written application the Assistant Returning Officer shall allow the envelopes to be dealt with in accordance with subregulation (1) (b), (c) and (d).

(4) The officer concerned in the scrutiny of declarations on envelopes containing absent votes or provisional votes under section 119 (4), 122 (2) or 122A shall—

- (a) examine the declaration on the envelope to ensure it is signed by the elector and witnessed by an authorizing officer;
- (b) examine the roll to ensure that the voter's name is enrolled;
- (c) if the voter's name is on the roll record the voter as having voted by striking off the name of the voter on the roll;
- (d) place the envelope in the ballot box for the relevant district or region.

(5) Where a declaration on an envelope containing an absent vote or provisional vote is not signed by the authorized officer, the officer conducting the scrutiny of the declarations shall not reject the envelope.

Scrutiny of postal, absent and provisional votes

20. (1) After the declarations on the envelopes containing ballot papers have been scrutinized under regulation 19 the envelopes containing the ballot papers of persons whose names are on the roll in relation to which a vote is claimed shall 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 shall be rejected.

Compulsory enrolment

21. (1) Any person entitled to enrolment as an elector shall 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.

(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 shall—

- (a) by notice notify that person that 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;
- (b) notify the person that 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 that last known date of the breach;
- (c) notify that person that 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 of writing by that person within a specified time no further action in respect of the breach will be taken;
- (d) notify the person that should the penalty not be paid and a claim or notice in writing for enrolment not lodged with or on behalf of the Registrar, within the specified time, the Electoral Commissioner may institute proceedings before a court of summary jurisdiction for a breach of section 45 (1) or (2); and
- (e) provide a copy of Form 2 to the person and inform him or her of the right available under subregulation 4.

(3) Notification to a person pursuant to subregulation (2) shall be in writing.

(4) 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) that person may complete and sign a declaration in accordance with Form 2 within the time specified 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.

(5) No action taken pursuant to subregulation 4 against a person shall prevent any further like action should a breach of section 45 (1) or (2) appear to the Electoral Commissioner to continue on the part of that person.

Prescribed officer under section 162 (1) (ca)

22. Any officer employed in the department referred to in section 4A of the Act is a prescribed officer for the purposes of section 162 (1) (ca) of the Act.

Public employees standing for election

23. (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; or
- (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 (as he is hereby authorized to do) that that candidate has no prospect of being elected,

whichever occurs first;

“member” in relation to a prescribed body means—

- (a) any member of the body whether known as a member, commissioner, councillor, trustee, director or by any other title;
- (b) any deputy, alternate or acting member of the body,

and includes a person holding the office of chairman or president or any other office of the body;

“prescribed body” means a commission, council, board, committee or other body mentioned in Part 3 of Schedule V to the *Constitution Acts Amendment Act 1899*;

“public employee” means a person who holds any office or place mentioned in Part 2 of Schedule V to the *Constitution Acts Amendment Act 1899*.

(2) A public employee who nominates as a candidate in an election shall 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.

(3) Notwithstanding anything contained in the Act under which a public employee is appointed or employed—

- (a) the employee is hereby authorized to apply for and take; and
- (b) the employer of the employee is hereby authorized to grant,

leave of absence that is required to be taken under subregulation (2).

(4) Leave of absence taken by a public employee under subregulation (2) shall be taken without pay except to the extent that the employee has an accrued entitlement to, and applies for, leave of absence with pay.

(5) A member of a prescribed body who nominates as a candidate in an election shall not at any time during the election period 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.

(6) The inability of a member of a prescribed body to—

- (a) attend a meeting of the body; or
- (b) perform a function or duty as a member of the body,

without contravening subregulation (5) shall be 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.

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(7) 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 (5), that absence or failure shall be disregarded for the purposes of any enactment under which the member may vacate or be removed from his office as a member by reason of absence from meetings or neglect of duty.

Application of declaration to a region

24. In any form of declaration or statement made, or to be made, by an officer, clerk, elector or voter, in relation to such elections or referendums, a reference therein to a district shall, unless the contrary intention appears, be read and construed, as well, as a reference to the corresponding region.

Repeal

25. The Electoral Act Regulations 1949 are repealed.

SCHEDULE 1

Rolls

Complete set of district rolls	\$75.00
Complete set of supplementary rolls	\$10.00
District roll	\$2.00
Supplementary district roll	\$1.00

SCHEDULE 2

Form 1

(Regulation 4)

Western Australia

Electoral Act 1907

(Section 12)

Electoral Regulations 1988

DECLARATION BY RETURNING OFFICER

I, of hereby 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.

I further declare that I hold no official position in connection with any political organization or election committee and am not actively connected with any political party or candidate.

.....
Returning Officer

.....
District (or Region)

Declared before me on

Date

.....
Justice of the Peace

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SCHEDULE 2

Form 2

(Regulation 4)

Western Australia

Electoral Act 1907

(Section 104)

Electoral Regulations 1988

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 perform the duties of my office to the best of my understanding and ability.

I further declare that I hold no official position in connection with any political organization or election committee and am not actively connected with any political party or candidate.

Declared before me on Date Signature of officer

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

SCHEDULE 2

Form 3

(Regulation 4)

Western Australia

Electoral Act 1907

Electoral Regulations 1988

APPOINTMENT OF PRESIDING OFFICER, ASSISTANT PRESIDING OFFICER, POLL CLERK OR DOORKEEPER

I appoint to be (full name of appointee) on duty at the (position)

..... Polling place in the District at the election to be held District. for or in respect of the

..... Date Returning Officer

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SCHEDULE 2

Form 4

(Regulation 53)

Western Australia

Electoral Act 1907

(Section 114)

Electoral Regulations 1988

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.

Declared before me on

Date

.....
Signature of scrutineer

.....
(Deputy) Returning Officer
(or Presiding Officer)

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SCHEDULE 3

Form 1
Western Australia
Electoral Act 1907
(Section 22)

Electoral Regulations 1988

LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL ELECTORAL ROLL

Roll of electors for the District
and that part of the Region
constituted therein.

Name (surname Christian or given names)	Residence	Occupation	Sex
--	-----------	------------	-----

Form 2
Western Australia
Electoral Act 1907
(Section 42)

Electoral Regulations 1988

CLAIM FOR ENROLMENT

To the Registrar District

I hereby make application for enrolment on the roll for the abovementioned District of the Legislative Assembly and for that part of the relevant Legislative Council Region contained therein. I declare the information I have given in this form is correct and that I am qualified for enrolment.

SURNAME:

CHRISTIAN OR GIVEN NAMES:

RESIDENCE:

POSTCODE:

POSTAL ADDRESS:

LOCAL AUTHORITY OR MUNICIPALITY:

OCCUPATION:

DATE OF BIRTH:

PLACE OF BIRTH:

MALE OR FEMALE

SIGNATURE OF APPLICANT:

DATE CLAIM SIGNED:

SIGNATURE OF WITNESS:

NAME AND ADDRESS OF WITNESS:

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Form 3
Western Australia
Electoral Act 1907
(Section 44A (3) (a))

Electoral Regulations 1988

NOTICE OF REJECTION OF CLAIM

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

.....
Registrar

.....District

.....
Address of Registrar

.....
Date

Form 4
Western Australia
Electoral Act 1907
(Section 47 (3) (a))

Electoral Regulations 1988

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 notice of appeal (Form 8) is signed by you and returned to me within
days from the date of this notice your claim will be rejected.

.....
Registrar

.....District

.....
Address of Registrar

.....
Date

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Form 5
Western Australia
Electoral Act 1907
(Section 47 (3) (a))

Electoral Regulations 1988

APPEAL AGAINST OBJECTION TO CLAIM

To the Registrar

..... District

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

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

.....
Signature of Claimant

.....
Claimant's address

.....
Date

Form 6
Western Australia
Electoral Act 1907
(Section 48)

Electoral Regulations 1988

ELECTOR'S OBJECTION TO ENROLMENT

To the Registrar

..... District

Take notice that I object to the
(name of the objector)

name of on the roll for
the District on the following
grounds:

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

I deposit herewith the sum of \$2.

.....
Signature of objector

13

Form 7
Western Australia
Electoral Act 1907
(Section 48 (3) (a))

Electoral Regulations 1988

REGISTRAR'S OBJECTION TO ENROLMENT

To of

Your enrolment on the electoral roll for the
..... District/Region is objected to by the Registrar on the following grounds:

.....
.....

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

Unless notice of appeal (Form 11) is signed by you and returned to me within *..... days
from the date of this notice your name will be struck off the roll.

..... Address of Registrar Registrar
..... Date District

* Not less than 7 days

Form 8
Western Australia
Electoral Act 1907
(Section 51B (1) (2))

Electoral Regulations 1988

REQUEST FOR ADDRESS NOT TO BE SHOWN ON ROLL

I of
declare that the personal safety or that of members of my family would be placed at risk if
my address aforesated were to be placed on a state electoral roll and request that the
address so stated be not shown on such roll, or be deleted from such roll if already
appearing thereon.

I further declare that the relevant risk is as follows:

.....
.....

Declared before me

.....
An elector or a person quali-
fied to be an elector for the
Commonwealth or the State

.....
Signature of claimant (or
elector) as the case may be

.....
Date

14

Form 9
 Western Australia
 Electoral Act 1907
 (Section 56 (a))

Electoral Regulations 1988

PERSONS WHOSE DEATHS HAVE BEEN REGISTERED

To the Electoral Commissioner

List of deaths of all persons of the age of 17 years or over which have been registered in Registry Districts in Western Australia during the month of

Surname	Christian or Given Names	Age	Sex	Late Address	Late Occupation

.....
 Date

.....
 Registrar General

Form 10
 Western Australia
 Electoral Act 1907
 (Section 56 (b))

Electoral Regulations 1988

WOMEN WHOSE MARRIAGES HAVE BEEN REGISTERED

To the Electoral Commissioner

List of marriages of women of the age of 17 years or over which have been registered in Registry Districts in Western Australia during the month of

	Surname	Christian or Given Names	Age	Stated Address	Stated Occupation
Husband					
Wife					

.....
 Date

.....
 Registrar General

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Form 11
Western Australia
Electoral Act 1907
(Section 57)

Electoral Regulations 1988

PERSONS REPORTED TO BE INCAPABLE OF MANAGING THEIR AFFAIRS OR
WHO ARE INMATES OF AN APPROVED HOSPITAL

To the Electoral Commissioner

List of persons of the age of 17 years or over who—

(a) during the last preceding 3 months have been reported under Part VI of the
Mental Health Act 1962 to be incapable of handling their affairs; and

(b) on the date of this list are inmates of an approved hospital under that Act.

Surname	Christian or Given Names	Age	Sex	Address Immediately Prior to Admission	Occupation Immediately Prior to Admission

.....
Date

.....
Director, Psychiatric Services

Form 12
Western Australia
Electoral Act 1907
(Section 59 (a))

Electoral Regulations 1988

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	Age	Sex	Address Immediately Prior to Admission	Occupation Immediately Prior to Admission

.....
Date

.....
Executive Director, Depart-
ment of Corrective Services

16

Form 13
 Western Australia
 Electoral Act 1907
 (Section 59 (b))

Electoral Regulations 1988

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	Age	Sex	Address Immediately Prior to Admission	Occupation

.....
 Date

.....
 Director (as defined in section 5 of the Mental Health Act 1962)

Form 14
 Western Australia
 Electoral Act 1907
 (Section 64)

Electoral Regulations 1988

WARRANT FOR THE ISSUE OF WRITS FOR ELECTIONS IN ALL THE DISTRICTS FOR THE LEGISLATIVE ASSEMBLY

To the Clerk of the Writs

You are hereby authorized and directed to proceed forthwith to issue Writs for the election of one member for each District of the Legislative Assembly.

.....
 Date

.....
 Governor

17

Form 15
Western Australia
Electoral Act 1907
(Section 64)

Electoral Regulations 1988

WARRANT FOR THE ISSUE OF WRITS FOR ELECTIONS IN ALL THE REGIONS
OF THE LEGISLATIVE COUNCIL.

To the Clerk of the Writs

You are hereby authorized and directed to proceed to issue Writs for the election of 7 members for each of the North Metropolitan Region and the South West Region and 5 members for each of the South Metropolitan Region, the East Metropolitan Region, the Agricultural Region and the Mining and Pastoral Region of the Legislative Council.

.....
Date

.....
Governor

Form 16
Western Australia
Electoral Act 1907
(Section 67 (1))

Electoral Regulations 1988

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

.....
Date

.....
Speaker

Form 17
Western Australia
Electoral Act 1907
(Section 67 (2))

Electoral Regulations 1988

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 Parliament of Western Australia acting under section 67 (2) of the *Electoral Act 1907* hereby direct you to issue a Writ to supply the vacancy for the District of in the Legislative Assembly.

.....
Date

.....
Speaker

18

Form 18
Western Australia
Electoral Act 1907
(Section 67 (3))

Electoral Regulations 1988

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 hereby authorized and directed to proceed forthwith to issue a Writ for the election of a member to serve in the Legislative Assembly for the district of.....

.....
Date

.....
Governor

Form 19
Western Australia
Electoral Act 1907
(Section 67 (4) (a))

Electoral Regulations 1988

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, do hereby certify that a member of the said house, 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 the said.....

.....
Date

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

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

Form 20
Western Australia
Electoral Act 1907
(Section 156E)

Electoral Regulations 1988

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

To the Clerk of the Writs

You are hereby authorized and directed to proceed forthwith to issue a Writ for the election of a member to serve in the Legislative Council for the Region.

.....
Date

.....
Governor (or Speaker)

19

Form 21
Western Australia
Electoral Act 1907
(Sections 69 and 156E)
Electoral Regulations 1988
WRIT

To

Returning Officer for the District (or Region)

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

.....
Date

.....
Clerk of the Writs

ENDORSEMENTS

I certify that I have received the within 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)

20

Form 22
 Western Australia
 Electoral Act 1907
 (Sections 78 and 156E)
 Electoral Regulations 1988
 NOMINATION FORM

To the Returning Officer for the *
 +

I, the undersigned, being duly qualified to be elected, hereby nominate myself as a candidate to serve in the Legislative #..... for the *.....
 + and supply the following particulars relating to myself.

Surname:
 Christian or given names:
 Residence:
 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

21

Form 23
Western Australia
Electoral Act 1907
(Section 87A (2))

Electoral Regulations 1988

RETURNING OFFICER'S RECEIPT FOR NOMINATION AND DEPOSIT

To

I acknowledge receipt of—

- (a) a nomination form;
- * (b) a deposit of \$100 in money;
- * (c) a deposit of \$100 in the form of a cheque drawn by a Bank upon itself and payable to the Returning Officer.
- * delete that not applicable

in respect of the nomination of

.....
 full name of candidate, of residence of candidate
 at (time) on
 (date) as a candidate for election as a member of the Legislative
 (Assembly or Council) for the (District or Region).

.....
 Date Returning Officer

 District or Region

22

Form 24
Western Australia
Electoral Act 1907
(Section 90)

Electoral Regulations 1988

APPLICATION FOR A POSTAL BALLOT PAPER (SECTION 90 (3A)) FOR THE
ELECTION TO BE HELD ON

FOR ISSUING OFFICERS USE ONLY
Date received
Application Nos.....
Signature.....
Date ballot paper issued
Signature.....
Title
Place of issue
IMPORTANT: This appli- cation must be posted or delivered to the Electoral Commissioner immediately after it has been dealt with.

To the Electoral Commissioner

or and Issuing Officer

I of
(surname) (Christian or given names)

.....
(place of living as appearing on the roll)
am an elector for the District, being entitled to apply for a postal ballot
paper accordingly make application.

Please forward the ballot paper to me at:

.....
(state address if it is not your place of living shown above) or deliver it to me personally at
the place of issue.

.....
Date Signature of Applicant

Note 1: Grounds for entitlement to a postal vote are:

1. more than 8 kilometres from a polling place throughout polling day.
2. (a) emergency duty or requirements of employment;
(b) travelling under conditions;
(c) seriously ill or infirm;
(d) approaching maternity; or
(e) imprisonment or other lawful custody or detention,
that preclude attendance at a polling place throughout polling day.
3. religious belief or membership that precludes attendance at a polling place, or
precludes attendance throughout the greater part of polling day.

Note 2: An Issuing Officer to whom this application may be posted or delivered are:

- Electoral Commissioner Perth
- Any Clerk of Local Court in Western Australia
- Any person appointed in writing by the Electoral Commissioner
- Any State Returning Officer

Note 3: This application will not be required of an elector who attends personally before an Issuing Officer.

Form 25

(Regulation 10)

Western Australia

Electoral Act 1907

(Section 90 (4b))

Electoral Regulations 1988

LIST OF NAMES OF APPLICANTS FOR POSTAL BALLOT PAPERS

Consecutive Number	Written or oral (W or O)	Details of Application			Date Postal Ballot Paper Issued	District
		Surname and initials of Christian or given names	Place of living of applicant	Address to which postal ballot paper to be posted		

.....
Date

.....
Signature of Issuing Officer

.....
Title and Address

Form 26

Western Australia

Electoral Act 1907

(Section 90 (7))

Electoral Regulations 1988

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

24

Form 27
Western Australia
Electoral Act 1907
(Section 90 (4) (c))
Electoral Regulations 1988
DECLARATION OF VOTER

FOR USE BY ISSUING OFFICER ONLY
Initials
Place of Issue
Written/Oral (delete that not applicable)

I,
(surname) (Christian or given names)
.....
(address as enrolled) (date of birth)

That I am the elector on whose application this postal ballot paper was issued for the election to be held on Saturday; (date of election)

That I am entitled to apply for a postal ballot paper;
That I have not already voted at that election; and
That I am at, or have, within the 3 months prior to the date of the election, lived at the above address.

.....
Signature of Elector

Signed and declared before me on
Date

.....
Signature of Authorised Witness

.....
Address of Authorized Witness

25

Form 28

Western Australia

Electoral Act 1907

(Section 92 (6))

Electoral Regulations 1988

DECLARATION BY AN ELECTOR WHO HAS NOT RECEIVED A 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 onand 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

(Regulation 11)

Western Australia

Electoral Act 1907

(Section 99A)

Electoral Regulations 1988

ABSENT VOTERS STATEMENT

To the Electoral Commissioner

I am the person enrolled as—

.....
(surname) (Christian or given names)

of
(residence as enrolled)

DOB:

D	M	Y
<input type="text"/>	<input type="text"/>	<input type="text"/>

on the electoral roll for the District and am qualified to vote for that District.

.....
(Assistant) Presiding Officer

.....
Signature of Elector

At.....
Name of Polling Place

.....
Date

26

Form 31
 Western Australia
 Electoral Act 1907
 (Sections 119 (4), 122 (2), 122A)
 Electoral Regulations 1988

PROVISIONAL VOTERS DECLARATION

To the Electoral Commissioner

I,
 (surname) (Christian or given names)

of
 (residence as enrolled or claimed to be enrolled) DOB:

D	M	Y

*(having been required to make a declaration under Section 119 (4) on the grounds that ...

.....

declare that I have claimed to be enrolled and am entitled to be on the roll and to vote for the District and accordingly claim a vote pursuant to section 119 (4)*, 122 (2)* or 122A*.

declared before me:—

 Signature of Claimant

.....
(Assistant) Presiding Officer

At
 Name of Polling Place
 *delete if not applicable Date

27

Form 32

(Regulation 14)

Western Australia

Electoral Act 1907

Electoral Regulations 1988

**RETURN OF ENVELOPES CONTAINING POSTAL BALLOT
PAPERS RECEIVED BY A RETURNING OFFICER OR
PRESIDING OFFICER**

I certify that the following is a list of names of persons whose postal ballot papers were received by me before the close of the poll on
(date of poll)

Date.....

.....
Signature of Returning
Officer or Presiding Officer

.....
Witness

.....
Polling Place

.....
District

Consecutive Number marked on envelope	District for which recorded (if shown)	Initials of Receiving Officer

28

Form 33

(Regulation 15)

Western Australia
 Electoral Act 1907
 (Sections 119 (4a), 122 (2) and 122A)
 Electoral Regulations 1988

PRESIDING OFFICER'S RETURN OF PROVISIONAL VOTES

I certify that the following is the list of names of persons who made provisional votes during the hours of polling on pursuant to section 119 (4a), 122 (2) or 122A of the Act.

.....
 Date
 Signature of Presiding Officer

.....
 Witness
 Polling Place

.....
 District

Surname and initials of Christian or given names	District for which vote cast	Ballot papers issued	
		LA	LC
Total			

29

Form 34
Western Australia

(Regulations 16)

Electoral Act 1907

Electoral Regulations 1988

**ASSISTANT RETURNING OFFICER'S RETURN OF
POSTAL VOTES RECEIVED FROM PRESIDING OFFICER**

To the Electoral Commissioner, Returning Officer or Deputy Returning Officer (as the case requires)

I certify that the following is the list of names of persons whose postal ballot papers were received at each polling place allotted to my counting centre, and that the unopened envelopes containing the votes were deposited in the locked and sealed ballot box numbered.....

.....
Date

.....
Signature of Assistant
Returning Officer

.....
Counting Centre

.....
District

Polling Place	Number of envelopes containing Postal Ballot Papers
Total	

30

Form 35

(Regulation 16)

Western Australia

Electoral Act 1907

Electoral Regulations 1988

**RETURNING OFFICERS OR DEPUTY RETURNING OFFICERS
RETURN OF POSTAL VOTES RECEIVED
FROM PRESIDING OFFICERS**

To the Electoral Commissioner,

I certify that the following is a list of the names of persons whose postal ballot papers were received at each polling place within the below mentioned District, and that the envelopes containing those ballot papers were deposited unopened in the locked and sealed ballot box numbered.....

Dated

.....
Signature of Returning
Officer
or Deputy Returning Officer

.....
District

Polling Place	Number of envelopes containing Postal Ballot Papers
Total	

31

Form 36

(Regulation 16)

Western Australia

Electoral Act 1907

Electoral Regulations 1988

RETURN OF ABSENT VOTES ISSUED BY PRESIDING OFFICER

I certify that the following is the list of names of persons to whom absent votes were issued by me during the hours of polling on.....

.....
 Date
 Signature of Presiding Officer
 (or Assistant Presiding Officer)
 Witness
 Polling Place
 District

Surname and initials of Christian or given names	District for which vote cast	Ballot Papers Issued	
		LA	LC
Total			

32

Form 37

(Regulation 16)

Western Australia

Electoral Act 1907

Electoral Regulations 1988

RETURNING OFFICER'S OR DEPUTY RETURNING OFFICER'S
RETURN OF ABSENT VOTES

I certify that the following is the list of names of persons whose absent votes were received at each polling place within the below mentioned District, and that these votes were deposited in the locked and sealed ballot box numbered.....

.....
Date

.....
Signature of Returning
Officer
or Deputy Returning Officer
.....
District

Polling Place	Number of Absent Votes
Total	

33

Form 38

(Regulation 15)

Western Australia

Electoral Act 1907

Electoral Regulations 1988

ASSISTANT RETURNING OFFICER'S RETURN OF ABSENT VOTES
RECEIVED FROM PRESIDING OFFICER

I certify that the following is the list of names of persons whose absent votes were received at each polling place allotted to my counting centre and that these votes were deposited in the locked and sealed ballot box numbered

.....
Date

.....
Signature of Assistant
Returning Officer

.....
Counting Centre

.....
District

Polling Place	Number of Absent Votes
Total	

Form 39
 Western Australia
 Electoral Act 1907
 (Section 150)
 Electoral Regulations 1988
STATISTICAL RETURN

.....District (or Region)(Date of Election)

Electors on Roll

Polling Place	Number of Electors Supplied with Ballot Papers	Found in Ballot Boxes	Valid Votes	Rejected as Informal	Ballot Papers			
					Candidate	Candidate	Candidate	Candidate
Special institutions and Hospitals								
Total: Ordinary Votes								
Postal Votes								
Absent Votes								
Provisional Votes								
Total								

Then provide details of count of preferences

.....
 Date

.....
 Signature of Returning Officer

35

Form 40
Western Australia
Electoral Act 1907
(Section 156C)

Electoral Regulations 1988

NOMINATION FORM TO FILL A VACANCY IN THE LEGISLATIVE COUNCIL
UNDER SECTION 156C

To the Electoral Commissioner

I, the undersigned being a qualified person as defined in section 156A of the *Electoral Act 1907*, hereby nominate to fill a vacancy in the..... Region for the Legislative Council pursuant to your notice and give my consent to act if elected.

Surname:.....

Christian or given names:

Residence:.....

Occupation:.....

.....
Signature of Witness who
must be an elector

.....
Signature of Candidate

.....
Date

Form 41

Western Australia
Electoral Act 1907
(Section 156C (1) (a))

Electoral Regulations 1988

NOTIFICATION OF A VACANCY IN THE LEGISLATIVE COUNCIL

Take notice that on..... I was informed by His/Her Excellency the Governor, that the seat in the Legislative Council of Western Australia for the..... Region to which the Hon..... had most recently been elected is now vacant.

I am satisfied that it is practicable to fill the vacancy under sections 156C and 156D of the *Electoral Act 1907* and accordingly call for qualified persons wishing to nominate themselves as a candidate for the vacancy to do so by lodging or signifying his or her consent with me before 12 noon on.....

A qualified person is a person who—

- (a) was a candidate at the most recent election in the Region which was held on.....;
- (b) did not withdraw from, and was not elected at, that election;
- (c) has not become a member of the Legislative Council since that election; and
- (d) is qualified to be elected and is not disqualified from being elected as a member of the Legislative Council.

.....
Date

.....
Electoral Commissioner

.....
Address

36

Form 42
Western Australia
Electoral Act 1907
(Section 48 (3) (a))
Electoral Regulations 1988

NOTICE OF APPEAL AGAINST REGISTRAR'S OBJECTION TO ENROLMENT
To the Registrar

..... District

Take notice that I appeal against your objection to the retention of my name on the Roll for the District on the ground that:

.....
.....

.....
Address of Elector

.....
Signature of Elector

.....
Date

Form 43
Western Australia
Electoral Act 1907
Electoral Regulations 1988

DECLARATION BY A PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH
THE COMPULSORY ENROLMENT PROVISIONS OF SECTION 45 (1) AND (2) OF
THE ELECTORAL ACT

I of
..... hereby 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.

37

Form 44
Western Australia
Electoral Act 1907
(Section 156)

Electoral Regulations 1988

NOTICE OF APPARENT FAILURE TO VOTE

To..... of.....

An examination of the roll used for the election for the..... reveals that you appear to have failed to vote (See Note on Reverse) at that election.

Please state, in the form at the foot of this notice, the reason you failed to vote, or, if you did vote, the time and place at which you so voted.

If you did not vote please provide relevant information in support of your reason for not voting. For example—

If you were absent from your district include details where you were and the nature and period of your absence.

If illness, infirmity, or any physical incapacity prevented you from voting, include relevant details of the nature or type, severity and duration of such causes.

After completion, please sign and return this notice so as to reach me on or before

.....
Date

.....
Electoral Commissioner

.....
Address

To: The Electoral Commissioner

I,of.....

declare that (# Complete A or B)—

#(A) *I voted at.....
 (time and voting place)

for the election for the
 (District/Region)

held on.....

OR

#(B) The true reason *I.....failed
 to vote at the election for the
 (District/Region)

held on Saturday,.....was—

(if insufficient space, complete on reverse side)

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

.....
Date

.....
Signature of Elector

* Where this form is completed on behalf of an absent or incapacitated elector, the word "I" must be struck out and the name of such elector inserted.

Note: An elector who—

- (a) fails to vote at an election without a valid and sufficient reason for such failure;
or
- (b) fails to fill up, sign and post this notice within the time specified in this notice;

OR

- (c) states in this notice a false reason for not having voted, or in the case of an elector filling up or purporting to fill up this notice on behalf of any other elector, states in this notice a false reason why that other elector did not vote,

is guilty of an offence and liable to a penalty of not more than \$50 if dealt with by a Court, or not more than \$20 if the elector, on a first offence, consents to the matter being dealt with by the Electoral Commissioner.

Form 45

Western Australia

Electoral Act 1907

(Section 156 (12))

Electoral Regulations 1988

NOTIFICATION TO ELECTOR WHO FAILED TO COMPLY WITH SECTION 156 (6)

Electoral District of

No. on Roll

To

You are hereby notified

- #1. That the reason given by you in your declaration dated the.....is not in my opinion a valid and sufficient reason for your failure to vote at the election held on Saturday, the.....; or
- # That you failed to fill up, sign or return a notice requiring you to state a reason for failure to vote; and
- 2. That you have the option of having the matter dealt with by the Electoral Commissioner or by a Court of Summary Jurisdiction.

If you desire to have the matter dealt with by the Electoral Commissioner and you are prepared to abide by his decision you shall within 28 days of this notification notify him to that effect on the prescribed form and shall at the same time remit the sum of.....by way of penalty.

On receipt of this advice and the sum ordered to be paid no further proceedings will be taken against you for such failure to vote.

In the event of the form of consent and penalty not reaching me within the time specified in the preceding paragraph it will be taken that you desire to have the matter dealt with by a Court of Summary Jurisdiction.

.....
Date

.....
Electoral Commissioner

delete that which is not applicable.

39

Form 46
Western Australia
Electoral Act 1907
(Section 156 (13))

Electoral Regulations 1988

FORM OF CONSENT TO BE USED BY AN ELECTOR
WHO DESIRES TO HAVE HIS CASE DEALT WITH BY
THE ELECTORAL COMMISSIONER

.....DISTRICT

To the Electoral Commissioner

I,of

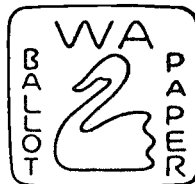
enrolled as an elector for the abovenamed District having failed to vote (or failed to fill up, sign or return a notice requiring me to state a reason for failure to vote) at the election held under the provisions of the *Electoral Act 1907* on Saturday the.....and having been notified by you that the reason given by me for said failure to vote is not in your opinion a valid and sufficient reason for such failure do hereby consent to have the matter dealt with by you and to abide by your decision.

I enclose herewith the sum of.....in payment of the penalty which you have imposed on me.

.....
Signature of Elector

Form 47
Electoral Act 1907
Section 139 (a)
Electoral Regulations 1988

WATERMARK



By His Excellency's Command,
G. PEARCE,
Clerk of the Council.