

ELECTORAL (No. 2).

No. 129 of 1976.

AN ACT to amend the Electoral Act, 1907-1973.

[Assented to 9th December, 1976.]

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:—

1. (1) This Act may be cited as the *Electoral Act Amendment Act (No. 2), 1976.*

Short title and citation.

(2) In this Act the Electoral Act, 1907-1973 is referred to as the principal Act.

Reprinted as approved for reprint 12th January, 1971 and further amended by Acts No. 94 of 1972 and 70 of 1973.

(3) The principal Act as amended by this Act may be cited as the Electoral Act, 1907-1976.

Section 129
repealed
and
re-enacted.

2. Section 129 of the principal Act is repealed and re-enacted as follows—

Assistance
to certain
electors.

129. (1) If an elector satisfies the presiding officer that his sight is so impaired or that he is so physically incapacitated that he is unable to vote without assistance, the presiding officer shall permit a person appointed by the elector to enter an unoccupied voting compartment with the elector, and there mark the elector's ballot paper according to the instructions of the elector, and fold and deposit the ballot paper for him, after which the elector and the person so selected by him, if not an electoral officer, shall quit the polling place.

(2) If any elector referred to in subsection (1) of this section fails to appoint a person in pursuance of that subsection, the presiding officer, in the presence of such scrutineers as are present, or, if there are no scrutineers present, then in the presence of another electoral officer, shall mark the elector's ballot paper according to the instructions of the elector, and fold and deposit the ballot paper for him, after which the elector shall quit the polling place.

(3) If any elector satisfies the presiding officer that he is so illiterate that he is unable to vote without assistance, the presiding officer, in the presence of such scrutineers as are present, or, if there are no scrutineers present, then in the presence of—

- (a) another electoral officer; or
- (b) if the elector so desires, in the presence of a person, other than an electoral officer, appointed by such elector,

shall mark the elector's ballot paper according to the instructions of the elector, and fold and deposit the ballot paper for him, after which the elector and any person appointed by him, shall quit the polling place. .