



Western Australia

Library Board of Western Australia Act 1951

Library Board (Conduct of Proceedings) Regulations 1955

As at 28 Jun 2010

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Library Board (Conduct of Proceedings) Regulations 1955

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Library Board (Conduct of Proceedings) Regulations 1955

1. Citation

These regulations may be cited as the *Library Board (Conduct of Proceedings) Regulations 1955*¹.

2. Interpretation

In these regulations —

deputy member means a person appointed pursuant to section 5(9) of the Act;

the Act means the *Library Board of Western Australia Act 1951*, and any Act passed in amendment thereof or substitution therefor.

3. Election of Chairman and Vice-Chairman

- (1) The annual election for the offices of Chairman and Vice-Chairman shall be conducted at the first meeting of the Board held on or after 1 December in each year.
- (2) The Executive Officer shall send notice in writing of the time and place at which the meeting will be held, to each member of the Board and to each deputy member.

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4. Nomination papers

The Executive Officer shall send to each member of the Board and to each deputy member, not less than 7 days before the day fixed for the annual election, nomination papers for the offices of Chairman and Vice-Chairman.

5. Nominations

- (1) A deputy member shall not be eligible for nomination for the offices of Chairman or Vice-Chairman.
- (2) All nominations for the offices of Chairman and Vice-Chairman shall be in writing, signed by the proposer and seconder and countersigned by the nominee and shall be delivered to the Executive Officer.
- (3) Subject to subregulation (4), the Executive Officer shall not accept any nomination after the time fixed for the commencement of the meeting at which the election is to be conducted.
- (4) Where there has been no nomination delivered to the Executive Officer before the time fixed for the commencement of the meeting at which the election is to be conducted, the Executive Officer shall call for nominations from the meeting and shall accept any nomination which is in accordance with subregulation (2).

6. Elections to be conducted before other business

- (1) The Executive Officer shall conduct the election before the other business of the meeting is dealt with and the chair shall be vacant while the election takes place.
- (2) A person shall not address the meeting either in support of or in opposition to the candidature of any member.

7. List of nominees to be read

- (1) The Executive Officer shall read to the meeting a list of the names of the members nominated for the office of Chairman.
- (2) After the names have been read, any nominated member may request that his name be removed from the list, whereupon his nomination shall be cancelled and the remaining nominations shall be dealt with in the manner prescribed in these regulations.

8. Election not required if only one nominee

Where there is only one nomination, the member nominated shall be declared elected, but if there is more than one nomination the Executive Officer shall proceed to take a poll.

9. Manner of voting

- (1) Persons recording a vote shall do so in the following manner: —
 - (a) Where there are only 2 nominations, the voter shall insert in the ballot paper the name of the member for whom he votes.
 - (b) Where there are more than 2 nominations, the voter shall insert in the ballot paper the name of the member for whom he votes as a first preference, and he shall also insert in the ballot paper the names of and give further contingent votes for all remaining nominees.

- (2) The voting under subregulation (1)(b) shall be as follows: —

The voter shall first write on the ballot paper the name of the member for whom he votes as a first preference and he shall mark the numeral 1 against such name, and he shall then write on the ballot paper the names of all the other nominees, and he shall mark the numerals 2, 3 and so on, against each name respectively in the order of his preference.

10. Informal votes

A vote shall be deemed informal and shall be rejected by the Executive Officer if the voter has not marked the ballot paper in accordance with regulation 9.

11. Counting of votes

The counting of the votes shall be conducted and the member to be elected shall be ascertained in the manner prescribed by the *Electoral Act 1907*, for the counting and scrutiny of votes and the election of candidates at an election of a representative of the Legislative Assembly and the provisions of that Act shall, *mutatis mutandis*, apply.

12. Scrutineers

Each nominee may appoint one scrutineer to represent him at the scrutiny and all proceedings at the scrutiny shall be open to the inspection of those scrutineers present.

13. Further ballot to resolve equality of votes

In the event of an equality of votes the Executive Officer shall announce the equality and a further ballot or ballots shall be taken for the same candidates.

14. Announcement and publication of election results

- (1) At the conclusion of the scrutiny the Executive Officer shall announce to the meeting the name of the member duly elected and shall notify the results of the poll in the *Government Gazette*.
- (2) The publication of the notice in the *Government Gazette* shall be conclusive evidence that the person named therein was duly elected as Chairman.

15. Election of Vice-Chairman

The provisions of these regulations relating to the nomination and election of Chairman shall apply in like manner to the nomination and election of Vice-Chairman, but all unsuccessful candidates for the office of Chairman shall be deemed to have been nominated for the office of Vice-Chairman.

16. Nomination papers to be destroyed

The Executive Officer shall destroy the nomination papers at the conclusion of the meeting.

Notes

¹ This is a compilation of the *Library Board (Conduct of Proceedings) Regulations 1955* and includes the amendments made by the other written laws referred to in the following table^{1a}. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Library Board (Conduct of Proceedings) Regulations 1955</i>	9 Dec 1955 p. 2942-3	9 Dec 1955
Reprint 1: The <i>Library Board (Conduct of Proceedings) Regulations 1955</i> as at 19 Dec 2003		

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and year	Assent	Commencement
<i>Standardisation of Formatting Act 2010</i> s. 51 ²	19 of 2010	28 Jun 2010	To be proclaimed (see s. 2(b))

² On the date as at which this compilation was prepared, the *Standardisation of Formatting Act 2010* s. 51 had not come into operation. It reads as follows:

51. Various written laws amended

- (1) This section amends the written laws listed in the Table.
- (2) Amend the provisions listed in the Table as set out in the Table.

39. <i>Library Board (Conduct of Proceedings) Regulations 1955</i> (consequential amendments)		
r. 2 def. of <i>deputy member</i>	section 5(9)	section 5(9A) to (9D)

