



Western Australia

POTATO GROWING INDUSTRY TRUST FUND ACT 1947

## **Potato Growing Industry Trust Fund Act (Election of Elective Members) Regulations**

These regulations were repealed by the *Pig, Potato and Poultry Industries (Compensation Legislation) Repeal Act 2004* s. 4 (No. 40 of 2004) as at 1 Feb 2005 (see s. 2 and *Gazette* 7 Jan 2005 p. 53)



## **Potato Growing Industry Trust Fund Act (Election of Elective Members) Regulations**

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Western Australia

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POTATO GROWING INDUSTRY TRUST FUND ACT 1947

**Potato Growing Industry Trust Fund Act  
(Election of Elective Members) Regulations**

**1. Citation**

These regulations may be cited as the *Potato Growing Industry Trust Fund Act (Election of Elective Members) Regulations*.

**2. Elective Members — Qualification**

No person shall be qualified for election as an elective member of the Committee 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 paragraph (b) of subsection (4) of section 6 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.

**3. Elections**

For the purposes of elections of elective members of the Potato Growing Industry Trust Fund Advisory Committee —

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- (a) The Chief Electoral Officer, or, when he is prevented from acting, his substitute appointed under the *Electoral Act 1907-1949*, shall be the Returning Officer at any election of elective members of the Potato Industry Trust Fund Advisory Committee, and he shall be paid twenty per centum of such fees as prescribed for Parliamentary elections in the regulations under the *Electoral Act 1907-1949*, which may be in force at the time of the election at which he is Returning Officer.
- (b) the Minister may cancel the appointment of any person as Returning Officer;
- (c) the Minister shall by public notice fix a day for the election by the commercial producers of the first elective members of the Committee;
- (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 section 6 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) the Minister shall cause to be prepared in time for the election a roll of persons qualified to vote;
- (i) when the roll of electors has been prepared the Returning Officer 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.

*[Regulation 3 amended by Gazettes 8 July 1949 p.1437; 7 July 1950 p.1565; 22 July 1971 p.2708.]*

**4. Vacancy due to effluxion of time**

When, after the first elective members of the Committee have been elected, any vacancy is about to rise by effluxion of time in relation to the membership of an elective member of the Committee, the following provision shall apply: —

*[(a) deleted]*

- (b) In the case of vacancies occurring by effluxion of time the Returning Officer shall, at least three months before the term of office of an elective member will expire by effluxion of time, inform the Minister 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 Minister 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

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published by him in accordance with paragraph (e) hereof.

- (e) Upon receipt by him of the notice from the Minister fixing the day for the holding of the election and the appointment of the time for enrolment, 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.
  - (v) of the time for enrolment.
- (f) The nomination day shall be not less than fourteen days nor more than six weeks prior to the day fixed for the election.

*[Regulation 4 amended by Gazettes 8 July 1949 p.1437;  
17 June 1955 p.1515.]*

**5. If no candidate is nominated**

- (1) Where, as at the date and time fixed for the lodging of nominations for an election, no candidate has been nominated, the Returning Officer shall by notice published in the *Government Gazette* and in a daily newspaper circulating in the State —
  - (a) re-open nominations for the election;
  - (b) fix a new date and time for lodging nominations; and
  - (c) if necessary in order to comply with subregulation (2) of this regulation, fix a new date and time for the closing of the poll to be taken at the election.
- (2) Where a notice re-opening nominations for an election has been published by the Returning Officer in accordance with this regulation —



- (a) the new date appointed for the lodging of nominations shall be not less than 14 days after the date of the publication of the notice;
- (b) the date for the closing of the poll shall be not less than 21 days after the new date fixed for the lodging of nominations.

*[Regulation 5 inserted by Gazette 5 November 1982  
pp.4418-19.]*

**6. Enrolling corporations and partnerships**

- (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.

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- (4) Every authority given under paragraph (1) hereof shall remain effective for all subsequent elections and electoral rolls until written notice or 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.

**7. Nominations**

- (1) Every nomination of a candidate for election as a member of the Committee shall be made in writing, in the Form A 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 on 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) deleted]*
- (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 B in the Appendix to these regulations to the Minister, and such certificate, when received by the Minister shall be the final and conclusive evidence of the election of the said candidates as members of the Committee.
- (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 Minister 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.

*[Regulation 7 amended by Gazette 17 June 1955 p.1515.]*

## **8. Polling**

- (1) When after the receipt of nominations of candidates an election is necessary to elect an elective member or elective members of the Committee, 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 C in the Appendix

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to these regulations containing the surnames and Christian names of all candidates in alphabetical order of the surnames.

- (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.

*[Regulation 8 amended by Gazette 17 June 1955 p.1515.]*

**9. Electors to receive ballot papers**

- (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 D 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.

**10. Casting a vote**

- (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 last-mentioned 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 4 o'clock in the afternoon of the day fixed for the closing of the poll.

*[(3) deleted]*

*[Regulation 10 amended by Gazette 17 June 1955 p.1515.]*

**11. If a ballot paper is not received**

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.

**12. Preferential Voting**

- (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 number 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 number 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.

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- (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 this preference.

**13. Ballot Papers**

- (1) The Returning Officer shall keep a locked and sealed ballot box, with the words "Potato Growing Industry Trust Fund Advisory Committee 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.

**14. Scrutineers**

- (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 E in the Appendix.

**15. The Scrutiny**

- (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 State Electoral Office 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*

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*Act 1907*, 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 on one candidate.
  - (b) Votes shall not be deemed to be informal except in the case hereinafter mention.
- (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
  - (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 votes.

*[Regulation 15 amended by Gazette 17 June 1955 p.1516.]*

**16. Informal votes**

- (1) A ballot paper shall be informal —
- (a) If it is not initialled 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 7 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.

**17. Declaration of results**

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.

**18. Notification of result**

- (1) When the result of an election has been ascertained and declared, the Returning Officer shall forthwith furnish to the Minister a certificate of such result in accordance with Form F 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 Minister, shall be final and conclusive evidence of the election of the said candidates as members of the Committee.
- (2) As soon as reasonably may be after the receipt by the Minister from the Returning Officer of the certificate mentioned in paragraph (1) hereof, the Minister shall cause a copy thereof to be published in the *Government Gazette* and newspaper published in Perth.

**19. Disqualification of voters**

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.

**20. Returning Officer to retain ballot papers. etc.**

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.

**21. False statements**

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.

**22. Expenses**

Subject to subsection (3) of section 7 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 Minister, shall be borne and paid by the Committee or reimbursed to the Returning Officer by the Committee out of moneys from time to time in its hands: Provided that the Committee 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**

*Potato Growing Industry Trust Fund Act 1947*

### **Form A**

(Regulation 7 (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 7 (1) of the *Potato Growing Industry Trust Fund  
Act 1947*, as an elective member of The Potato Growing Industry Trust Fund  
Advisory Committee, 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 Committee 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 B**

*Potato Growing Industry Trust Fund Act 1947*

(Regulation 7 (7))

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

To:

The Potato Growing Industry Trust Fund Advisory Committee, Perth.

I (a) ..... being the Returning Officer duly appointed under and for the purposes of the regulations made under the *Potato Growing Industry Trust Fund Act 1947*, do hereby certify: —

- (1) That in connection with the nomination of candidates for election as Members of The Potato Growing Industry Trust Fund Advisory Committee 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 7 (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 Potato Growing Industry Trust Fund Advisory Committee; 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 Committee.

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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.

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**Form C**

*Potato Growing Industry Trust Fund Act 1947*

(Regulation 8 (1))

**BALLOT PAPER**

For use in an election of (a) ..... person (or persons) to be elected as the elective member (or members) of The Potato Growing Industry Trust Fund Advisory Committee under section 7 (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 D 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) deleted]*
- (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.

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**Form D**

*Potato Growing Industry Trust Fund Act 1947*

(Regulation 9 (1))

**STATEMENT BY ELECTOR TO ACCOMPANY BALLOT PAPER**

I (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 producer within the meaning of the Act.

(2) That as such elector I am entitled to vote in the election 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 Potato Growing Industry Trust Fund Advisory Committee.

(3) That I have not voted previous 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)

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(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.

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**Form E**

*Potato Growing Industry Trust Fund Act 1947*  
(Regulation 14 (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 Potato Growing Industry Trust Fund Advisory Committee, 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 .....,  
194 .....

.....  
Returning Officer

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**Form F**

*Potato Growing Industry Trust Fund Act 1947*  
(Regulation 18 (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 *Potato Growing Industry Trust Fund Act 1947*, 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 afternoon on the (b) ..... day of ..... 19 ....., for the election of (c) ..... person (or persons) as the elective member (or members) of the Potato Growing Industry Trust Fund Advisory Committee under section 7 (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 Governor as a member (or members) of the said Committee.

(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) .....

**Potato Growing Industry Trust Fund Act (Election of Elective Members)  
Regulations  
The Appendix**

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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.

*[Appendix amended by Gazette 5 November 1982 p.4419.]*

### Notes

- <sup>1.</sup> This is a compilation of the *Potato Growing Industry Trust Fund Act (Election of Elective Members) Regulations* and includes the amendments referred to in the following Table.

### Compilation table

Citation	Gazettal	Commencement
<i>Potato Growing Industry Trust Fund Act (Election of Elective Members) Regulations</i>	25 Mar 1949 pp.636-43	
	8 Jul 1949 p.1437	
	7 Jul 1950 p.1565	
	17 Jun 1955 p.1515	
	22 Jul 1971 p.2708	
	5 Nov 1982 pp.4418-9	

**These regulations were repealed by the *Pig, Potato and Poultry Industries (Compensation Legislation) Repeal Act 2004* s. 4 (No. 40 of 2004) as at 1 Feb 2005 (see s. 2 and *Gazette* 7 Jan 2005 p. 53**

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