

WESTERN AUSTRALIA

ELECTORAL (PROCEDURES) AMENDMENT ACT

No. 79 of 1987

AN ACT to amend the *Electoral Act 1907* and the *Referendums Act 1983*.

[Assented to 1 December 1987]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title and principal Act

1. (1) This Act may be cited as the *Electoral (Procedures) Amendment Act 1987*.

(2) In this Act the *Electoral Act 1907** is referred to as the principal Act.

[*Reprinted as at 16 June 1986 and amended by Acts Nos. 104 of 1985 and 40 of 1987.]

Commencement

2. (1) The provisions of this Act shall come into operation on such day as is, or days as are respectively, fixed by proclamation.

(2) A day shall not be fixed under subsection (1) unless it is later than the day of the commencement of the *Acts Amendment (Electoral Reform) Act 1987*.

Section 17 amended

3. Section 17 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting “not under 18 years of age”; and

(ii) by deleting paragraph (b) and substituting the following paragraph—

“ (b) who has attained 18 years of age; ”;

(b) by adding after subsection (4) the following subsections—

“ (4a) A person who—

(a) has attained 17 years of age; and

(b) would be entitled to be enrolled on a roll if he had attained 18 years of age,

is entitled to be enrolled on that roll as an elector.

(4b) Notwithstanding section 4, or subsection (4a), or an enrolment under subsection (4a), if a person who has been enrolled under subsection (4a) does not attain 18 years of age until after the date fixed for the polling in an election, that person—

(a) is not entitled to vote at that election; and

(b) shall not be taken to be—

(i) an elector;

(ii) entitled to be enrolled on a roll; or

(iii) enrolled on a roll,

for the purposes of this Act in relation to that election.

(4c) Subsection (4a) does not apply to a person who does not know his date of birth. ”;

and

(c) in subsection (5) by deleting “Except as provided in subsection (4) a person is not entitled to have his name placed upon” and substituting the following—

“ Subject to subsection (4) a person is not entitled to be enrolled on ”.

Section 22 repealed and a section substituted

4. Section 22 of the principal Act is repealed and the following section is substituted—

Form of roll

“ 22. Subject to section 51B, rolls may be in the prescribed form, and shall set out the surname, christian or given name, and residence of each elector and such other particulars as are prescribed. ”.

Section 23 amended

5. Section 23 of the principal Act is amended in subsection (1) by inserting after “christian” the following—

“ or given ”.

Section 24 amended

6. Section 24 of the principal Act is amended—

(a) in subsection (2) by deleting “issue of the writs” and substituting the following—

“ close of the rolls ”; and

(b) by inserting after subsection (2) the following subsection—

“ (3) Without limiting subsection (1), the rolls shall be printed and issued as soon as practicable after a notice dividing the State into districts and regions has been published under section 3 (2) (f) of the *Electoral Distribution Act 1947*. ”.

Section 25A inserted.

7. After section 25 of the principal Act the following section is inserted—

Provision of rolls and habitation indexes to
parliamentary parties and members of Parliament

“ 25A. (1) Subject to subsections (3) and (5), the Electoral Commissioner shall at the request of the person or organization in question cause to be provided, without charge—

- (a) to any parliamentary party—2 copies of the latest print of the rolls for each district and region;
- (b) to a member of the Legislative Council—2 copies of the latest print of the roll for each district in the region for which the member was elected;
- (c) to a member of the Legislative Assembly—2 copies of the latest print of the roll for the district for which the member was elected;
- (d) to such other persons or organizations (if any) as the Electoral Commissioner determines to be appropriate—a copy of the latest print of such rolls as the Electoral Commissioner considers appropriate.

(2) Subject to subsection (3), the Electoral Commissioner shall, so far as it is practicable to do so, cause to be provided to each parliamentary party, without charge, at the request of the party once during each Parliament, 2 copies of a habitation index for each district, being a list of electors for that district arranged, in a manner determined by the Electoral Commissioner, by reference to the residences of the electors whose names are entered on the roll for that district.

(3) The Electoral Commissioner shall not provide a parliamentary party with—

- (a) copies of a print of the roll for a district under subsection (1); or
- (b) copies of a habitation index in respect of a district under subsection (2),

unless a branch or division of the party is organized in that district or in the region of which that district forms part.

(4) The Electoral Commissioner shall not include on a habitation index for a district provided under subsection (2) the names and addresses of persons whose residences are not shown on the roll for that district by virtue of section 51B.

(5) Instead of providing copies of a printed roll or habitation index as required under subsection (1) or (2) the Electoral Commissioner may comply with the requirement by providing the information on the roll or index in the form of particulars recorded or stored on a mechanical, electrical, or other device.

(6) In this section “parliamentary party” has the same meaning as it has in section 113C. ”.

Section 31A amended

8. Section 31A of the principal Act is amended—

- (a) in subsection (1) by deleting “give notice in writing to” and substituting the following—

“ notify ”;

- (b) in subsection (3) (a) and (b) by deleting “notice” and substituting in each place the following—

“ notification ”; and

- (c) in subsection (3) by deleting “, in writing, order the Registrar for the district or sub-district for which that person is enrolled to remove the name of the person from the roll, and the Registrar shall forthwith comply with such order” and substituting the following—

“ cause the Registrar for the district or sub-district for which that person is enrolled to remove the name of the person from the roll ”.

Section 44 amended

9. Section 44 of the principal Act is amended in subsection (1) (a) by inserting after “christian” the following—

“ or given ”.

Section 45 amended

10. Section 45 of the principal Act is amended—

- (a) in subsection (1) by inserting after “sub-district” where it first occurs the following—

“ , otherwise than under section 17 (4a) ”;

- (b) in subsection (2) by deleting “make, sign, and deliver a new claim within 21 days after the change,” and substituting the following—

“ within 21 days after the change, give notice in writing of the new address ”; and

- (c) by inserting after subsection (4) the following subsections—

“ (5) Where a person sends a claim to the Registrar keeping the roll on which the person claims to be enrolled, proceedings shall not be instituted against the person for any offence against subsection (1) before the claim was sent.

(6) Where a person sends a notice in writing of a new address to the Registrar keeping the roll on which the person is enrolled, proceedings shall not be instituted against the person for any offence against subsection (2) committed before the notice was sent. ”.

Section 47 amended

11. Section 47 of the principal Act is amended—

- (a) in subsection (3) (a) (ii) by inserting after “days” the following—

“ specifying the grounds of the appeal ”;

- (b) by inserting after subsection (3) (b) the following paragraph—

“ (ba) If notice of appeal is duly given and the Registrar is satisfied on the grounds specified in the notice of appeal that the claimant is entitled to be enrolled the Registrar shall withdraw the objection. ”;

- (c) in subsection (3) (c) by deleting “given,” and substituting the following—

“ given and the Registrar is not satisfied on the grounds specified in the notice of appeal that the claimant is entitled to be enrolled ”;

- (d) in subsection (3) (g) by deleting “issue of the writ” and substituting the following—

“ close of the roll ”;

- (e) in subsection (3) (g) by deleting “:” and the proviso and substituting the following—

“ but the Registrar shall place a mark in the prescribed manner against the claimant’s name when enrolled, and section 122 applies to a person whose name is so marked. ”; and

- (f) by inserting after subsection (3) the following subsection—

“ (4) Paragraphs (f) and (g) of subsection (3) do not apply where the claim is for enrolment under section 17 (4a) and the election is an election referred to in section 17 (4b). ”.

Section 48 amended**12.** Section 48 of the principal Act is amended—

- (a) in subsection (1) (b) by inserting after “Registrar” the following—

“ if the Registrar has reason to believe that the name should not be retained on the roll ”;

- (b) in subsection (2) (b) by deleting “25 cents” and substituting the following—

“ \$2 ”;

- (c) by deleting subsection (2) (g);

- (d) in subsection (3) (a) (ii) by inserting after “given” the following—

“ specifying the grounds of the appeal ”;

- (e) by inserting after subsection (3) (b) the following paragraph—

“ (ba) If notice of appeal is duly given and the Registrar is satisfied on the grounds specified in the notice of appeal that the person objected to is entitled to remain enrolled the Registrar shall withdraw the objection. ”;

- (f) in subsection (3) (c) by deleting “given,” and substituting the following—

“ given and the Registrar is not satisfied on the grounds specified in the notice of appeal that the person objected to is entitled to remain enrolled ”;

- (g) by deleting subsection (3) (f); and

- (h) by inserting after subsection (4) the following subsection—

“ (5) No name shall be struck from, or other amendment made to, a roll under this section during the period from the close of the roll for an election to the close of the polling at the election except where the name objected to was enrolled under section 17 (4a) and the election is an election referred to in section 17 (4b). ”.

Section 52 amended

13. Section 52 of the principal Act is amended—

(a) in subsection (1)—

(i) in paragraph (c) by deleting “in the prescribed form”; and

(ii) by deleting paragraph (d) and substituting the following paragraph—

“ (d) For the purposes of giving effect to a nomination made under section 61. ”;

and

(b) by repealing subsection (2).

Section 53 amended

14. Section 53 of the principal Act is amended—

(a) by deleting “issue of the writ for an election” and substituting the following—

“ close of the roll for an election ”;

(b) by deleting “issue of the writ for a referendum” and substituting the following—

“ close of the roll for a referendum ”;

(c) by deleting “issue of the writ” in paragraph (a) and substituting the following—

“ close of the roll ”; and

(d) by deleting paragraph (c).

Section 56 amended

15. Section 56 of the principal Act is amended in paragraph (b)—

(a) by deleting “maiden name” and substituting the following—

“ name before marriage ”; and

(b) by deleting “18” and substituting the following—

“ 17 ”.

Section 57 amended

16. Section 57 of the principal Act is amended in subsection (1) by deleting “18” and substituting the following—

“ 17 ”.

Section 61 repealed and a section substituted

17. Section 61 of the principal Act is repealed and the following section is substituted—

Electoral Commissioner may request married women
to nominate surname

“ 61. (1) Upon the receipt of the lists referred to in section 56 (b) the Electoral Commissioner may—

- (a) cause the names of the married women enumerated in those lists who are enrolled as electors for the Council and Assembly to be ascertained under the surname of such women before their marriage; and
- (b) cause each such elector to nominate which of the surnames the elector is entitled to use the elector wishes to be enrolled under.

(2) A nomination for the purposes of subsection (1) (b) shall be—

- (a) in a form approved by the Electoral Commissioner;
- (b) signed by the elector in the presence of a person authorized by this Act to witness the signatures of claimants; and
- (c) returned to the Electoral Commissioner.

(3) On receipt of a nomination made under subsection (1) (b) the Electoral Commissioner shall give such directions as are necessary to give effect to the nomination. ”.

Section 62A inserted

18. After section 62 of the principal Act the following section is inserted—

Computer records relating to roll

“ 62A. (1) Where, but for this subsection, the Electoral Commissioner or a Registrar is required or permitted under this Act to record particulars in a written form on a roll, the Electoral Commissioner or Registrar may do so by recording or storing those particulars, or causing those particulars to be recorded or stored, on a mechanical, electrical or other device approved by the Electoral Commissioner.

(2) Where the Electoral Commissioner or a Registrar is required or permitted under this Act to vary or remove particulars which, but for this section, would be on a roll but which have been recorded or stored in accordance with this section, the Electoral Commissioner or Registrar shall do so by varying or removing the particulars so recorded or stored, or causing the particulars so recorded or stored to be varied or removed, as the case may be.

(3) Without limiting section 33, where particulars are recorded or stored by virtue of this section, the Registrar responsible for the roll on which, but for this section, those particulars would be recorded shall ensure that means are provided by which those particulars are available, without fee, for public inspection in a written form at the office of the Registrar during ordinary office hours.

(4) Where the Electoral Commissioner or a Registrar who is required under this Act to enter particulars on, vary particulars on, or remove particulars from, a roll complies with the requirement by taking action in accordance with this section, the Electoral Commissioner or Registrar shall, for the purposes of this Act, including any provisions imposing obligations on the Electoral Commissioner or Registrar, be taken to have entered those particulars on the roll, varied those particulars or removed those particulars, as the case may be.

(5) Sections 54 and 55 do not apply to alterations of a roll made pursuant to this section.

(6) A reference in this section to the entering or recording of particulars on a roll includes a reference to the making of annotations on a roll. ”.

Section 65 repealed and a section substituted

19. Section 65 of the principal Act is repealed and the following section substituted—

Notice to be published

“ 65. When any warrant is issued under section 64 or 67 notice of that fact shall be published in the *Government Gazette*. ”.

Section 66 repealed

20. Section 66 of the principal Act is repealed.

Section 69A inserted

21. After section 69 of the principal Act the following section is inserted—

Close of rolls

“ 69A. The time of the close of the rolls is 6 p.m. on the day 8 days after the date of the writ. ”.

Section 70 amended

22. Section 70 of the principal Act is amended by deleting “14” and substituting the following—

“ 7 ”.

Section 71 amended

23. Section 71 of the principal Act is amended by inserting after subsection (2) the following subsection—

“ (3) In the case of a general election for the Council or the Assembly the same date shall be fixed for the polling in each region or district as the case requires. ”.

Section 72 amended

24. Section 72 of the principal Act is amended—

(a) by inserting after the section designation “72.” the subsection designation “(1)”; and

(b) by inserting the following subsection—

“ (2) In the case of a general election for the Council or the Assembly the same date shall be fixed for the return of the writ in each region or district as the case requires. ”.

Section 78 amended

25. Section 78 of the principal Act is amended—

(a) by inserting after the section designation “78.” the subsection designation “(1)”; and

(b) in paragraph (b)—

(i) by inserting after “christian” the following—

“ or given ”; and

(ii) by inserting after “candidate” the following—

“ and the form in which the candidate’s name is to be printed on the ballot papers for the election ”; and

(c) by inserting the following subsections—

“ (2) The statement of the form of the candidate’s name to be printed on the ballot papers shall include the candidate’s surname and may include each, or one or more, of the candidate’s given names.

(3) For the purposes of subsection (2) a given name may be stated by specifying—

(a) the name;

(b) an initial standing for the name; or

(c) a commonly accepted variation of the name (including an abbreviation or truncation of the name or an alternative form of the name). ”.

Section 85 amended

26. Section 85 of the principal Act is amended in subsection (2) by deleting “12 noon” and substituting the following—

“ 6 p.m. ”.

Section 87 amended

27. Section 87 of the principal Act is amended in subsection (2) by deleting “between the hours of 11 a.m. and 12 noon on the day of nomination” and substituting the following—

“ for the period of one hour immediately prior to the hour of nomination ”.

Section 90 amended

28. Section 90 of the principal Act is amended—

(a) in subsection (1)—

(i) by inserting after paragraph (a) the following paragraph—

“ (b) will, by reason of emergency duty or requirements of employment, be precluded throughout the hours of polling on polling day from attending to vote at any polling place open in the State; ”; and

(ii) by deleting “at any time after the tenth day prior to the date of the issue of the writs and before 6 o'clock in the afternoon of the day immediately preceding polling day” and substituting the following—

“ , after the polling day has been publicly announced by the Government, ”;

(b) in subsection (1a)—

(i) by deleting “or” at the end of paragraph (d); and

(ii) by deleting the full stop at the end of paragraph (e) and substituting the following—

“ ; or

(f) a person appointed in writing by the Electoral Commissioner. ”;

- (c) in subsection (2), by deleting “and (e)” and substituting the following—

“ , (e) and (f) ”;

- (d) by repealing subsection (3) and substituting the following subsections—

“ (3) An application for a postal ballot paper may be made orally or in writing.

(3a) A written application for a postal ballot paper may be in the prescribed form for the election or elections, as the case may be, and shall—

- (a) contain a statement by the applicant to the effect that the applicant is an elector who is entitled to apply for a postal ballot paper;
- (b) be signed by the applicant; and
- (c) be made to an issuing officer.

(3b) If an elector who wishes to make a written application for a postal vote is blind or the sight of the elector is so impaired that the elector is unable to sign the application, or the elector is unable to write or is otherwise so physically incapable that the elector is unable to sign the application, then on satisfying an authorized witness of that inability to sign the elector may make a distinguishing mark on the application which shall be witnessed by the authorized witness.

(3c) Where an elector who makes a written application for a postal ballot paper expects to be absent from the address for which he is enrolled at the time that the postal ballot paper will be forwarded by the issuing officer the elector may in the application state an address to which the ballot paper is to be forwarded.

(3d) Any ballot paper, declaration, envelope or notice that is required by this section to be posted to an elector who has made a written application for a postal ballot paper shall be

posted to the address for which the elector is enrolled unless the elector has stated another address under subsection (3c) in which case it shall be posted to that other address.

(3e) An oral application for a postal ballot paper shall be made in person before an issuing officer and—

(a) shall include the following statements—

(i) a statement of the ground upon which the applicant applies for a postal vote;

(ii) a statement specifying the district for which the applicant is enrolled;

(iii) a statement of such other particulars (if any) as are prescribed;

(b) shall not be made earlier than 24 hours after the hour of nomination. ”;

(e) in subsection (4) by deleting “an application” and substituting the following—

“ a written application ”;

(f) by inserting after subsection (4) the following subsections—

“ (4a) The Electoral Commissioner may direct any issuing officer to forward all or any written applications made under this section to the office of the Electoral Commissioner so that any such applications can be dealt with in terms of subsection (4) by an issuing officer designated by the Electoral Commissioner.

(4b) Where an oral application for a postal vote is made to an issuing officer and the issuing officer is satisfied that the application is properly made the issuing officer shall, subject to subsection (13), deliver to the elector the papers and envelopes specified in subsection (4) (c) and make a record of the name of the elector and of such other particulars as are prescribed. ”;

- (g) by repealing subsections (5), (6) and (7) and substituting the following subsections—

“ (5) Notwithstanding anything in subsection (1), (4) or (4b), an issuing officer shall not issue a postal ballot paper—

- (a) in respect of a written application for a postal ballot paper unless the application is received before 6 p.m. on the Thursday next preceding polling day;
- (b) in respect of an oral application for a postal ballot paper unless the application is made before 6 p.m. on the day immediately preceding polling day.

(6) When a written application for a postal ballot paper has been dealt with by an issuing officer, the issuing officer shall forthwith send the application to the Electoral Commissioner.

(7) Where the issuing officer dealing with a written application for a postal ballot paper—

- (a) is not satisfied that the application is in order; or
- (b) is not satisfied that the applicant is entitled to vote by post,

the issuing officer shall forthwith post to the applicant a notice in the prescribed form. ”; and

- (h) by repealing subsections (9), (10) and (11) and substituting the following subsections—

“ (9) Where an issuing officer issues a postal ballot paper to an elector under this section and the elector satisfies the issuing officer that the ballot paper has not been delivered to the elector or has been lost or destroyed the issuing officer shall issue a further ballot paper together with the necessary envelopes and declaration to the elector and shall advise the Electoral Commissioner of that fact.

(10) A person who obtains a postal ballot paper by impersonating another person or making a false statement either in a written application or in an oral application commits an offence.

Penalty: \$200 or 3 months imprisonment.

(11) Where a person wishes to vote at 2 elections that are held on the same day only one application for a postal vote is necessary in respect of the elections and the issuing officer shall, subject to this Act, provide an applicant for a postal ballot paper with such ballot papers and ballot paper envelopes as are necessary in respect of each election. ”.

Section 92 amended

29. Section 92 of the principal Act is amended—

(a) by repealing subsection (4) and substituting the following subsections—

“ (4) Subject to subsection (4a) the elector shall, before the close of the poll, post or deliver the envelope, or cause it to be posted or delivered, to the Electoral Commissioner.

(4a) If the elector believes on reasonable grounds that the envelope—

(a) if posted under subsection (4), would not reach the Electoral Commissioner before 9 a.m. on the Tuesday next succeeding polling day; or

(b) if delivered under subsection (4), would not reach the Electoral Commissioner before the close of the poll,

the envelope and its contents may be posted or delivered unopened to a Returning Officer, or delivered unopened to a presiding officer in charge of any polling place open on polling day, so as to reach the Returning Officer or presiding officer before the close of the poll, and the Returning Officer or presiding officer shall, in accordance with the regulations, send the envelope and its contents unopened to the Electoral Commissioner.

(4b) A Returning Officer or presiding officer shall not accept a postal ballot paper after the close of the poll.

(4c) Where an envelope that contains a postal ballot paper—

(a) is posted to the Electoral Commissioner bearing a postmark that includes a time after the close of the poll;

(b) reaches the Electoral Commissioner at or after 9 a.m. on the Tuesday next succeeding polling day,

the postal ballot paper shall be rejected. ”; and

(b) by repealing subsection (9a) and substituting the following subsection—

“ (9a) A determination of an entitlement to vote at an election being held on any day applies to any other election being held on that day and only one declaration is required under this section. ”.

Section 93 amended

30. Section 93 of the principal Act is amended—

(a) by repealing subsection (1) and substituting the following subsection—

“ (1) Any person—

(a) whose place of living is not within 20 kilometres, by the nearest practicable route, of a polling place;

(b) who is, by reason of membership of a religious order or religious beliefs—

(i) precluded from attending at a polling place;

or

(ii) precluded from voting throughout the hours from 8 a.m. to 6 p.m. on Saturday or throughout the greater part of those hours; or

(c) who is permanently disabled,

may, at any time, lodge an application in writing with the Electoral Commissioner to be registered as a general postal voter. ”; and

(b) by repealing subsection (5).

Section 98 repealed and a section substituted

31. Section 98 of the principal Act is repealed and the following section is substituted—

Officer to decide

“ 98. Subject to sections 144 (2b), 146, 146I (1), and 146J, the decision of the officer conducting the count of the votes as to the allowance or disallowance of any postal ballot paper is final unless reversed under Part V. ”.

Section 99B amended

32. Section 99B of the principal Act is amended—

(a) in subsection (1) by deleting “absent vote ballot papers mentioned in section 99A and ballot papers mentioned in section 122A” and substituting the following—

“ ballot papers for absent voting under section 99A, and ballot papers for provisional voting under section 119 (4a), 122 (2) or 122A ”;

(b) in subsection (2) by deleting “and voting pursuant to the provisions of section 122A” and substituting the following—

“ under section 99A, and provisional voting under section 119 (4a), 122 (2) or 122A ”; and

(c) in subsection (3) by deleting “notwithstanding anything contained in this Act” and substituting the following—

“ subject to sections 144 (2b), 146, 146I (1), and 146J ”.

Section 100 amended

33. Section 100 of the principal Act is amended in subsection (3) by deleting “for use by absent voters”.

Section 100B amended

34. Section 100B of the principal Act is amended—

(a) by inserting after subsection (2) the following subsection—

“ (2a) The Returning Officer shall give not less than 48 hours notice in writing to each candidate for the region or district in which a place is situated of the time or times at which the presiding officer and another officer will be in attendance at that place under subsection (1). ”; and

(b) in subsection (3) by inserting after “(1)” the following—

“ or to give the notice required by subsection (2a) ”.

Section 102A amended

35. Section 102A of the principal Act is amended in subsection (3) (a) by inserting after “information” the following—

“ other than names or words printed in accordance with section 113C ”.

Section 111 amended

36. Section 111 of the principal Act is amended by inserting after “key” the following—

“ or other sealing device ”.

Section 113 amended

37. Section 113 of the principal Act is amended by repealing subsections (1) and (2) and substituting the following subsections—

“ (1) Subject to section 213 (2) ballot papers shall be in the appropriate form set out in Schedule 3.

(1a) Ballot papers shall contain the names of all the persons nominated as candidates.

(2) Where similarity in the names of 2 or more candidates is likely to cause confusion, the names of those candidates may be arranged with such description or addition as will distinguish them from one another. ”.

Section 113A amended

38. Section 113A of the principal Act is amended—

- (a) in subsection (1) by deleting “in a region”;
- (b) in subsection (4) (b) (i) by inserting after “candidate” where it first occurs the following—
 - “ in an election in a district or a candidate in an election in a region ”; and
- (c) in subsection (5) (b) by inserting after “groups” the following—
 - “ or an election in a district ”.

Section 113B amended

39. Section 113B of the principal Act is amended—

- (a) in subsection (1) (d) by deleting “and, where warranted by reason of the number of such candidates, may be printed as a group ”; and
- (b) by repealing subsection (3) and substituting the following subsection—
 - “ (3) In printing the ballot papers for an election in a region—
 - (a) a square shall be printed opposite the name of each candidate; and
 - (b) where a voting ticket is registered in relation to the election an additional square shall be printed in the prescribed position—
 - (i) in the case of a voting ticket lodged by or on behalf of a group—adjacent to the names of the candidates included in the group or adjacent to the squares printed opposite those names; and

(ii) in the case of a voting ticket lodged by or on behalf of a candidate—adjacent to the name of that candidate or adjacent to the square printed opposite that name,

in order to indicate that a voting ticket is registered in relation to the group or candidate, as the case may be. ”;

(c) by repealing subsection (4).

Section 113BA inserted

40. After section 113B of the principal Act the following section is inserted—

Printing Assembly ballot papers

“ 113BA. In printing the ballot papers for an election in a district—

- (a) the names of the candidates shall be printed in order determined under section 86 (2a);
- (b) a square shall be printed opposite the name of each candidate; and
- (c) where a voting ticket is registered in relation to the election an additional square shall be printed in the prescribed position adjacent to—

(i) the name of; or

(ii) the square opposite the name of,

the candidate by whom or on whose behalf the voting ticket was lodged. ”.

Section 113C amended

41. Section 113C of the principal Act is amended in subsections (1) and (5) by deleting “in a region”.

Section 113E repealed

42. Section 113E of the principal Act is repealed.

Section 114 amended

43. Section 114 of the principal Act is amended in subsection (1) (b) (ii) by inserting after “scrutineer” the following—

“ at a time ”.

Section 115 amended

44. Section 115 of the principal Act is amended—

(a) in subsection (1) by inserting after “vote” the following—

“ , and any person appointed under section 129 (1) (b) to be present while an elector’s ballot paper is marked ”; and

(b) by inserting after subsection (1) the following subsection—

“ (1a) A presiding officer, assistant presiding officer, poll clerk, doorkeeper or scrutineer in a polling place shall wear or display such identification as is provided or required by the Returning Officer. ”.

Section 117 amended

45. Section 117 of the principal Act is amended in paragraph (2) by deleting “8 p.m.” and substituting the following—

“ 6 p.m. ”.

Section 118 amended

46. Section 118 of the principal Act is amended in paragraph (a) by inserting after “christian” the following—

“ or given ”.

Section 119 amended

47. Section 119 of the principal Act is amended—

(a) by repealing subsection (2);

(b) by repealing subsection (3);

- (c) in subsection (4) by deleting “receiving a ballot paper” and substituting the following—

“ the person is permitted to vote ”;

- (d) by inserting after subsection (4) the following subsection—

“ (4a) A person who makes a declaration as required under subsection (4) shall be permitted to vote as a provisional voter in the prescribed manner. ”; and

- (e) by repealing subsection (6) and substituting the following subsection—

“ (6) A determination of an entitlement to vote at an election being held on any day applies to any other election being held on that day and only one declaration is required under subsection (4). ”.

Section 122 amended

48. Section 122 of the principal Act is amended—

- (a) in subsection (1) by deleting “or 48”; and

- (b) by repealing subsection (2) and substituting the following subsection—

“ (2) A person who makes a declaration as required by subsection (1) shall be permitted to vote as a provisional voter in the prescribed manner. ”.

Section 122A amended

49. Section 122A of the principal Act is amended—

- (a) in subsection (1)—

- (i) by inserting after “permitted to vote” the following—

“ as a provisional voter ”;

- (ii) by deleting “the time of the issue of the writ” in paragraph (a) (i) and substituting the following—

“ the close of the roll ”; and

(iii) by deleting “issue of the writ” in paragraph (b) (ii) and substituting the following—

“ close of the roll ”; and

(b) by repealing subsection (1a) and substituting the following subsection—

“ (2) A determination of an entitlement to vote at an election being held on any day applies to any other election being held on that day and only one declaration is required under subsection (1). ”.

Section 124 amended

50. Section 124 of the principal Act is amended by repealing subsection (2) and substituting the following subsection—

“ (2) No elector shall be disqualified from voting under the surname appearing on the roll by reason of having become entitled to use another surname. ”.

Section 125 amended

51. Section 125 of the principal Act is amended in subsection (2) by deleting “and the name of the region or district for which the election takes place”.

Section 128 amended

52. Section 128 of the principal Act is amended—

(a) in subsection (1), by deleting “in a district”; and

(b) by repealing subsection (2) and substituting the following subsection—

“ (2) In an election where there are more than 2 candidates on the ballot paper an elector shall mark his vote on the ballot paper—

(a) by placing the numeral “1” in the square opposite the name of the candidate for whom he votes as his first preference and consecutive numerals beginning with the numeral “2” in the squares

opposite the names of the remaining candidates so as to indicate the order of his preference for all candidates; or

- (b) by placing the numeral “1”, a tick or a cross in a voting ticket square printed on the ballot paper. ”.

Section 128A repealed

53. Section 128A of the principal Act is repealed.

Section 129 amended

54. Section 129 of the principal Act is amended—

- (a) by inserting after the section designation “129.” the subsection designation “(1)”; and
- (b) by inserting the following subsections—

“ (2) Without limiting the generality of subsection (1), an elector to whom that subsection applies may indicate the manner in which the elector wishes the ballot paper to be marked by presenting to the person marking the ballot paper a statement in writing (which may be, or include, a “how-to-vote” card) that specifies the manner in which the ballot paper is to be marked.

(3) Where an elector is at a place that is in close proximity to a polling place but is unable to enter the polling place because of physical disability, sections 118 to 126 shall apply, or may be applied, to the person at the first-mentioned place and, at that place—

(a) the elector—

- (i) may mark his vote on the ballot paper in the presence of the presiding officer, an assistant presiding officer or a poll clerk, and of such scrutineers as are present; and
- (ii) fold the ballot paper so as to conceal the names of the candidates, and hand the ballot paper to the electoral officer in whose presence it was marked; or

- (b) the elector's ballot paper may be marked and folded by an electoral officer in accordance with subsection (1).

(4) The electoral officer who is handed a ballot paper under subsection (3) (a) (ii), or who marks and folds a ballot paper under subsection (3) (b), shall return to the polling place and deposit the ballot paper in the ballot box. ”.

Section 132 amended

55. Section 132 of the principal Act is amended—

- (a) by inserting after the section designation “132.” the subsection designation “(1)”; and
- (b) by inserting the following subsection—

“ (2) If from any cause polling cannot be commenced or proceeded with at a special institution or hospital appointed under section 100 (1) (c) or (d) or at any place within a remote area declared under section 100 (1) (e) the Returning Officer or the presiding officer may postpone or adjourn the polling for a period not to exceed 21 days, and shall forthwith give public notice of the postponement or adjournment, as the case may be. ”.

Section 134 amended

56. Section 134 of the principal Act is amended—

- (a) by inserting after paragraph (2) the following paragraph—

“ (2a) The scrutineers and officers present shall wear or display such identification as is provided or required by the Returning Officer. ”; and

- (b) in paragraph (5) by deleting “marked “informal” and”.

Section 136A amended

57. Section 136A of the principal Act is amended by inserting after “146B (1)” the following—

“ , 146D, ”.

Section 138 repealed and a section substituted

58. Section 138 of the principal Act is repealed and the following section is substituted—

Submissions by scrutineers

“ 138. (1) A scrutineer may make submissions in relation to any ballot paper that the ballot paper is informal or not informal, and the officer conducting the count shall endorse the paper as “rejected” or “admitted” according to his decision to admit or reject the ballot paper.

(2) Where an officer makes an endorsement referred to in subsection (1) the officer shall initial the endorsement.

(3) Subject to sections 144 (2b) and 146 a decision of an officer on a submission under subsection (1) is final unless reversed under Part V.

(4) Nothing in this section prevents the officer conducting the count from rejecting any ballot paper as being informal or from admitting a ballot paper to the count in the absence of a submission by a scrutineer. ”.

Section 139 amended

59. Section 139 of the principal Act is amended in paragraph (e) by deleting “or, in the case of a postal ballot paper, absent ballot paper or a ballot paper issued pursuant to section 122A, the name” and substituting the following—

“ , or the surname ”.

Section 140 amended

60. Section 140 of the principal Act is amended in subsection (3) (b) by deleting “required by section 128 (2)” and substituting the following—

“ authorized by section 128 (2) (a) ”.

Sections 140A and 140B inserted

61. After section 140 of the principal Act the following sections are inserted—

Formal ballot papers according to voting ticket

“ 140A. (1) A ballot paper shall not be informal under section 139 (d) if the elector has marked his vote on the ballot paper under section 128 (2) (b).

(2) If a ballot paper—

(a) has been marked under section 128 (2) (b); but

(b) has also been marked so as to indicate the order of the elector's preferences in such a manner that it would not be informal under section 139 (d) even if it were not marked under section 128 (2) (b),

the elector shall, for the purpose of subsection (3) and section 140B, be deemed not to have marked his vote on the ballot paper under section 128 (2) (b).

(3) If a ballot paper has been marked under section 128 (2) (b) any indication of preferences on the ballot paper otherwise than under section 128 (2) (b) shall be disregarded for the purposes of this Division.

(4) For the purposes of this section and section 140B an elector shall not be taken to have marked his vote under section 128 (2) (b) if the elector has placed a preference mark in 2 or more voting ticket squares printed on the ballot paper.

(5) In subsection (4) “preference mark” means the numeral “1”, a tick or a cross.

Ballot papers deemed to be marked
according to voting tickets

“ 140B. Where an elector has marked his vote on the ballot paper under section 128 (2) (b) the ballot paper shall be deemed to have been marked in accordance with the voting ticket registered for the purposes of the election in relation to the candidate whose voting ticket square the elector has marked. ”

Section 141 repealed and a section substituted

62. Section 141 of the principal Act is repealed and the following section is substituted—

Counting places and Assistant Returning Officers

“ 141. (1) Subject to subsection (3) each polling place appointed under section 100 (1) (a), (b) or (c) shall be a counting place.

(2) The Returning Officer may, by notice published in a newspaper circulating in the region or district, appoint such other counting places as he considers necessary for the region or district.

(3) The Returning Officer may, by notice published in a newspaper circulating in the region or district, declare that subsection (1) does not apply to a polling place specified in the notice.

(4) The Returning Officer shall appoint Assistant Returning Officers to count, at counting places referred to in subsection (1) or appointed under subsection (2), votes cast at one or more polling places.

(5) This section does not limit section 134 (3). ”

Section 142A amended

63. Section 142A of the principal Act is amended—

(a) in subsection (1) by deleting “votes cast under the provisions of section 122A” and substituting the following—

“ provisional votes cast under section 119 (4a), 122 (2), or 122A ”; and

(b) in subsections (2), (3) and (4), by deleting “voting under the provisions of section 122A” and substituting, in each place, the following—

“ provisional voting under section 119 (4a), 122 (2), or 122A ”.

Section 144 amended

64. Section 144 of the principal Act is amended—

- (a) in subsections (1) (b) (i) and (2) (b) (i), by deleting “under the provisions of section 122A” and substituting, in each place, the following—

“ provisionally under section 119 (4a), 122 (2), or 122A ”;

- (b) in subsections (2) (d) (i) and (4) (b), by deleting “voting under the provisions of section 122A” and substituting, in each place, the following—

“ provisional voting under section 119 (4a), 122 (2), or 122A ”; and

- (c) by inserting after subsection (2) the following subsections—

“ (2a) Where there are more candidates than 2 then, notwithstanding that a candidate has been declared duly elected, the process of excluding the candidate who has the fewest votes and distributing that candidate’s preferences to the candidate next in order of the elector’s preference shall be continued until there are only 2 unexcluded candidates.

(2b) At any time before a candidate has been declared duly elected the Returning Officer may, if he thinks fit, make a fresh scrutiny of all the ballot papers or any parcel of them and for that purpose has the same power in relation to the counting of the votes as on the first scrutiny and may reverse any decision given by a Deputy or Assistant Returning Officer on the original scrutiny and if after such scrutiny one of the candidates is found to have obtained an absolute majority of votes shall declare that candidate duly elected. ”.

Section 146D repealed and a section substituted

65. Section 146D of the principal Act is repealed and the following section is substituted—

Submissions by scrutineers

- “ 146D. Section 138 applies to and in relation to ballot papers used in an election in a region as if the references in section 138 (3) to sections 144 (2b) and 146 were references to sections 146I (1) and 146J. ”.

Section 146E repealed and a section substituted

66. Section 146E of the principal Act is repealed and the following section is substituted—

Informal and formal ballot papers

“ 146E. (1) Sections 139 and 140 apply to and in relation to ballot papers used in an election in a region.

(2) Section 140A applies to and in relation to ballot papers used in an election in a region as if references in that section to section 140B were references to section 146F. ”.

Section 146F amended

67. Section 146F of the principal Act is amended by deleting “128A” and substituting the following—

“ 128 ”.

Section 146I amended

68. Section 146I of the principal Act is amended in subsection (1) by inserting after “the packets” the following—

“ and the ballot papers transmitted to him under section 142A (4) ”.

Section 147 amended

69. Section 147 of the principal Act is amended in subsection (1) (a) by deleting “at the chief polling place” and substituting the following—

“ at a place in the region or district, as the case requires, appointed by the Returning Officer ”.

Section 151 amended

70. Section 151 of the principal Act is amended in paragraph (d) by deleting “votes cast pursuant to section 122A” and substituting the following—

“ provisional votes cast under section 119 (4a), 122 (2), or 122A ”.

Section 156 amended

71. Section 156 of the principal Act is amended—

- (a) by repealing subsection (2) and substituting the following subsections—

“ (2) As soon as practicable after the election the Electoral Commissioner shall prepare, or cause the Returning Officer to prepare and furnish to the Electoral Commissioner, a list of the names and descriptions of the electors enrolled for the region or district who did not vote at the election.

(2a) A list prepared under subsection (2) shall be certified by statutory declaration of the person by whom it was prepared. ”;

- (b) in subsection (3) by deleting “Each copy of the list certified by the Returning Officer under the preceding subsection” and substituting the following—

“ A list prepared and certified under subsections (2) and (2a) ”;

- (c) by repealing subsections (8) and (9);

- (d) by repealing subsection (11) and substituting the following subsection—

“ (11) A certificate signed by the Electoral Commissioner stating that the person whose name appears in the certificate did not vote at the election and that the notice specified in subsection (4) was despatched to that person and that that person did or did not (as the case may be) comply with the requisition contained in the notice within the time allowed under subsection (5) is evidence of the facts stated therein. ”; and

- (e) in subsection (12)—

(i) by deleting “in accordance with subsection (8)”; and

(ii) by inserting after “vote,” the following—

“ or who failed to comply with any of the requirements in subsection (6) ”.

Section 190 amended

72. Section 190 of the principal Act is amended in the sixth item in the First Column by inserting after “day” the following—

“ , or in any counting place, ”.

Section 191A inserted

73. After section 191 of the principal Act the following section is inserted—

Misleading or deceptive publications, etc.

“ 191A. (1) A person shall not, during the relevant period in relation to an election, print, publish or distribute, or cause, permit or authorize to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of the elector’s vote.

(2) A person shall not, during the relevant period in relation to an election, print, publish or distribute, or cause, permit or authorize to be printed, published or distributed, an advertisement, handbill, pamphlet or notice that contains a representation or purported representation of a ballot paper for use in that election that is likely to induce an elector to mark his ballot paper otherwise than in accordance with the directions on the ballot paper.

Penalty for an offence against subsection (1) or (2)—

- (a) if the offender is a natural person—a fine not exceeding \$1 000 or imprisonment for a period not exceeding 6 months, or both;
- (b) if the offender is a body corporate—a fine not exceeding \$5 000.

(3) In a prosecution of a person for an offence against subsection (1), it is a defence if the person proves that he did not know, and could not reasonably be expected to have known, that the matter or thing was likely to mislead an elector in relation to the casting of the elector’s vote.

(4) In this section—

“publish” includes publish by radio or television;

“relevant period”, in relation to an election, means the period commencing on the day that notice of issue of the warrant for the issue of the writs for the election is published in the *Government Gazette* pursuant to section 65 and ending at the latest time on polling day at which an elector in the State could enter a polling booth for the purpose of casting a vote in the election. ”.

Section 192 amended

74. Section 192 of the principal Act is amended by inserting after subsection (3) the following subsection—

“ (3a) A scrutineer accompanying a mobile portable ballot box under section 100A or 100B may distribute to persons recording their votes at the mobile portable ballot box literature (which may be, or include, “how-to-vote” cards) that suggests a manner in which ballot papers might be marked. ”.

Section 211 amended

75. Section 211 of the principal Act is amended—

(a) by inserting after the section designation “211.” the subsection designation “(1)”; and

(b) by inserting the following subsections—

“ (2) Where a person is required by this Act—

(a) to sign his name; or

(b) make his distinguishing mark,

is unable to do either of those things and a legally qualified medical practitioner has certified in writing that the person is so physically incapacitated that the person cannot sign his name or make his distinguishing mark, another person may on behalf of the person sign the name of that person in accordance with the directions of the first-mentioned person.

(3) A certificate referred to in subsection (2) shall be attached to the document to which it relates. ”.

Section 213 amended

76. Section 213 of the principal Act is amended—

- (a) in subsection (2) by deleting “113B (4)” and substituting the following—

“ 113 (1) ”;

- (b) by repealing subsection (3) and substituting the following subsection—

“ (3) In subsections (4) to (8) “ballot paper regulations” means regulations made pursuant to subsection (2). ”; and

- (c) in subsections (4) to (8) by deleting “Council”.

Amendment of penalties in sections 45 and 156

77. The principal Act is amended—

- (a) in section 45 (1) and (2) by deleting the penalty provision and substituting, in each place, the following penalty provision—

“ Penalty: \$50. ”;

- (b) in section 156 (12) by deleting “\$5” and substituting the following—

“ \$20 ”; and

- (c) in section 156 (12) and (16) by deleting “\$20” and substituting, in each place, the following—

“ \$50 ”.

Miscellaneous amendments

78. The principal Act is amended as follows—

<i>Provision amended</i>	<i>Amendment</i>
Section 95 (8) (c)	Delete “which is or was attached to”, substitute “accompanying”.
Section 142 (5)	Delete “A”, substitute “An”
Section 146 I (1)	After “powers as” insert “if”.
Section 155	After “155.” insert “(1)”

Schedule 3 substituted

79. Schedule 3 to the principal Act is repealed and the following Schedule is substituted—

“ **SCHEDULE 3** (Section 113 (1))
Ballot Papers

FORM A: Ballot paper for

- an election in a district,
- an election in a region if there are no groups,

if there are 3 or more candidates and one or more voting tickets are registered.

Western Australia

Ballot Paper

Election of (a) of the Legislative (b)

(c)

Vote only in one way

This way	OR	This way
<u>Fill in one square only.</u> Place the number 1 in one of these squares to show the voting ticket you choose. (d)		<u>Fill in all squares.</u> Place the numbers 1 to (e) in the squares to show the order of your preference for the candidates.
(f) <input type="checkbox"/> (g)		<input type="checkbox"/> (h)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (h)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (i)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (h)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (i)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (h)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (i)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> (h)
(f) or <input type="checkbox"/> (g)		<input type="checkbox"/> ...

- (a) Insert the number of members to be elected.
- (b) Insert "Assembly" or "Council".
- (c) Insert the name of the district or region.
- (d) If there is only one voting ticket registered in relation to the election substitute the following instruction:
 " Place the number 1 in the square below to choose the voting ticket of the candidate. "
- (e) Insert the number of candidates.
- (f) If there is a voting ticket square for the candidate insert name of political party, or composite name of political parties, or "Independent", if to be printed.
- (g) Print voting ticket square if a voting ticket is registered by or on behalf of the candidate.
- (h) Insert name of candidate.
- (i) Insert name of political party, or composite name of political parties, or "Independent", if to be printed.

FORM B: Ballot paper for

- an election in a district,
- an election in a region if there are no groups,

if there are 3 or more candidates and no voting tickets are registered.

WESTERN AUSTRALIA

Election of (a) of the Legislative (b)

(c)

BALLOT PAPER

Place the numbers 1 to (d) in the squares to show the order of your preference for the candidates.

(e)
 (f)

(e)
 (f)

(e)
 (f)

- (a) Insert the number of members to be elected.
- (b) Insert "Assembly" or "Council".
- (c) Insert the name of the district or region.
- (d) Insert the number of candidates.
- (e) Insert name of candidate.
- (f) Insert name of political party, or composite name of political parties, or "Independent", if to be printed.

FORM C: Ballot paper for

- an election in a district,
- an election in a region if one member is to be elected,
if there are 2 candidates only.

WESTERN AUSTRALIA

Election of 1 member of the Legislative (a)

(b)

BALLOT PAPER

Place the number 1 in the square opposite the name of the candidate for whom you wish to vote.

(c)
 (d)

(c)
 (d)

- (a) Insert "Assembly" or "Council".
- (b) Insert the name of the district or region.
- (c) Insert name of candidate.
- (d) Insert name of political party, or composite name of political parties, or "Independent", if to be printed.

FORM D: Ballot paper for an election in a region if there are one or more groups and one or more voting tickets are registered.

Western Australia

Ballot Paper

Election of (a) members of the Legislative Council

(b) REGION

Vote only in one way

This way	OR	This way
↓		↓
<p><u>Fill in one square only.</u> Place the number 1 in one of these squares to show the voting ticket you choose. (c)</p>	<p><u>Fill in all squares.</u> Place the numbers 1 to (d) in the squares to show the order of your preference for the candidates.</p>	
(e) <input type="checkbox"/> (f)	<input type="checkbox"/> (i) <input type="checkbox"/> (j)	
(e) or <input type="checkbox"/> (f)	<input type="checkbox"/> (i) <input type="checkbox"/> (j) <input type="checkbox"/> (i) <input type="checkbox"/> (j) <input type="checkbox"/> (i) <input type="checkbox"/> (j)	
(e) or <input type="checkbox"/> (f)	<input type="checkbox"/> (i) <input type="checkbox"/> (j) <input type="checkbox"/> (i) <input type="checkbox"/> (j)	
(e) or <input type="checkbox"/> (h)	<input type="checkbox"/> (i) <input type="checkbox"/> (j)	

(g) or <input type="checkbox"/>		(h)		<input type="checkbox"/> (i) <input type="checkbox"/> (j)
(g) or <input type="checkbox"/>		(h)		<input type="checkbox"/> (i) <input type="checkbox"/> (j)
(g) or <input type="checkbox"/>		(h)		<input type="checkbox"/> (i) <input type="checkbox"/> (j)

- (a) Insert the number of members to be elected.
- (b) Insert the name of the region.
- (c) If there is only one voting ticket registered in relation to the election substitute the following instruction:
 - “ Place the number 1 in the square below to choose the voting ticket of the candidate or group ”.
- (d) Insert the number of candidates.
- (e) If there is a voting ticket square for the group insert name of political party, or composite name of political parties, or “Independent”, if to be printed.
- (f) Print voting ticket square if a voting ticket is registered by or on behalf of the group.
- (g) If there is a voting ticket square for the candidate insert name of political party, or composite name of political parties, or “Independent”, if to be printed.
- (h) Print voting ticket square if a voting ticket is registered by or on behalf of the candidate.
- (i) Insert name of candidate.
- (j) Insert name of political party, or composite name of political parties, or “Independent”, if to be printed.

FORM E: Ballot Paper for an election in a region if there are one or more groups, and no voting tickets are registered.

WESTERN AUSTRALIA

Election of (a) members of the Legislative Council

(b) REGION

BALLOT PAPER

Place the numbers 1 to (c) in the squares to show the order of your preference for the candidates.

<input type="checkbox"/>	(d) (e)
<input type="checkbox"/>	(d) (e)
<input type="checkbox"/>	(d) (e)
<input type="checkbox"/>	(d) (e)
<input type="checkbox"/>	(d) (e)
<input type="checkbox"/>	(d) (e)

- (a) Insert the number of members to be elected.
- (b) Insert the name of the region.
- (c) Insert the number of candidates.
- (d) Insert name of candidate.
- (e) Insert name of political party, or composite name of political parties, or "Independent", if to be printed.

Amendments to *Referendums Act 1983*

80. The *Referendums Act 1983** is amended as follows—

<i>Provision amended</i>	<i>Amendment</i>
Section 2	Delete definitions of “paragraph”, “section”, and “subsection”.
Section 3 (2) (c) (ii)	Delete “12 o’clock noon”, substitute “ 6 p.m. ”. Delete “14”, substitute “ 7 ”.
Section 4 (2)	Repeal the subsection and substitute the following subsection— “ (2) When any warrant is issued under subsection (1) notice of that fact shall be published in the <i>Government Gazette.</i> ”.
Section 19 (a)	Delete “or under section 122A of the <i>Electoral Act 1907</i> ”, substitute “under section 99A of the <i>Electoral Act 1907</i> or as a provisional voter under section 119 (4a), 122 (2) or 122A of that Act”.
Section 22 (2)	After paragraph (a) insert the following paragraph— “ (aa) the scrutineers and officers shall wear or display such identification as is provided or required by the Returning Officer; ”.
Section 25 (1)	Repeal the subsection and substitute the following subsection— “ (1) Section 141 of the <i>Electoral Act 1907</i> shall apply in relation to a referendum as if it were an election in a district. ”.
Section 25 (2)	Delete “to expedite the ascertainment of the result of the election”.
Section 28 (1)	After “142A” insert “ (1) ”.
Section 30 (1)	Delete “, absent vote ballot papers and ballot papers mentioned in section 122A”, substitute “and the ballot papers for absent voting under section 99A, and provisional voting under section 119 (4a), 122 (2), or 122A,”.

Section 30 (4)

Delete “, absent vote ballot papers or ballot papers mentioned in section 122A”, substitute “or ballot papers for absent voting under section 99A, or provisional voting under section 119 (4a), 122 (2), or 122A”.

[*Act No. 83 of 1983 as amended by Act No. 40 of 1987.]
