



Western Australia

Election of Senators Act 1903

Compare between:

[16 May 2003, 02-a0-05] and [05 Sep 2007, 02-b0-05]



Reprinted under the
Reprints Act 1984 as
at 16 May 2003

Western Australia

Election of Senators Act 1903

An Act to provide for the election of Senators for Western Australia to the Senate of the Commonwealth.

1. Short title

This Act may be cited as the *Election of Senators Act 1903*¹.

2. Power to fix dates

For the purpose of the election of Senators for this State to the Senate of the Parliament of the Commonwealth, the Governor may, by proclamation, fix the dates for —

- (a) the close of the rolls;
- (b) the nomination of candidates;
- (c) the polling; and
- (d) the return of the writ,

and so far as any of such times may be mentioned in the writ for the election, they shall be in accordance with the times fixed by such proclamation.

[Section 2 inserted by No. 86 of 1984 s. 3.]

3. Limits within which dates may be fixed

- (1) The date fixed for the close of the rolls shall be ~~7 days~~ the third working day after the date of the writ.

Note: The *Commonwealth Electoral Act 1918* provides that names cannot be added to or removed from the rolls after the date of the writ except in very limited circumstances.

(1a) In subsection (1) —

working day has the meaning given in the *Commonwealth Electoral Act 1918* section 155(2).

- (2) Subject to subsection (3) the date fixed for the nomination of the candidates shall not be less than 10 nor more than 27 days after the date of the writ.
- (3) Where a candidate for an election dies, after being nominated and before 12 o'clock noon on the day fixed by the writ as the date of nomination for the election, the day fixed as the day of nomination for the election shall, except for the purposes of subsection (4), be taken to be the day next succeeding the day so fixed.
- (4) The date fixed for the polling shall not be less than 23 days nor more than 31 days after the date of nomination.
- (5) The day fixed for the polling shall be a Saturday.
- (6) The date fixed for the return of the writ shall not be more than 100 days after the date of the writ.

[Section 3 inserted by No. 86 of 1984 s. 4; amended by No. 6 of 1989 s. 4; No. 16 of 2001 s. 4; No. 20 of 2007 s. 4.]

4. Dates to be specified in writ

The writ shall bear the date of the day of issue and the date fixed for the close of the rolls, the nomination of candidates, the polling and the return of the writ shall be specified therein.

5. Time for nomination

Nomination must be made at any time after the issue of the writ and before 12 o'clock noon on the day of nomination.

6. Polling places

The polling shall be taken at all polling places within the State appointed under the law of the Commonwealth for the time being in force for the regulation of Parliamentary elections.

7. Hours of poll

The poll shall be open at 8.00 a.m. and shall not close until all electors in the polling booth at 6.00 p.m. and desiring to vote have voted.

[Section 7 amended by No. 27 of 1912 s. 4; No. 86 of 1984 s. 6.]

8. Power to extend times

Before or after the day appointed for the election, the Governor may, by notice published in the *Government Gazette*, provide for extending the time for holding the election or for returning the writ, or meeting any difficulty which might otherwise interfere with the due course of the election, and any provision so made shall be valid and sufficient.

[Section 8 amended by No. 6 of 1989 s. 5.]

9. Communication may be by wire

In all cases where it is impracticable to communicate any writ, proclamation, or notice by post without occasioning undue delay, any telegraphic advice communicated in the ordinary course shall suffice for all purposes of this Act as if the matter telegraphed had been communicated in manner provided by this Act.

Notes

¹ This ~~reprint~~ is a compilation ~~as at 16 May 2003~~ of the *Election of Senators Act 1903* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Election of Senators Act 1903</i>	11 of 1903	11 Dec 1903	11 Dec 1903
<i>Election of Senators Amendment Act 1912</i>	27 of 1912	27 Sep 1912	27 Sep 1912
<i>Election of Senators Amendment Act 1984</i>	86 of 1984	29 Nov 1984	29 Nov 1984 (see s. 2)
Reprint of the <i>Election of Senators Act 1903</i> as at 13 Jul 1987 (includes amendments listed above)			
<i>Election of Senators Amendment Act 1989</i>	6 of 1989	23 Oct 1989	23 Oct 1989 (see s. 2)
<i>Election of Senators Amendment Act 2001</i>	16 of 2001	28 Aug 2001	28 Aug 2001 (see s. 2)
Reprint 2: The <i>Election of Senators Act 1903</i> as at 16 May 2003 (includes amendments listed above)			
<u>Election of Senators Amendment Act 2007</u>	<u>20 of 2007</u>	<u>4 Sep 2007</u>	<u>s. 1 and 2: 4 Sep 2007 (see s. 2(a)); Act other than s. 1 and 2: 5 Sep 2007 (see s. 2(b))</u>