

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.

Short title

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

Power to fix dates

2. 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 substituted by No. 86 of 1984 s. 3.]

Limits within which dates may be fixed

3. (1) The date fixed for the close of the rolls shall be 7 days after the date of the writ.

(2) Subject to subsection (3) the date fixed for the nomination of the candidates shall not be less than 11 nor more than 28 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 22 days nor more than 30 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 90 days after the date of the writ.

[Section 3 substituted by No. 86 of 1984 s. 4.]

Date to be specified in writ

4. 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.

Time for nomination

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

Polling places

6. 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.

Hours of poll

7. 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.]

Power to extend times

8. Within 20 days 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.

Communication may be by wire

9. 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 13 July 1987 of the *Election of Senators Act 1903* and includes all amendments effected by the other Acts referred to in the following Table.

Table of Acts

| Act | Number and Year | Assent | Commencement | Miscellaneous |
|--|-----------------|-------------------|--------------------------------|---------------|
| <i>Election of Senators Act 1903</i> | 11 of 1903 | 11 December 1903 | 11 December 1903 | |
| <i>Election of Senators Amendment Act 1912</i> | 27 of 1912 | 27 September 1912 | 27 September 1912 | |
| <i>Election of Senators Amendment Act 1984</i> | 86 of 1984 | 29 November 1984 | 29 November 1984 (see s. 2) | |
