The polling.
No. 27 of 1907, s. 116; 1911, No. 44, s. 30; 1919, No. 59, s. 5; No. 10 of 1936, s. 2.

117. The polling shall be conducted as follows:—

(1) Before any vote is taken the presiding officer shall exhibit the ballot box empty, and shall then securely fasten and seal it so that nothing can be removed without breaking the seal.

(2) The poll shall be open at eight o'clock in the morning, and shall not close until all the electors present in the polling booth at eight o'clock in the evening, and desiring to vote, have voted; and in any dispute as regards time the decision of the presiding officer shall be final.

(3) At the close of the poll the presiding officer shall publicly close, fasten, seal, and take charge of the ballot box, and with the least possible delay forward it to the Returning Officer for the purposes of scrutiny; and it shall on no account be opened except as allowed by this Act. The cleft shall also be closed and sealed unless the ballot box is provided with an outer cover without a cleft.

(4) The presiding officer shall also forward to the Returning Officer the marked roll or rolls used at the poll, and any other documents received before or during the poll, having first indorsed and signed such rolls to identify them.

(5) Any scrutineer present may affix his seal to the cover of the ballot box.

Persons claiming to vote to give name, etc.
No. 27 of 1907, s. 117.

118. Every person claiming to vote shall—

(a) state his surname and christian name; and

(b) if so desired by the presiding officer, state any other particulars necessary to be stated in the roll for the purpose of identifying the name upon the roll under which the vote is claimed.

Questions to be put to voters.
No. 27 of 1907, s. 118; 1911, No. 44, secs. 31, 43.

119. (1) The presiding officer shall put to any person claiming to vote at any Assembly election the following question:—

(a) Do you live in this electoral district?

And if such question is answered in the negative, the following additional questions:—

(b) Have you within the last preceding three months *bona fide* lived within this electoral district?

(c) Where was your place of living in this electoral district?

(2) The presiding officer may, and at the request of any scrutineer shall, put to any person claiming to vote at any election all or any of the following additional questions:—

(d) Are you the person whose name appears as.... .....[*here state name under which person claims to vote*] on the roll for this Province [or District]?

(e) Are you of the full age of 21 years?

(f) Are you a natural born or naturalised subject of the King?

(g) Have you lived in Western Australia for six months continuously?

(h) Have you already voted either here or elsewhere at this election?

(i) Are you disqualified from voting?

And at any Assembly election the following additional question:—

(j) Where is your place of living in this electoral district?

(3) The presiding officer shall make a note in writing of the name and number on the roll of each elector questioned under subsection two, and of each elector under whose name any person questioned claimed to vote, and of each reply or refusal to reply on the part of such elector or person.

(4) The presiding officer may and shall, when requested by a scrutineer, require any person claiming to vote to make a declaration in the prescribed form before receiving a ballot paper.

(5) The electoral roll in force at the time of the election shall be conclusive evidence of the right of each person enrolled thereon to vote as an elector, unless he refuses to answer fully any such question put to him by the presiding officer, or to make the declaration requested of him, or fails by his answers to satisfy the presiding officer that he is entitled to vote.

Consequence of answers. No. 27 of 1907, s. 119.

120. If any person refuses to answer fully any such question put to him by the presiding officer, or to make the declaration requested of him, or fails by his answer to satisfy the presiding officer that he is entitled to vote, his claim to vote shall be rejected.

Answer conclusive. No. 27 of 1907, s. 120.

121. The elector's answers to the questions shall be conclusive, and the matter shall not be further inquired into during the polling.

Persons objected to—how to vote. No. 27 of 1907, s. 121; 1911, No. 44, s. 43.

122. (1) No person whose name on the roll has been objected to and is marked in accordance with the provisions of sections forty-seven or forty-eight shall have a right to vote until he has made a declaration in the prescribed form.

(2) All declarations received under this section shall be forwarded by the Returning Officer to the Chief Electoral Officer.

(3) Every elector who has voted by post shall be deemed to have made such declaration.

No other question or declaration necessary. No. 27 of 1907, s. 122.

123. (1) No elector shall at any election be required to answer any question or to make any declaration, except as herein provided.

(2) No person claiming to vote at any election shall be excluded from voting thereat except by reason of—

(a) it appearing to the presiding officer, upon putting the questions hereinbefore prescribed, or any of them—

(i) that he is not the person whose name appears on the roll, or

(ii) that he has previously voted for the Province or District at the same election, or

(iii) that he is otherwise not entitled to vote under this Act; or

(b) such person refusing to answer any of such questions, or to make the declaration required under sections one hundred and nineteen and one hundred and twenty-two.

Errors not to forfeit vote. No. 27 of 1907, s. 123.

124. (1) No omission from the roll of any name other than the surname, or entry of a wrong name other than the surname, and no misspelling of any name, shall war-

rant the rejection at any polling of any claim to vote, if the elector is sufficiently identified in the opinion of the presiding officer.

(2) No female elector shall be disqualified from voting under the name appearing on the roll because her surname has been changed by marriage.

Ballot paper to be handed to elector. No. 27 of 1907, s. 124.

125. (1) If the name under which the elector claims to vote is upon the copy of the roll, and his right to vote is not challenged, or, if challenged, he makes the necessary declaration, or answers the prescribed questions satisfactorily, the presiding officer shall deliver to him a ballot paper.

(2) Before the delivery of the ballot paper to the elector, it shall be marked on the back by the presiding officer with his initials and the name of the Province or District for which the election takes place.

(3) The initials of the presiding officer shall be placed on the back of the ballot paper in such a position as to be easily seen when the ballot paper is folded to conceal the vote.

(4) Every presiding officer who fails faithfully to perform any duty imposed on him by this section by reason whereof any of the requirements of this section are not effectively fulfilled, is liable to a fine not exceeding ten pounds.

Roll to be marked on voting paper being issued. No. 27 of 1907, s. 125.

126. (1) Immediately upon handing the ballot paper to the person claiming the vote, the officer shall strike out the person's name on the copy of the roll.

(2) The mark so made on the copy of the roll shall be *prima facie* evidence of the identity of the person to whom the ballot paper is delivered, with the elector whose name is so marked on the roll, and of the fact that such elector voted at the election.

Vote to be marked in private. No. 27 of 1907, s. 126.

127. Upon receipt of the ballot paper the elector shall, without delay—

(a) retire alone to some unoccupied voting compartment and there, in private, mark his vote on the ballot paper in the manner hereinafter described;

(b) fold the ballot paper so as to conceal the names of the candidates, but to disclose the initials of the presiding officer, and exhibit it so folded to the officer, and then forthwith, without unfolding it, deposit it in the ballot box;

(c) quit the polling place.

How votes to be marked.
No. 27 of 1907, s. 127; 1911, No. 44, s. 32.

128. (1) 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.

(2) If there are more than two candidates the elector shall mark the ballot paper by placing the numeral 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.

Provision where voter is blind or disabled or cannot write.
No. 27 of 1907, s. 128.

129. At the request of any elector who is blind, or who satisfies the presiding officer that his sight is so impaired, or that he is otherwise so physically incapable that he is unable to vote without assistance, or is unable to read or write, the presiding officer shall, together with any scrutineers who may be present, retire with him into an unoccupied voting compartment, and there mark the paper according to the instruction of the elector; and such presiding officer shall sign his own name at the foot thereof, and, if so required by the elector, shall allow the scrutineers to inspect such ballot paper before depositing it in the ballot box. The presiding officer shall thereupon deposit the ballot paper in the ballot box.

Spoilt ballot papers.
No. 27 of 1907, s. 129; 1919, No. 59, s. 5.

130. If any elector satisfies the presiding officer, before his ballot paper is deposited in the ballot box, that he has spoilt it by mistake or accident, he may, on giving it up, receive a new ballot paper from the presiding officer, who shall there and then destroy the spoilt ballot paper.

Adjournment of polling on account of riot.
No. 27 of 1907, s. 130.

131. The presiding officer may adjourn the polling from day to day in any case where polling is interrupted or obstructed by riot or open violence.

132. If from any cause any polling place is not opened on polling day, or, if opened, the poll cannot be proceeded with, the Returning Officer or the Presiding Officer may adjourn the polling for a period not to exceed twenty-one days, and shall forthwith give public notice of the adjournment.

Adjournment in other cases. No. 27 of 1907, s. 131.

133. Where for any reason the polling is adjourned at any polling place, those electors only who are entitled to vote at such polling place who have not already voted shall be entitled to vote at the adjourned polling at that polling place.

Voting at adjourned polling. No. 27 of 1907, s. 132.

Division (4)—*Counting the Votes.*

134. The result of the polling shall be ascertained by scrutiny of the ballot papers and by count of the votes, and shall be conducted in the presence of any candidate or scrutineer that may be present by the Returning Officer, with the assistance of such officers as he deems necessary, in the following manner:—

Count of the votes—how conducted. No. 27 of 1907, s. 133; 1911, No. 44, s. 33.

(1) The scrutiny and count of votes shall commence as soon as practicable after the closing of the poll.

(2) The candidates, the scrutineers, and officers may be present, but no other person.

(3) Where the count of the votes is not commenced immediately after the close of the poll, the scrutineers shall be informed in writing by the Returning Officer as regards the time and place when and where such count will be commenced and conducted by him.

(4) All the proceedings at the count of the votes shall be subject to the inspection of the scrutineers.

(5) All informal votes shall be marked "informal" and rejected and the number recorded.

(6) The count of the votes may, from time to time, be adjourned as the Returning Officer may deem necessary, until it has been duly completed.

Adjournment to be announced.
No. 27 of 1907, s. 134.

135. Each adjournment shall be announced to the scrutineers and officers by the Returning Officer and the time and place for the continuation of the count shall be in a similar manner made known to them.

Before adjourning, ballot papers, etc., to be sealed in boxes.
No. 27 of 1907, s. 135; 1919, No. 59, s. 5.

136. (1) Before every adjournment of the count of the votes all ballot papers and other documents connected with such count shall be placed in one or more ballot boxes, and the Returning Officer shall then, in the presence of such scrutineers and officers as are present, seal such ballot box or boxes with his official seal, if any, or with his private seal, and any scrutineer, who shall desire so to do, shall be permitted by the Returning Officer to place his special seal upon such ballot box or boxes. The cleft shall also be closed and sealed unless the ballot box is provided with an outer cover without a cleft.

(2) Before recommencing the count such seals shall be exhibited unbroken to the scrutineers and officers.

Power to appoint scrutineers.
No. 27 of 1907, s. 136.

137. (1) Each candidate may appoint one scrutineer to represent him at the scrutiny and count of votes at each place where such scrutiny and count are conducted.

(2) Such appointment shall be made in writing and addressed to the Returning Officer, Deputy Returning Officer, or Assistant Returning Officer, as the case may be.

Scrutineer may object to vote as informal.
No. 27 of 1907, s. 137.

138. Any scrutineer may object that any ballot paper is informal, and thereupon the officer conducting the count shall mark the ballot paper "admitted" or "rejected" according to his decision on the objection and initial such marking; and such decision shall be final, subject only to reversal by a Judge of the Supreme Court under the provisions of Part V.

Informal ballot papers.
No. 27 of 1907, s. 138; 1911, No. 44, s. 34.

139. A ballot paper shall be informal—

(a) if it is not initialed by the presiding officer, or, in the case of a postal ballot paper, not signed and dated by a postal vote officer; or

(b) if, subject as hereinafter provided, it is marked in any other manner than in sections ninety-three and one hundred and twenty-eight provided; or

(c) if it has upon it any mark or writing not authorised by this Act 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 as prescribed by sections ninety-three and one hundred and twenty-eight respectively, so as to indicate by numerical sequence the voter's preference as regards all the candidates.

Provided that if numerals in arithmetical sequence are placed opposite the names of all the candidates but one, the next following numeral shall be deemed to be placed opposite the name of the remaining candidate.

(e) If no mark is indicated on it, or, in the case of a postal ballot paper, no name of any candidate written on it.

Ballot papers not informal. No. 27 of 1907, s. 139.

140. (1) A ballot paper shall not be informal for any reason other than the reasons enumerated in the last preceding section, but shall be given effect to according to the elector's intention so far as his intention is clear.

(2) In particular a ballot paper shall not be informal by reason only of—

(a) the elector having indicated his vote or first preference by a cross instead of the numeral one; or

(b) in the case of a postal ballot paper, the preferential numbering of the names written on such ballot papers having been omitted; and if the names are written on the postal ballot paper without preferential numbering, it shall be deemed that the elector's preference is indicated by the order in which the names are written on the ballot paper.

Outlying polling places. No. 27 of 1907, s. 140.

141. The Governor may appoint Assistant Returning Officers to count the votes at any one or more polling places—

(a) in outlying portions of a Province or District; or

(b) where the polling place is so far distant from the chief polling place that such appointment is necessary to ascertain the result of the election with expedition.

The count of the votes by deputy and assistant Returning Officers.

No. 27 of 1907, s. 141; 1911, No. 44, s. 35; 1919, No. 59, s. 5.

142. The procedure at the count of votes by the Deputy and Assistant Returning Officers shall be as follows:—

(1) Each Deputy Returning Officer shall open all ballot boxes from the polling places within his district; and each Assistant Returning Officer shall open all ballot boxes at his polling place.

(2) The Deputy or Assistant Returning Officer shall count all the votes on the ballot papers found in the boxes opened by himself, rejecting all informal ballot papers, and ascertain—

(a) the number of votes for each candidate, if there are only two candidates; or

(b) if there are more than two candidates, the number of first preference votes given for each candidate,

and shall make and keep a record of the total number of votes for each candidate counted by him from each of such ballot boxes.

(3) Each Deputy Returning Officer shall certify by indorsement on the copy of the writ received by him the number of votes or first preference votes, as the case may be, given for each candidate within the district for which he acts, and transmit the copy of the writ so indorsed to the Returning Officer.

(4) Each Assistant Returning Officer shall certify in writing, addressed to the Returning Officer, the number of votes or first preference votes, as the case may be, given for each candidate at his polling place.

(5) A Deputy or Assistant Returning Officer may communicate to the Returning Officer by telegraph the number of votes or first preference votes, as the case may be, recorded for each candidate within the district or at the polling place for which he is appointed, and the Returning Officer, in ascertaining the result of the poll, may act upon the information so received.

(6) Each Deputy or Assistant Returning Officer shall—

(a) enclose in one packet all the used ballot papers, in another packet all unused ballot papers, and in another packet all copies of rolls, books, or other papers and documents used at the election or in connection therewith, and all telegrams, letters, or other papers received from the Returning Officer or any other electoral officer; and

(b) seal up the several packets and indorse the same with a description and the number of the contents thereof respectively, and the name of the district or the polling place, as the case may be, and the date of the polling, and sign the indorsement, and forthwith forward the said packets to the Returning Officer.

(c) The packet containing the used ballot papers shall be sealed before the scrutineers, if any, present at the count, and any scrutineer who desires so to do shall be permitted by the Deputy or Assistant Returning Officer to affix his seal upon such packet.

Returning Officer to ascertain result of polling. No. 27 of 1907, s. 142.

143. (1) The Returning Officer for the Province or District, as the case may be, shall, in manner hereinafter provided, ascertain the total number of votes given for each candidate.

(2) In the event of an equality of votes the Returning Officer shall give a casting vote, but otherwise shall not vote at the election in the Province or District in which he presides.

Counting of votes by Returning Officers. No. 27 of 1907, s. 143.

144. (1) The procedure at the count of the votes by the Returning Officer for each Province or District shall, if there are only two candidates, be as follows:—

(a) The Returning Officer shall—

(i) open all ballot boxes not opened by Deputy or Assistant Returning Officers;

(ii) count all the votes on the ballot papers found in such ballot boxes, rejecting all informal ballot papers, and ascertain the number of votes given for each candidate; and

(iii) make and keep a record of the number of votes counted from each ballot box.

(b) The Returning Officer shall then—

(i) ascertain from the written or telegraphic returns received from Deputy or Assistant Returning Officers the number of votes given for each candidate in districts or at polling places where the ballot boxes have been opened by Deputy or Assistant Returning Officers; and

(ii) add the votes so given for each candidate to the votes counted by himself in favour of each such candidate, so as to ascertain, for the whole Province or District, the number of votes given for each candidate respectively.

(c) The candidate who has received the largest number of votes shall be declared by the Returning Officer duly elected.

Counting of votes when more candidates than two.
1919, No. 59, s. 5.

(2) The procedure at the count of the votes by the Returning Officer for each Province or District, if there are more candidates than two, shall be as follows:—

(a) The Returning Officer shall—

(i) open all ballot boxes not opened by Deputy or Assistant Officers;

(ii) arrange the ballot papers under the names of the respective candidates and place in a separate parcel all those on which a first preference is indicated for the same candidate, rejecting informal ballot papers; and

(iii) count all the first preference votes given for each candidate respectively; and

(iv) make and keep a record of the number of votes counted by him from each ballot box.

(b) The Returning Officer shall then—

(i) ascertain from the written or telegraphic returns received from Deputy or Assistant Returning Officers the number of first preference votes given for each candidate in districts or at polling places where the ballot boxes have been opened by such Deputy or Assistant Returning Officers; and

(ii) add the first preference votes so given for each candidate to the votes counted by himself in favour of each such candidate, so as to ascertain, for the whole Province or District, the number of first preference votes polled by each candidate respectively.

(c) The candidate who has received the largest number of first preference votes shall, if such number constitutes an absolute majority of votes, be declared by the Returning Officer duly elected.

(d) If no candidate has an absolute majority of votes the Returning Officer—

(i) shall open the packets of ballot papers received from the Deputy or Assistant Returning Officers, and deal with the ballot papers contained therein as prescribed by subsection (1) of this section, adding such ballot papers to those previously counted by himself for each candidate; and

(ii) shall then declare the candidate who has obtained the fewest first preference votes to be a defeated candidate, and each ballot paper counted to him shall be distributed among the non-defeated candidates next in order of the elector's preference.

(e) After such distribution the number of votes given to each non-defeated candidate shall again be ascertained.

(f) If no candidate then has an absolute majority of votes the process of declaring the candidate who has the fewest votes to be defeated, and distributing each of his ballot papers amongst the non-defeated candidates next in order of the voter's preference shall be repeated, and the votes recounted after every such redistribution until one candidate has obtained an absolute majority of votes, and such candidate shall then be declared duly elected.

(3) (a) Every ballot paper, not rejected as informal, shall be counted in every count until it becomes exhausted, when it shall be rejected in all further counts.

Exhausted ballot papers. *See* s. 127 as amended by 1911, No. 44, s. 32.

(b) When a candidate is declared defeated, any ballot paper counted to him shall be deemed to be exhausted if there is not indicated upon it a consecutive preference for a candidate not declared defeated.

Casting vote. No. 27 of 1907, s. 144.

145. If on any count two or more candidates have an equal number of votes and one of them has to be declared defeated, the Returning Officer shall decide which is to be declared defeated.

Re-count. No. 27 of 1907, s. 145; 1911, No. 44, s. 36.

146. (1) At any time before the declaration of the poll the Returning Officer may, if he thinks fit, at the request of any scrutineer, or of his own motion, re-count the ballot papers contained in any parcel.

(2) The Returning Officer conducting the re-count shall have the same powers as if the re-count were the scrutiny, and may reverse any decision in relation to the scrutiny as to the allowance or admission or disallowance or rejection of any ballot paper.

Division (5).—*Declaration of Poll and Return of the Writ.*

Declaration of poll and return of writ. No. 27 of 1907, s. 146; 1919, No. 59, s. 5.

147. (1) As soon as conveniently may be after the result of the election has been ascertained, the Returning Officer shall—

(a) at the chief polling place declare the result of the election and the name of the candidate elected;

(b) by indorsement under his hand certify on the original writ the name of the candidate or candidates elected, and return the writ to the Clerk of the Writs according to its exigency.

(2) The day on which the writ was so indorsed shall be deemed to be the day of the return thereof.

(3) As soon as conveniently may be after the return of the writ the Clerk of the Writs shall forward to the President or the Speaker, as the case may require, the name of the member or members elected, together with a copy of the writ indorsed as aforesaid.

Election not to be questioned. No. 27 of 1907, s. 147.

148. No election shall be liable to be questioned by reason of any defect in the title or any want of title of any person by or before whom such election is held, if

such person really acted at such election, nor by reason of any formal error or defect in any declaration or other instrument, or in any publication made under this Act or intended to be so made, nor by reason of any such publication being out of time.

Remedy for informalities in election proceedings. No. 27 of 1907, s. 148.

149. No election shall be void in consequence solely of any delay in holding the election at the time appointed, or in taking the poll, or in the return of the writ, or in consequence of any impediment of a merely formal nature; and the Governor may adopt such measures as may be necessary for removing any obstacle of a merely formal nature by which the due course of any election might be impeded:

Provided that the validity of the election and the measures so taken shall be forthwith declared by the Governor by proclamation.

Division (6).—*After the Poll.*

Returning Officer to forward to Chief Electoral Officer statistical return. No. 27 of 1907, s. 149.

150. (1) The Returning Officer shall forthwith, after the day of polling at any election, complete and forward to the Chief Electoral Officer a statistical return in the prescribed form.

(2) He shall also forward to the Chief Electoral Officer all the certified copies of the marked and signed rolls used in his Province or District by himself and by the presiding officers, upon which rolls the names of the electors who voted at the election have been marked in accordance with the provisions of section one hundred and twenty-six.

Returning Officer to send ballot papers to Clerk of Council or Assembly. No. 27 of 1907, s. 150; 1911, No. 44, s. 43.

151. The Returning Officer shall also, as soon as practicable after the day of polling at any election—

(a) enclose in one packet all the used ballot papers, including the postal ballot papers, and in another packet all accounts, books, or other papers or documents used at the election or in connection therewith (with the exception of the signed rolls), and all telegrams, letters, or other papers received from Deputy or Assistant Returning Officers and presiding officers in connection with the poll;

(b) seal up the said several packets and indorse the same with a description and the number of the contents thereof respectively, and the name of the Province or the District and the date of the polling, and shall sign the indorsement, and forthwith forward the said packets to the Clerk of the Council or the Clerk of the Assembly, as the case may be;

(c) seal up, indorse, and transmit in a similar manner to the same Clerk a packet containing all ballot papers printed for the said election and not used by him or by Deputy or Assistant Returning Officers or presiding officers;

(d) seal up, indorse, and transmit to the Chief Electoral Officer the marked rolls used at the election and all declarations in the prescribed form received by himself and the presiding officers;

(e) the Clerk of the Council, the Clerk of the Assembly, or the Chief Electoral Officer, as the case may be, shall forthwith give or send to the Returning Officer a receipt under his hand for the said packets.

Preservation of ballot papers. No. 27 of 1907, s. 151.

152. The Clerk of the Council and the Clerk of the Assembly shall preserve and hold in custody all such ballot papers and other documents forwarded by the Returning Officers under the provisions of this Part of this Act until the election concerned can in each case be no longer questioned, when such ballot papers shall be destroyed.

Production of rolls used at election. No. 27 of 1907, s. 152.

153. (1) Any candidate on payment of a fee of five guineas may give notice to the Returning Officer requiring production of the rolls used by him and any Assistant Returning Officers at any election, and such Returning Officer or Assistant Returning Officers shall produce such roll or rolls in the presence of the other candidates (if they wish to be present) within thirty-five days of the date of service of the notice.

(2) If the Returning Officer is satisfied that the application was made for a *bona fide* purpose he may direct payment of the sum deposited.

154. Such ballot papers and other documents as may be required by the Court of Disputed Returns shall, upon an order of the Court, be produced by the Clerk of the Council or the Clerk of the Assembly, but shall not be available for any other purpose.

Ballot papers, etc., to be delivered to Court of Disputed Returns.
No. 27 of 1907, s. 153.

155. All books, documents, and papers used for or in connection with any election may, when the election can be no longer questioned, be destroyed by the Chief Electoral Officer, or with his approval by any Returning Officer or Registrar.

Papers, etc., to be destroyed.
No. 27 of 1907, s. 154.

Division (7)—*Voting for Assembly to be Compulsory.*

156. (1) It shall be the duty of every elector for the Assembly to record his vote at any election for the district for which he is enrolled unless he is prevented from doing so by absence from the State, or by illness or infirmity, or any physical incapacity on the day of the election.

Compulsory voting for the Assembly.
Inserted by No. 10 of 1936, s. 3, as s. 154A, now renumbered s. 156.

(2) The returning officer shall as soon as practicable after the election prepare a list in duplicate of the names and descriptions of the electors enrolled for his district who have not voted at the election, and certify the list by statutory declaration under his hand.

(3) Each copy of the list certified by the returning officer under the preceding subsection shall in all proceedings be *prima facie* evidence of the contents thereof and of the fact that the electors whose names appear therein did not vote at the election.

(4) Within the prescribed period after the close of each election the returning officer shall send by post to each elector whose name appears on the list prepared in accordance with subsection (2) of this section, at the address mentioned in that list, a notice, in the prescribed form, notifying the elector that he appears to have failed to vote at the election, and calling upon him to give a valid, truthful, and sufficient reason why he failed so to vote.

(5) Before sending any such notice the returning officer shall insert therein a date, not being less than forty-two days after the date of posting of the notice,

on which the form attached to the notice, duly filled up and signed by the elector, is to be in the hands of the returning officer.

(6) Every elector to whom a notice under this section has been sent shall fill up the form at the foot of the notice by stating in it the true reason why he failed so to vote, sign the form, and post it so as to reach the returning officer not later than the date inserted in the notice.

(7) If any elector is unable by reason of absence from his place of living or physical incapacity to fill up, sign, and post the form within the time allowed under subsection (5) of this section, any other elector who has personal knowledge of the facts may, subject to the regulations, fill up, sign, and post the form, duly witnessed within that time, and the filling up, signing, and posting of the form may be treated as compliance by the first-mentioned elector with the provisions of subsection (6) of this section.

(8) Upon receipt of a form referred to in either of the last two preceding subsections the returning officer shall indorse on both copies of the list prepared in accordance with subsection (2) of this section opposite the name of the elector his opinion whether or not the reason contained in the form is a valid and sufficient reason for the failure of the elector to vote.

(9) The returning officer shall also indorse on both copies of the list opposite the name of each elector to whom a notice under this section has been sent and from or on behalf of whom a form properly filled up, signed, and witnessed has not been received by him, a note to that effect.

(10) Within two months after the expiration of the period prescribed under subsection (4) of this section, the returning officer shall send to the Chief Electoral Officer one copy of the list, with his indorsements thereon certified by statutory declaration under his hand.

(11) Each copy of the list prepared and indorsed by the returning officer, indicating—

(a) the names of the electors who did not vote at the election;

(b) the names of the electors from whom or on whose behalf the returning officer received within the time allowed under subsection (5) of this section, forms properly filled up and signed; and

(c) the names of the electors who failed to reply within that time,

and any extract therefrom, certified by the returning officer under his hand, shall in all proceedings be *prima facie* evidence of the contents of such list or extract, and of the fact that the electors whose names appear therein did not vote at the election, and that the notice specified in subsection (4) of this section was received by those electors, and that those electors did or did not (as the case may be) comply with the requisitions, contained in the notice within the time allowed under subsection (5) of this section.

(12) Every elector who—

(a) fails to vote at an election without a valid and sufficient reason for such failure; or

(b) on receipt of a notice in accordance with subsection (4) of this section fails to fill up, sign, and post within the time allowed under subsection (5) of this section the form (duly witnessed) which is attached to the notice; or

(c) states in such form a false reason for not having voted, or, in the case of an elector filling up or purporting to fill up a form on behalf of any other elector, in pursuance of subsection (7) of this section, states in such form a false reason why that other elector did not vote,

shall be guilty of an offence.

Penalty—Two pounds.

(13) Proceedings for an offence against this section shall not be instituted except by the Chief Electoral Officer or an officer thereto authorised in writing by the Chief Electoral Officer.

Part V.—Disputed Returns.

157. (1) The validity of any election or return may be disputed by petition addressed to the Court of Disputed Returns, and not otherwise.

Method of disputing elections.
No. 27 of 1907, s. 155.

(2) A Judge of the Supreme Court sitting in open Court shall constitute the Court of Disputed Returns.

Requisites of petition. No. 27 of 1907, s. 156.

158. Every petition disputing an election or return, in this Part of this Act called the petition, shall—

(1) set out the facts relied on to invalidate the election or return;

(2) contain a prayer asking for the relief the petitioner claims to be entitled to;

(3) be signed by a candidate at the election in dispute;

(4) be attested by two witnesses whose occupations and addresses are stated;

(5) be filed in the Central Office of the Supreme Court within forty days after the return of the writ; or (if the facts relied on in support of the petition are breaches by a candidate of the provisions of Part VI. of this Act) within forty days after the filing by the candidate of the return of his electoral expenses.

Presumption as to date of return of writ. No. 27 of 1907, s. 157.

159. For the purpose of the last preceding section the writ shall be deemed not to have been returned earlier than the date thereby appointed as the day on or before which the same is to be returned.

Deposit as security for costs. No. 27 of 1907, s. 158.

160. At the time of filing the petition the petitioner shall deposit with the Master of the Supreme Court the sum of fifty pounds as security for costs.

No proceedings unless requisites complied with. No. 27 of 1907, s. 159.

161. No proceedings shall be had on the petition unless the requirements of the preceding sections are complied with.

Powers of Court. No. 27 of 1907, s. 160.

162. (1) The powers of the Court of Disputed Returns shall include the following:—

(a) To adjourn.

(b) To compel the attendance of witnesses and the production of documents.

(c) To examine witnesses on oath.

(d) To declare that any person who was returned as elected was not duly elected.

(e) to declare any candidate duly elected who was not returned as elected;

(f) to declare any election absolutely void;

(g) to dismiss or uphold any petition, in whole or in part;

(h) to award costs;

(i) to punish any contempt of its authority by fine or imprisonment.

(2) The Court may exercise all or any of its powers under this section on such grounds as the Court in its discretion thinks fit and sufficient.

(3) Without limiting the powers conferred by this section, it is hereby declared that the power of the Court to declare that any person who was returned as elected was not duly elected, or to declare an election absolutely void, may be exercised on the ground that illegal practices were committed in connection with the election.

Inquiries by Court. No. 27 of 1907, s. 161; 1911, No. 44, s. 37.

163. (1) The Court shall inquire whether or not the requisites of section one hundred and fifty-eight have been observed, and, so far as the voting is concerned, may inquire into the identity of persons, and whether their votes were improperly admitted or rejected, and whether the result of the polling was correctly ascertained, but the Court shall deem the roll conclusive evidence that the persons enrolled were, at the date of the completion of the roll, entitled to be enrolled.

(2) The qualification of any person enrolled shall not be questioned; and no election shall be declared void on the ground that any person whose name appears on the roll for a Province or District, and who has voted as an elector for such Province or District, was not qualified to be enrolled or to continue enrolled as an elector for such Province or District.

Voiding election for illegal practices. No. 27 of 1907, s. 162.

164. (1) If the Court of Disputed Returns finds that a candidate has committed or has attempted to commit bribery or undue influence, his election, if he is a successful candidate, shall be declared void.

(2) No finding by the Court of Disputed Returns shall bar or prejudice any prosecution for any illegal practice.

(3) The Court of Disputed Returns shall not declare that any person returned was not duly elected, or declare any election void—

(a) on the ground of any illegal practice committed by any person other than the candidate and without his knowledge or authority; or

(b) on the ground of any illegal practice, other than bribery or corruption or attempted bribery or corruption, unless the Court is satisfied that the result of the election was intended to be and was actually affected thereby, and that it is just that the candidate should be declared not to be duly elected, or that the election should be declared void.

Court to report cases of illegal practices.
No. 27 of 1907, s. 163.

165. When the Court of Disputed Returns finds that any person has committed an illegal practice, the Master of the Supreme Court shall forthwith report the finding to the Minister.

Immaterial errors not to vitiate election.
No. 27 of 1907, s. 164.

166. No election shall be voided on account of any delay in the declaration of nominations, the polling, or the return of the writ, or on account of the absence or error of any officer which shall not be proved to have affected the result of the election.

Decisions to be final.
No. 27 of 1907, s. 165.

167. All decisions of the Court shall be final and conclusive without appeal, and shall not be questioned in any way.

Copies of petition, etc., to be sent to House affected.
No. 27 of 1907, s. 166.

168. The Master of the Supreme Court shall forthwith, after the filing of the petition, forward to the Clerk of the House of Parliament affected by the petition a copy thereof, and, after the trial of the petition, shall forthwith forward to such Clerk a copy of the order of the Court.

Costs.
No. 27 of 1907, s. 167.

169. The Court may award costs against an unsuccessful party to the petition, to be taxed by the Taxing Officer of the Supreme Court.

Deposit applicable for costs.
No. 27 of 1907, s. 168.

170. If costs are awarded to any party against the petitioner, the deposit shall be applicable in payment of the sum ordered, but otherwise the deposit shall be repaid to the petitioner.

171. All other costs awarded by the Court, including any balance above the deposit payable by the petitioner, shall be recoverable as if the order of the Court were a judgment of the Supreme Court, and such order, certified by the Court, may be entered as a judgment of the Supreme Court and enforced accordingly. Other costs. No. 27 of 1907, s. 169.

172. Effect shall be given to any decision of the Court as follows:— Effect of decision. No. 27 of 1907, s. 170.

(1) If any person returned is declared not to have been duly elected, he shall cease to be a Member of the Council or Assembly.

(2) If any person not returned is declared to have been duly elected, he may take his seat accordingly.

(3) If any election is declared absolutely void a new election shall be held.

173. (1) The Judges of the Supreme Court or any two of them may make Rules of Court not inconsistent with this Act for carrying this Part of this Act into effect, and in particular for regulating the practice and procedure of the Court, the forms to be used, and the fees to be paid by parties. Power to makes rules of Court. No. 27 of 1907, s. 171.

(2) Every such Rule of Court shall be laid before both Houses of Parliament within forty days next after it is made, if Parliament is then sitting, or if Parliament is not then sitting, then within forty days after the next meeting of Parliament.

(3) If an address is presented to the Governor by either House of Parliament within the next subsequent forty sitting days of the House praying that any such rule may be annulled, the Governor may thereupon annul the same.

(4) The rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which have in the meantime been taken under it.

PART VI.—LIMITATION OF ELECTORAL EXPENSES.

Rates of expenditure. No. 27 of 1907, s. 172.

174. No electoral expense shall be incurred or authorised by a candidate or his agent or agents, in respect of any candidature—

(1) in elections for the Council in excess of five hundred pounds;

(2) in elections for the Assembly in excess of one hundred pounds.

Electoral expenses. No. 27 of 1907, s. 173.

175. "Electoral Expense" includes all expenses incurred by or on behalf of any candidate at or in connection with any election, excepting only the cost of electoral rolls, stationery, postage, telegrams, rent of halls belonging to any public body, and personal and reasonable living and travelling expenses of the candidate.

Expenses allowed. No. 27 of 1907, s. 174.

176. No electoral expense shall be incurred or authorised except in respect of the following matters:—

(1) Printing, advertising, publishing, issuing, and distributing addresses by the candidate and notice of meetings.

(2) Committee rooms.

(3) Public meetings and halls therefor.

(4) Scrutineers.

(5) Election agents.

Candidate to file account of electoral expenses. No. 27 of 1907, s. 175; 1911, No. 44, s. 43.

177. Within three calendar months after the result of a contested election is declared, every candidate at the election shall sign before a Justice of the Peace, and file with the Chief Electoral Officer, a true account in the prescribed form, showing in detail—

(a) all electoral expenses paid; and

(b) all disputed or unpaid claims for electoral expenses.

Payments to be vouched by bill. No. 27 of 1907, s. 176.

178. Every payment made in respect of any expenses incurred shall, except when less than two pounds, be vouched for by a bill stating the particulars and by a receipt.

DECLASSIFIED E.O. 14,032 SEC. 3(E) AND 3(D) OR (E) NNDG # 775 012

Part VII.—Electoral Offences.

179. To secure the due execution of this Act and the purity of elections, the following acts are hereby prohibited and penalised:— Offences. No. 27 of 1907, s. 177.

(1) Breach or neglect of official duty.

(2) Illegal practices, including—

(a) bribery;

(b) undue influence.

(3) Electoral offences.

180. "Breach or neglect of official duty" includes— Breach or neglect by officers. No. 27 of 1907, s. 178.

(1) any attempt by any officer to influence the vote of any elector, or, except by recording his vote, the result of any election;

(2) the disclosure of any knowledge officially required by any officer or scrutineer touching the vote of any elector;

(3) any neglect or refusal by any officer to discharge any official duty, and any violation by any officer of any provision of this Act;

(4) any attempt by a postal vote officer or person authorised or required by this Act to witness the signature of an elector voting by means of a postal ballot paper to influence the vote of the elector.

Breach or neglect of official duty is punishable by a penalty not exceeding two hundred pounds, or by imprisonment not exceeding one year.

181. Any person who— Bribery. No. 27 of 1907, s. 179.

(a) promises, or offers, or suggests any valuable consideration, advantage, recompense, reward, or benefit for or on account of, or to induce any candidature or withdrawal of candidature, or any vote or omission to vote, or any support of, or opposition to, any candidate, or any promise of any such vote, omission, support, or opposition;

(b) gives or takes any valuable consideration, advantage, recompense, reward, or benefit for, or on account of, any such candidature, withdrawal, vote, omission, support, or opposition, or promise thereof;

(c) promises, offers, or suggests any valuable consideration, advantage, recompense, reward, or benefit for bribery, or gives or takes any valuable consideration, advantage, recompense, reward, or benefit for bribery,

shall be guilty of bribery.

Definition. No. 27 of 1907, s. 180.

182. Without limiting the effect of the general words in the preceding section, "bribery" particularly includes the supply of food, drink, or entertainment after the nominations have been officially declared, or horse or carriage hire for any voter whilst going to or returning from the poll with a view to influencing the vote of an elector.

Undue influence. No. 27 of 1907, s. 181.

183. Any person who—

(1) threatens, offers, or suggests any violence, injury, punishment, damage, loss, or disadvantage for or on account of or to induce any candidature, or withdrawal of candidature, or any vote or any omission to vote, or any support or opposition to any candidate, or any promise of any vote, omission, support, or opposition;

(2) or uses, causes, inflicts, or procures any violence, punishment, damage, loss, or disadvantage for or on account of any such candidature, withdrawal, vote, omission, support or opposition;

(3) or by spoken words, or by written or printed words or signs in any form whatsoever, publishes any matter intended or tending to prevent or restrain the free exercise of the franchise by any person, or which threaten, offer, or suggest any damage, loss, or disadvantage, either in the present or in the future, to any person on account of his political opinions;

(4) or in any way interferes with any elector, either in the polling booth or within fifty yards thereof with the intention of influencing him or advising him as to his vote;

(5) or at any time between the issue of the writ and the close of the poll publishes or exposes or causes to be published or exposed, to public view any document or writing or printed matter containing any untrue statement defamatory of any candidate and calculated to influence the vote of any elector;

(6) or, being a candidate, personally solicits the vote of any elector on polling day;

(7) or, being a candidate, attends at any meeting of electors other than his committee held for electoral purposes on polling day,

shall be guilty of undue influence.

Definition. No. 27 of 1907, s. 182.

184. Without limiting the effect of the general words in the preceding section, "undue influence" includes every interference or attempted interference with the free exercise of the franchise of any voter.

Exception. No. 27 of 1907, s. 183.

185. No declaration of public policy or promise of public action shall be deemed bribery or undue influence.

Disqualification for bribery or undue influence. No. 27 of 1907, s. 184.

186. Any person who—

(a) is convicted of bribery or undue influence, or of attempted bribery or undue influence, at an election; or

(b) is found by the Court of Disputed Returns to have committed or attempted to commit bribery or undue influence when a candidate,

shall, during a period of two years from the date of the conviction or finding, be incapable of being chosen or of sitting as a member of the Council or the Assembly.

Illegal practices. No. 27 of 1907, s. 185.

187. In addition to bribery and undue influence, the following shall be illegal practices:—

(1) Any publication of any electoral advertisement (other than an advertisement in a newspaper announcing the holding of a meeting), handbill, or pamphlet, or any issue of any electoral notice without at the end thereof the name and address of the person authorising the same.

(2) Printing or publishing any printed electoral advertisement, hand-bill, or pamphlet (other than an advertisement in a newspaper), without the name and place of business of the printer being printed at the foot of it.

(3) Any contravention by a candidate of the provisions of Part VI. of this Act relating to the limitation of electoral expenses.

(4) The attendance by a candidate after nomination day at any committee meeting held for the purpose of promoting or procuring his election on premises on which the sale by retail of any intoxicating liquor is authorised by license.

(5) The attendance by any member of a committee formed in the interests and with a view to obtain the return of any candidate at an election at a committee meeting held on any premises licensed to sell by retail spirituous liquors.

Punishment. No. 27 of 1907, s. 186.

188. Any illegal practice shall be punishable as follows:—

(1) Bribery or undue influence by a penalty not exceeding two hundred pounds, or by imprisonment not exceeding one year.

(2) Any other illegal practice by a penalty not exceeding one hundred pounds, or by imprisonment not exceeding six months.

Gifts by candidates. No. 27 of 1907, s. 187.

189. Any person who, having announced himself as a candidate, shall, after the date for an election is ascertained, and within three months of the polling day, offer, promise, or give, directly or indirectly, to or for any club or other association, any gift, donation, or prize, shall be guilty of an offence against this Act:

Provided that no proceeding shall be taken for a contravention of this section except within three months after the act complained of.

Electoral offences. No. 27 of 1907, s. 188; 1918, No. 5, s. 4.

190. The matters mentioned in the first column of the table at the foot of this section are electoral offences, punishable as provided in the second column of the table opposite the statement of the offence.

Electoral.

Table of Electoral Offences and Punishments.

First Column.—Offences.	Second Column.—Punishments.
Falsely personating any person to secure a ballot-paper to which the personator is not entitled, or personating any other person for the purpose of voting	Imprisonment not exceeding two years.
Fraudulently destroying or defacing any nomination or ballot-paper	Imprisonment not exceeding two years
Fraudulently putting any ballot or other paper into the ballot box	Imprisonment not exceeding six months
Fraudulently taking any ballot-paper out of any polling booth	Imprisonment not exceeding six months
Forging or uttering, knowing the same to be forged, any nomination or ballot paper	Imprisonment not exceeding two years
In any polling booth on polling day misconducting himself, or failing to obey the lawful directions of the presiding officer	Penalty not exceeding fifty pounds, or imprisonment not exceeding one month
Supplying ballot-papers without authority	Imprisonment not exceeding six months
Unlawfully destroying, taking, opening, or otherwise interfering with ballot-boxes or ballot-papers	Imprisonment not exceeding six months
Voting more than once at the same election	Imprisonment not exceeding twelve months
Wilfully making a false statement in any objection to any claim or to any name on the roll	Imprisonment not exceeding twelve months
Wagering on the result of any election	Penalty not exceeding fifty pounds
Wilfully defacing, mutilating, destroying, or removing any notice, list or other document affixed by any Returning Officer or by his authority	Penalty not exceeding two pounds
Wilfully making false statement in any claim, application, return, or declaration, or in answer to a question under this Act	Imprisonment not exceeding twelve months
Signing as the claimant on a claim to be enrolled as an elector the name of any other person with or without the authority of such person	Imprisonment not exceeding twelve months
Distributing any advertisement, handbill, or pamphlet published in contravention of section one hundred and eighty-seven	Penalty not exceeding fifty pounds, or imprisonment not exceeding one month
Any contravention of this Act for which no other punishment is provided	Penalty not exceeding fifty pounds

False statements in electoral papers. No. 27 of 1907, s. 188A; see Com. No. 17 of 1911, s. 37; 1918, No. 5, s. 5; 1919, No. 59, s. 6.

191. (1) A person shall not knowingly or wilfully make a false statement in any electoral paper, or in answer to any question under this Act, or in any information supplied to any officer or canvasser for the purposes of the preparation of new rolls.

Penalty: Twenty pounds.

(2) Subsection (1) of this section shall not affect the liability of any person to be proceeded against in respect of any other offence, but he shall not be liable to be punished twice in respect of the same offence.

(3) In this section the words "electoral paper" include any prescribed form.

Prohibition of canvassing near polling booth. No. 27 of 1907, s. 189.

192. The following acts are, on polling day, and on all days to which the polling is adjourned, prohibited in a polling booth or within fifty yards thereof, namely—

(1) canvassing for votes;

(2) soliciting the vote of any elector; or

(3) inducing any elector not to vote for any particular candidate; or

(4) inducing any elector not to vote at the election.

Witness to application must satisfy himself of truth of statements. No. 27 of 1907, s. 190; 1919, No. 59, s. 5.

193. The person witnessing any claim, or application to change the qualification of an elector under this Act shall, if he is not personally acquainted with the facts, satisfy himself by inquiry from the claimant or applicant, that the statements contained in the claim or application are true.

Failure to transmit claim. No. 27 of 1907, s. 191.

194. When any person has signed a claim to be enrolled as an elector, any other person who induces the claimant to let him have custody of the claim for transmission to the Registrar, and fails without just cause or excuse to transmit the claim to the Registrar, shall be guilty of a contravention of this Act.

Collection of information for preparation of rolls. No. 27 of 1907, s. 192; 1919, No. 59, s. 4.

195. (1) For the purpose of preparing any roll or ensuring the enrolment of any elector on a roll, the Chief Electoral Officer, any registrar, or any person authorised in this behalf by the Chief Electoral Officer, may require any person to answer any questions or furnish any return or fill in and sign any claim.

(2) Every person to whom any question shall be put under this section shall answer the same truthfully and completely to the best of his knowledge, information, and belief, and shall comply to the best of his ability with any requisition made on him under this section.

Penalty: Two pounds.

Employers to allow employees leave of absence to vote.
No. 27 of 1907, s. 193.

196. (1) If an employee who is an elector notifies his employer before the polling day that he desires leave of absence to enable him to vote at any election, the employer shall, if the absence desired is necessary to enable the employee to vote at the election, allow him leave of absence without any penalty or disproportionate deduction of pay for such reasonable period not exceeding two hours as is necessary to enable the employee to vote at the election.

(2) No employee shall, under pretence that he intends to vote at the election, but without the *bona fide* intention of doing so, obtain leave of absence under this section.

(3) This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.

Offender may be removed from polling booth.
No. 27 of 1907, s. 194.

197. Whoever in any polling place on polling day misconducts himself, or fails to obey the lawful directions of the presiding officer, may be removed from the polling place by any constable or by any person authorised by the presiding officer.

Further punishment.
No. 27 of 1907, s. 195.

198. Any person so removed re-entering or attempting to re-enter the polling booth, without the permission of the presiding officer, shall be guilty of a further electoral offence punishable, on conviction, by twice the penalties prescribed in the table for the original offence.

Expenditure on behalf of a candidate.
No. 27 of 1907, s. 196.

199. If any person purporting to act for and on behalf of a candidate incurs or authorises any electoral expense without the written authority of the candidate or of his agent authorised in writing, he shall be guilty of a contravention of this Act.

Liability for indirect acts.
No. 27 of 1907, s. 197.

200. Every person shall be liable for an illegal practice committed directly or indirectly by himself, or by any other person on his behalf, and with his knowledge and authority.

Attempts. No. 27 of 1907, s. 198.

201. Any attempt to commit an offence against this Act shall be an offence against this Act punishable as if the offence had been committed.

Certificate evidence. No. 27 of 1907, s. 199.

202. On any prosecution under this Act the certificate of the Chief Electoral Officer or a Returning Officer that the election mentioned in the certificate was duly held, and that the person named in the certificate was a candidate at the election, shall be evidence of the matter stated.

Hard labour may be awarded. No. 27 of 1907, s. 200.

203. Where imprisonment may be awarded for an offence against this Act, it may be awarded with or without hard labour.

Indictable offences. No. 27 of 1907, s. 201.

204. Offences against this Act punishable by imprisonment exceeding one year are indictable offences.

Summary convictions. No. 27 of 1907, s. 202.

205. All offences against this Act which are not indictable offences shall be punishable on summary conviction.

Criminal Code not to apply to Parliamentary elections. No. 27 of 1907, s. 203.

206. Nothing containing in Chapter XIV of the Criminal Code shall apply to Parliamentary elections.

Part VIII.—Miscellaneous.

Persons authorised to witness signatures. No. 27 of 1907, s. 204; 1911, No. 44, s. 38.

207. (1) The signatures to claims or other forms may be witnessed by an elector, or person qualified to be enrolled as an elector of the Commonwealth Parliament or of the Legislative Assembly of Western Australia.

Any person who witnesses the signature of a claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the claimant or otherwise that the statements contained in the claim are true, is guilty of an offence and liable to a penalty of not exceeding fifty pounds.

(2) Any statutory declaration required under the provisions of this Act may be made before any person authorised to witness signatures to claims, and shall have the same force and effect, and in the case of a false declaration shall subject the declarant to the same penalty as if such declaration had been made before a justice of the peace.

DECLASSIFIED E.O. 14032 SEC. 3(E) AND 3(D) OR (E) NND # 775 012

Service.
No. 27 of 1907, s. 205.

208. Any notice under this Act may be served by posting it to the last known place of abode of the person to whom such notice is given, or to the place of living of such person appearing on any roll.

Electoral matter to be sent by post.
No. 27 of 1907, s. 206.

209. All electoral papers transmitted through the post, if duly addressed, shall, on proof of posting, be deemed to have been duly served on and received by the person to whom they were addressed on the day when, in the ordinary course of post, they should have been received at his address.

Electoral matter may be sent by telegraph.
No. 27 of 1907, s. 207.

210. In all cases where it is impracticable to communicate any electoral matter by post without occasioning undue delay, any telegraphic advice communicated in the ordinary course shall suffice for all purposes of this Act as if the matter telegraphed had been communicated in manner provided by this Act.

A person unable to write may make his mark.
No. 27 of 1907, s. 208; 1911, No. 44, s. 39.

211. Any person required by this Act to sign his name may, on satisfying an attesting witness that he is unable to write, make his distinguishing mark, which shall be witnessed by the attesting witness.

Forms.
No. 27 of 1907, s. 209; 1911, No. 44, s. 40.

212. Strict compliance with the prescribed forms shall not be required, and substantial compliance therewith shall suffice for the purposes of this Act.

Regulations.
No. 27 of 1907, s. 210; 1911, No. 44, s. 41.

213. (1) The Governor may make regulations for carrying out this Act, and prescribing forms for use under this Act.

(2) All such regulations shall be notified in the *Government Gazette*, and shall thereupon have the force of law.

(3) All such regulations shall be laid before both houses of Parliament within thirty days after the making thereof, if Parliament is then sitting, and if not, then within thirty days after the next meeting of Parliament.

Repeal.
No. 27 of 1907, s. 211; 1918, No. 5, s. 6.

214. The Electoral Act, 1904, and the Electoral Act Amendment Act, 1912, and sections twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty of the Constitution Acts Amendment Act, 1899, are hereby repealed.

By Authority: WILLIAM H. WYATT, Government Printer, Perth.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(B) OR (E) NNDB # 775 012

ELECTORAL.

12° and 13° GEO. VI., No. LXIII.

No. 63 of 1948.

AN ACT to amend the Electoral Act, 1907-1940.

[*Assented to 21st January, 1949.*]

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

Short title and commencement.

1. This Act may be cited as the *Electoral Act Amendment Act, 1948*, and shall be read as one with the Electoral Act, 1907-1940 (Act No. 27 of 1907, as reprinted pursuant to the Amendments Incorporation Act, 1938, in Volume 2 of the Reprinted Acts of the Parliament of Western Australia (1943)), hereinafter referred to as the principal Act, and shall come into operation on a day to be fixed by proclamation.

Citation of principal Act as amended.

2. The principal Act, as amended by this Act, may be cited as the Electoral Act, 1907-1948.

Amendment of s. 4.

3. Section four of the principal Act is amended by inserting after the word "appears" in lines one and two a new definition as follows:—

"Absent voter" means any person who votes under the provisions of section ninety-nine A of this Act.

Amendment of s. 7.

4. Section seven of the principal Act is amended by—

(a) inserting after subsection (1) a new subsection as follows:—

(2) The Governor may, for such periods and subject to such conditions, if any, as he may think fit, delegate to the Minister the power to appoint any such substitute, and may, at will, revoke any such delegation; and

(b) by deleting the figure "2" in brackets thus "(2)" and substituting therefor the figure "3" in brackets thus "(3)".

Amendment of s. 17.

5. Section seventeen of the principal Act is amended by—

(a) deleting the words "one month" in line four of paragraph (c) of subsection (1) and substituting therefor the words "three months"; and

(b) deleting the word "three" in line four of the proviso to subsection (1) and substituting therefor the word "six".

Amendment of s. 42.

6. Section forty-two of the principal Act is amended by—

(a) inserting before the word "Claims" in line one of the section, the figure one in brackets thus "(1)"; and

(b) by adding a new subsection as follows:—

(2) The prescribed form shall contain immediately above the space for the signature of the claimant, a warning, printed in red lettering, as follows:—

If you claim to have resided in the district for three months when you have

not done so, or if you state that you are a natural born or naturalised British subject when you are not, you are liable to a penalty of not less than £5 nor more than £50.

Amendment of s. 44.

7. Section forty-four of the principal Act is amended by—

(a) inserting after paragraph (b) of subsection (1) new paragraphs as follow:—

(c) the date of birth of the claimant; and

(d) the place of birth of the claimant; and

(b) by deleting the letter "c" in brackets thus "(c)" and the letter "d" in brackets thus "(d)" in lines five and seven, respectively, of subsection (1) and substituting therefor the letter "e" in brackets thus "(e)" and the letter "f" in brackets thus "(f)" respectively.

Amendment of s. 47.

8. Section forty-seven of the principal Act is amended by—

(a) deleting paragraph (g) and the proviso thereto of subsection (2) and substituting therefor new paragraphs as follow:—

(g) No objection shall be lodged between the day on which a writ is issued for an election in the Province or District, as the case may be, and either the close of polling at such election or, if only one candidate is nominated, the close of nominations for such election; and

(h) if any objection has not been heard and determined on the fourteenth day next preceding the day fixed for an election in the Province or District, as the case may be, and the claim was received by the Registrar not less than fourteen days before the issue of the writ, it shall be the duty of the Registrar to enrol the claimant:

Provided that the Registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by himself in the prescribed form; and

(b) deleting paragraph (f) and the proviso thereto of subsection (3) and substituting therefor new paragraphs as follow:—

(f) No notice of objection shall be given by the Registrar between the day on which a writ is issued for an election in the Province or District, as the case may be, and either the close of polling at such election, or if only one candidate is nominated, the close of nominations for such election, but a claim may be rejected pursuant to paragraph (b) of this subsection at any time before the fourteenth day next preceding the day fixed for an election in the Province or District, as the case may be; and

(g) if any appeal has not been heard and determined on the fourteenth day next preceding the day fixed for an election in the Province or District, as the case may be, and the claim was received by the Registrar not less than fourteen days before the issue of the writ, it shall be the duty of the Registrar to enrol the claimant:

Provided that the Registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled

at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by himself in the prescribed form.

Amendment of s. 48.

9. Section forty-eight of the principal Act is amended by—

(a) deleting the words "before the issue of a writ for" in lines four and five of paragraph (g) of subsection (2) and substituting therefor the words "not less than fourteen days before" and

(b) deleting the words "If a writ is issued for an election before the appeal is heard and determined" in lines one and two of paragraph (f) of subsection (3) and substituting therefor the words "If the appeal has not been heard and determined on the fourteenth day next preceding the day fixed for an election in the Province or District, as the case may be,".

Amendment of s. 51.

10. Section fifty-one of the principal Act is amended by inserting after the word "remove" in line four of subsection (1) the words "or may himself remove".

Amendment of s. 52.

11. Section fifty-two of the principal Act is amended by—

(a) inserting before the word "In" in line one the figure "1" in brackets thus "(1)";

(b) inserting after the word "by" secondly appearing in line two the words "the Chief Electoral Officer or by";

(c) deleting the words "pursuant to an order in writing under the hand of the Chief Electoral Officer" in lines one and two of paragraph (d);

(d) deleting the words "pursuant to an order in writing under the hand of the Chief Electoral Officer" in lines one and two of paragraph (e);

(e) deleting the words "pursuant to an order in writing under the hand of the Chief Electoral Officer" in lines one and two of paragraph (f);

(f) deleting the word "subsection" in line four of paragraph (f) and substituting therefor the word "paragraph"; and

(g) adding a new subsection as follows:—

(2) No alteration under the provisions of paragraphs (d), (e) or (f) of subsection (1) of this section shall be made by the Registrar except pursuant to an order in writing under the hand of the Chief Electoral Officer.

Repeal of s. 53 and substitution of new section.

12. The principal Act is amended by repealing section fifty-three and substituting therefor a new section as follows:—

Time for altering rolls.

53. No addition to or alteration of the roll shall be made between the date of the issue of the writ for an election for the Province or the District, as the case may be, and the closing of the poll at such election, or if only one candidate is nominated, the close of nominations for such election, except that—

(a) claims received not less than fourteen days before the issue of the writ may be enrolled after the issue of the writ if no notice of objection to such claim has been lodged or given under the provisions of section forty-seven of this Act;

(b) a claimant may be enrolled after the issue of the writ pursuant to the provisions of paragraph (g) of subsection (2), or the provisions of paragraph (f) of subsection (3) of section forty-seven of this Act;

(c) alterations may be made after the issue of the writ pursuant to the provisions of paragraph (f) of subsection (2), or the provisions of paragraph (b) or paragraph (e) of subsection (3) of section forty-eight of this Act;

(d) alterations may be made after the issue of the writ pursuant to applications received under section fifty of this Act before the issue of the writ; and

(e) alterations may be made at any time not later than the fourteenth day next preceding the day fixed for the election pursuant to the provisions of sections fifty-one and fifty-two of this Act.

Amendment of s. 70.

13. Section seventy of the principal Act is amended by—

(a) deleting the word "thirty" in line two and substituting therefor the word "forty-five";

(b) adding a proviso as follows:—

Provided that the date fixed for the nomination of candidates for any election in the North Province or in any District situated therein shall be not less than thirty-five days before the date fixed for the polling.

Amendment of s. 71.

14. Section seventy-one of the principal Act is amended by—

(a) deleting the word "thirty" in line two and substituting therefor the word "forty-five";

(b) deleting the proviso to the section.

Amendment of s. 72.

15. Section seventy-two is amended by deleting the word "sixty" in line two and substituting therefor the word "ninety".

Amendment to subdivision (i) of Division 3 of Part IV.

16. The principal Act is amended by deleting the words "In absence" after the figure one in brackets thus "(1)" in the sub-heading (1) to Division (3) of Part IV. and substituting therefor the words "Postal and Absent Voting.".

Amendment of s. 90.

17. Section ninety of the principal Act is amended by deleting the words "at which he is entitled to vote" in line three of paragraph (a) of subsection (1).

Insertion of new section 99A.

18. The principal Act is amended by inserting after section ninety-nine a new section as follows:—

Absent voting.

99A. (1) Where, on polling day for a general election, an elector is not at any time during which the poll is open within the boundaries of the Province or District for which he is enrolled and has not applied for or obtained a ballot paper under and in accordance with the provisions of section ninety of this Act, such elector shall, subject to the regulations relating to absent voting, be permitted to vote in person in the prescribed manner as an absent voter at any polling place at which a polling booth is open outside the Province or District for which he is enrolled.

(2) For the purposes of this section, the Chief Electoral Officer may make all arrangements for the opening of polling booths and the taking therein of absent votes at any one or more of the polling places appointed by the Minister under the provisions of section one hundred of this Act in any Province or District for which a candidate shall have been declared elected before the polling day under the provisions of sections eighty-seven or eighty-eight of this Act.

(3) The regulations relating to absent voting may prescribe all matters (not inconsistent with this Act) necessary or convenient to be prescribed for carrying this section into effect, and in particular may provide for—

(a) the forms of absent voters' ballot papers;

(b) the manner in which votes are to be marked on absent voters' ballot papers;

(c) the method of dealing with absent voters' ballot papers, including the scrutiny thereof and the counting of votes thereon; and

(d) the grounds upon which absent voters' ballot papers are to be rejected as informal.

(4) Absent voters' ballot papers containing votes and enclosed in any prescribed envelope may, if so provided by the regulations, be placed in any ballot box in use at the polling place at which the votes were cast, but notwithstanding anything contained in this Act a prescribed envelope containing an absent voter's ballot paper shall (unless the regulations otherwise provide) only be opened and the ballot paper dealt with, as regards the scrutiny thereof and the counting of the votes thereon by the Chief Electoral Officer or the Assistant Returning Officer appointed under the provisions of section one hundred and forty-two A of this Act.

(5) The Returning Officer or Assistant Returning Officer who is authorised under the provisions of this Act to open the ballot box, shall, without opening the envelope containing any absent voter's ballot paper, transmit it in the manner prescribed to the Chief Electoral Officer.

(6) Nothing in this section shall authorise any elector to vote more than once at any election.

Amendment of s. 119.

19. Section one hundred and nineteen of the principal Act is amended by inserting after the figure five in brackets thus "(5)" in line one of subsection (5) the words "Subject to the provisions of section one hundred and twenty-two A of this Act,".

Insertion of new section 122A.

20. The principal Act is amended by inserting after section one hundred and twenty-two a new section as follows:—

Vote of person whose name is not on roll or has been struck off roll or is on roll and cannot be found or has been struck out under s. 126.

122A. (1) Notwithstanding anything contained in this Act, when any person who is entitled to be enrolled on the roll for a Province or District claims to vote at an election at a polling place appointed

for that Province or District, and his name has been omitted from or struck off the roll owing to an error of an officer or a mistake of fact or when any person who is enrolled on the roll for a Province or District claims to vote at an election at a polling place appointed for that Province or District and his name cannot be found by the presiding officer on the roll or his name has been struck out on the copy of the roll under the provisions of section one hundred and twenty-six of this Act, he may, subject to this Act and the regulations, be permitted to vote if—

(a) in the case of a person whose name has been omitted from the roll—

(i) he sent or delivered to the Registrar of the Province or District as the case may be, a duly completed claim for enrolment in respect of such Province or District and the claim was received by the Registrar not less than fourteen days before the issue of the writ for the election; and

(ii) no circumstances occurred after sending or delivering the claim as would have compelled or authorised the Registrar to reject the claim under the provisions of section forty-seven of this Act or to strike the name off the roll under the provisions of section forty-eight of this Act; or

(b) in the case of a person whose name has been struck off the roll—

(i) his name was not, to the best of his knowledge, struck off the Roll for the Province or District as the case may be, owing to objection, or duplication of enrolment or disqualification; and

(ii) he had from the time of his enrolment for the Province or District, as the case may be, to the date of the issue of the writ for the election, continuously retained his right to enrolment for that Province or District; or

(c) in the case of a person whose name is on the Roll for a Province or District as the case may be but cannot be found by the presiding officer, he claims that his name appears or should appear on the Roll; or

(d) in the case of a person whose name has been struck out of a copy of the Roll under the provisions of section one hundred and twenty-six of this Act, he denies that he has been previously handed a ballot paper or has voted at that election,

and if, in every such case, such person makes a declaration in the prescribed form before the presiding officer at the polling place.

(2) Where a voter claims to vote under the provisions of this section he shall mark and fold his ballot paper in the manner prescribed and return it so folded to the presiding officer.

(3) The presiding officer shall thereupon, in the presence of the voter and of such scrutineers as are present, and without unfolding the ballot paper, enclose it in an envelope bearing the declaration of the voter and addressed to the Chief Electoral Officer and shall forthwith securely fasten the envelope and deposit it in a ballot box.

(4) The Returning Officer or Assistant Returning Officer who is authorised under the provisions of this Act to open the ballot box, shall, without opening the envelope forthwith transmit it to the Chief Electoral Officer.

(5) The Chief Electoral Officer or an Assistant Returning Officer appointed under the provisions of section one hundred and forty-two A of this Act shall, on receipt of the envelope containing the ballot

paper as aforesaid and before opening the envelope or allowing any other person to do so, examine the declaration of the voter, and, if it is in order and he is satisfied, after making such inquiry as may be necessary that the voter is a person to whom paragraph (a), (b), (c) or (d) of subsection (1) of this section applies, shall deal with the ballot paper in the manner prescribed in connection with the scrutiny and counting of absent voters' ballot papers and the Chief Electoral Officer shall forthwith direct that such correction (if any) as is necessary be made in the roll by the Registrar, and the correction shall be made accordingly.

(6) Where the claim of any person to vote under this section is refused, the presiding officer shall make a note in writing of the fact of the claim and the reasons for the refusal thereof, and the presiding officer and a poll clerk shall sign the note in the presence of such scrutineers as are present. Any of those scrutineers may also sign the note.

Insertion of new section 142A.

21. The principal Act is amended by inserting after section one hundred and forty-two a new section as follows:—

Appointment of Assistant Returning Officers for counting absent votes and votes under s. 122A.

142A. (1) The Governor may appoint Assistant Returning Officers for the purpose of counting, under the direction of the Chief Electoral Officer, absent votes and votes cast under the provisions of section one hundred and twenty-two A of this Act.

(2) Each such Assistant Returning Officer shall certify in writing addressed to the Returning Officer of the Province or District concerned, the number of votes or first preference votes, as the case may be, given for each candidate on the absent voters' ballot papers and ballot papers used for voting under the provisions of section one hundred and twenty-two A counted by him.

(3) Any such Assistant Returning Officer may communicate by telegraph to the Returning Officer of the Province or District concerned, the number of

votes or first preference votes, as the case may be, given for each candidate on the absent voters' ballot papers and ballot papers used for voting under the provisions of section one hundred and twenty-two A counted by him, and the Returning Officer in ascertaining the result of the poll may act upon the information so received.

(4) Each such Assistant Returning Officer shall, as soon as possible after completing the count of the votes on such absent voters' ballot papers and ballot papers used for voting under the provisions of section one hundred and twenty-two A of this Act, transmit the same in the prescribed manner to the Returning Officer of the Province or District concerned.

22. Section one hundred and forty-four of the principal Act is amended by— Amendment of s. 144.

(a) inserting after the word "Officers" in line seven of subparagraph (i) of paragraph (b) of subsection (1) the words "and by absent voters and persons voting under the provisions of section one hundred and twenty-two A of this Act.";

(b) inserting after the word "Officers" in line seven of subparagraph (i) of paragraph (b) of subsection (2) the words "and by absent voters and persons voting under the provisions of section one hundred and twenty-two A of this Act.";

(c) inserting after the word "Officers" in line three of subparagraph (i) of paragraph (d) of subsection (2), the words "including absent voters' ballot papers and ballot papers used for voting under the provisions of section one hundred and twenty-two A of this Act."; and

(d) adding a new subsection as follows:—

(4) Where the Returning Officer is satisfied that the votes—

(a) on any ballot papers issued at some remote polling place in connection with the election, which have not been received by him; and

(b) on any absent voters' ballot papers or ballot papers used for voting under the provisions of section one hundred and twenty-two A of this Act which have not been received by him,

cannot, having regard to the number of those ballot papers, possibly affect the result of the election, he may, subject to the concurrence of the Chief Electoral Officer—

(c) if there are only two candidates, declare the candidate who has received the largest number of votes on the ballot papers then received and counted to be duly elected; or

(d) if there are more than two candidates and one candidate has received an absolute majority of the votes on the ballot papers then received and counted, declare such candidate to be duly elected; or

(e) if no candidate has an absolute majority of the votes, then received and counted, proceed with the scrutiny;

without awaiting the receipt of the ballot papers which have not been received by him.

Amendment of s. 156.

23. Section one hundred and fifty-six of the principal Act is amended by—

(a) inserting after subsection (11) new subsections as follow:—

(12) The Chief Electoral Officer may send to any elector whose reason for failure

to vote at the election is decided by the Returning Officer in accordance with subsection (8) of this section not to be a valid and sufficient reason for such failure to vote and in which decision the Chief Electoral Officer concurs, a notification in the prescribed form advising him to that effect and indicating that such elector has the option of having the matter dealt with by the Chief Electoral Officer or by a court of summary jurisdiction and such notification may also indicate that if such elector within twenty-eight days from the date of such notification shall advise the Chief Electoral Officer that he consents to having the matter dealt with by the Chief Electoral Officer and is prepared to abide by the decision of that officer, and at the same time shall remit to the Chief Electoral Officer such sum by way of penalty not exceeding ten shillings for a first offence and not exceeding two pounds for any subsequent offence as the Chief Electoral Officer shall order, no further proceedings shall be taken against such elector for such failure to vote.

(13) On receipt of any such notification as is referred to in the next preceding subsection of this section, any elector who desires the matter to be dealt with by the Chief Electoral Officer, and who is prepared to abide by the decision of that officer, shall, within the period mentioned, advise the Chief Electoral Officer to that effect in the prescribed form and shall at the same time remit to the Chief Electoral Officer the sum ordered to be paid by way of penalty as mentioned in the notification of the Chief Electoral Officer to him; and on receipt of such advice and sum by the Chief Electoral Officer, no further proceedings shall be taken against such elector.

(14) If, within the time mentioned in subsection (12) of this section, the elector does

not forward to the Chief Electoral Officer the advice referred to in subsection (13) of this section and the sum ordered to be paid by way of penalty, such elector shall be deemed to have intimated to the Chief Electoral Officer that he does not consent to the matter being dealt with by such officer and proceedings may be had and taken against such elector before a court of summary jurisdiction accordingly.

(15) At the conclusion of an election, the Chief Electoral Officer shall remove or shall direct the Registrar to remove from the roll the names of any persons who failed or neglected to fill up and sign and post to the Returning Officer the form referred to in subsections (6) and (7) of this section and any person whose name has been removed from the roll pursuant to this subsection, shall be required to furnish a new claim for enrolment before the name of such person shall be reinstated on the roll;

(b) by deleting the figure twelve in brackets thus "(12)" and substituting therefor the figure sixteen in brackets thus "(16)"; and

(c) by deleting the figure thirteen in brackets thus "(13)" and substituting therefor the figure seventeen in brackets thus "(17)".

Amendment of s. 162.

24. Section one hundred and sixty-two of the principal Act is amended by inserting after paragraph (c) of subsection (1) new paragraphs as follow:—

(ca) To grant to any party to the petition, leave to inspect in the presence of a prescribed officer, the rolls and other documents (except ballot papers) used at or in connection with any elections and to take, in the presence of the prescribed officer, extracts from those rolls and documents.

(cb) To permit, at any stage of the proceedings and on such terms as may be just, all such amend-

ments to the petition or other pleadings, as shall appear to the Court to be necessary or convenient.

Amendment of s. 172.

25. Section one hundred and seventy-two of the principal Act is amended by adding after the word "held" in line two of paragraph (3) the words "and, notwithstanding any provisions elsewhere in this Act contained, except where the Court otherwise orders, the same roll as was used for the voided election, shall be used for such new election.".

Amendment s. 183.

26. Section one hundred and eighty-three of the principal Act is amended by deleting the word "thereof" in line three of paragraph (4) and substituting therefor the words "from the entrance thereto from the nearest street or way".

Amendment of s. 190.

27. Section one hundred and ninety of the principal Act is amended by—

(a) inserting after the word "claim" in line thirty-four of the first column of the Table of Electoral Offences and Punishments, the words "other than a false statement to the effect that the claimant has lived in a district or sub-district for a continuous period of three months immediately preceding the date of the claim, or that the claimant is a natural born or naturalised subject of His Majesty, or wilfully making false statement in any"; and

(b) by inserting—

(i) after the word "Act" in line thirty-six of the first column of the Table of Electoral Offences and Punishments a new paragraph as follows:—

Wilfully making false statement in any claim to the effect that the claimant has lived in a district for a continuous period

of three months immediately preceding the date of the claim or that the claimant is a natural born or naturalised subject of His Majesty; and

(ii) in the second column of the said Table opposite to such new paragraph the words "Penalty not less than five pounds nor more than fifty pounds."

Amendment of s. 192.

28. Section one hundred and ninety-two of the principal Act is amended by deleting the word "thereof" in line three and substituting therefor the words "from the entrance thereto from the nearest street or way".

Amendment of s. 205.

29. Section two hundred and five of the principal Act is amended by adding after the word "conviction" in line two the words "and for any such offence complaint may be made within twelve months from the time when the matter of complaint arose.".

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WESTERN AUSTRALIA

1937 PRINT.

REGULATIONS UNDER THE ELECTORAL ACT, 1907-1936.

THE ELECTORAL ACT, 1907-1936.

Regulations.

(Section 210.)

Short Title.

1. These Regulations may be cited as "The Electoral Regulations, 1937."

Interpretation.

2. In these Regulations "the Act" means "The Electoral Act, 1907-1936," as amended, and the sections quoted are the sections of the said Act.

Appointment of Assistant Registrars for Provinces and Districts.

3. (a) The Governor may appoint for any Province or District one or more Assistant Registrars to assist the Registrar in the performance of his duties.
(b) Claims may be lodged with Assistant Registrars, to be sent by them, on behalf of the claimant, to the Registrar, for approval and enrolment.

Claims under Section 17 (3).

4. If a member of the Legislative Assembly or the wife of a member of the Legislative Assembly has claimed under the provisions of Section 17, Subsection (3) of the Act to be enrolled as an Elector for the District represented by such member instead of the District in which he or she resides, the following additions to their occupations shall be made respectively in the Roll, viz.:—

(M.L.A. for the (name of) District);
(Wife of M.L.A. for the (name of) District),

so as to denote the special qualification under which they are enrolled.

The Rolls.

(Section 32.)

5. The latest printed or written copy of the Roll referred to in Section 32 of the Act shall, as occasion arises, be supplied to each Registrar by the Chief Electoral Officer, and shall contain an indorsement by the latter that such copy of the Roll is the Roll for the Province or District, for the purposes of Section 32 of the Act, and any alterations under the Act shall from time to time be made on such copy of the Roll by the Registrar, until a new Roll is issued to him by the Chief Electoral Officer as a substitute for the one then in use.

The method to be followed in effecting such alterations shall be as prescribed in Sections 53 and 54 of the Act. The indorsement shall be in the following words:—

I certify that this Electoral Roll for the.....Province (or District) is the Roll filed in the Office of the Registrar under the provisions of Section 32 of the Act.

.....
Chief Electoral Officer.

Price of Rolls.

6. The prices to be charged for printed Electoral Rolls shall be as follows:—

	s.	d.
For a complete set of 50 District Rolls	10	0
For a complete set of 50 Supplementary Rolls	2	0
Each District Roll	0	6
Each Supplementary District Roll	0	3
For each Province Roll, inclusive of any Supplementary Roll	1	0

e 8472.

Enforcement of the Law relating to Compulsory Enrolment on the Legislative Assembly Rolls.

(Section 44A.)

7. The Registrar for a District shall, when any failure to comply with the law relating to compulsory enrolment of a person qualified as an elector for the Assembly is disclosed, make inquiries into the circumstances and consider all the facts, and if he is satisfied that the qualified person has failed to comply with the requirements of Section 44A of "The Electoral Act, 1907-1936," he shall, in accordance with Form 7 in the Appendix hereto, forthwith inform him of such failure, and such person may reply by statutory declaration setting out any facts relevant to the matter, within such time as is set out in the said notification. The time within which such declaration may be lodged with the Registrar may be varied by him so as to afford sufficient time for reply in each individual case, but shall not be less than seven clear days from the date of such notification.

8. Where a person to whom notification has been sent fails within the time allowed to reply thereto or fails by his reply to satisfy the Registrar, the Registrar shall cause proceedings to be instituted against such person in a court of summary jurisdiction.

9. If, in any case in which proceedings are instituted in a court of summary jurisdiction, the Registrar has received from the person concerned a statutory declaration in pursuance of Regulation 7 of these Regulations he shall, so far as it is practicable and necessary for him to do so, inquire into the truth of the statements therein set out, and shall, unless he withdraws the prosecution, cause the declaration to be brought to the notice of the court.

Objections to Claims.

(Section 46.)

10. The notice in writing to be given by the Registrar to the objector to a claim for enrolment, and to the person whose name or enrolment is objected to, under the provisions of Sections 46 and 47 respectively of the Act, shall be in the Forms Nos. 29, 30, 31 and 32 in the Appendix hereto, as the case may require.

Lists to be Supplied by the Registrar General and Others.

(Sections 55-58.)

11. The lists to be forwarded to the Chief Electoral Officer by the Registrar General of Births, Deaths, and Marriages, under the provisions of Section 55, by the Inspector General of the Insane under Section 56; by the Superintendent of Public Charities under Section 57, and by the Comptroller General of Prisons under Section 58 of the Act, shall be in the Forms Nos. 33, 34, 35, 36, and 37 in the Appendix hereto respectively.

Enforcement of the Law relating to Compulsory Voting at Elections of the Legislative Assembly.

(Section 154A.)

12. The list in duplicate of the names and descriptions of the electors enrolled for a District who did not vote at an election in such District for the Legislative Assembly which is required to be prepared by the Returning Officer under the provisions of Subsection (2) of Section 154A of the Act may be prepared on copies of the Electoral Roll used at such election; and such list may be certified in accordance with Form 39 in the Appendix to these Regulations.

13. (1) The notice to be sent under the provisions of Subsection (4) of Section 154A of the Act to each elector whose name appears on the List as prepared by the Returning Officer in accordance with Subsection (2) of Section 154A aforesaid shall be sent by post to each such elector within three months after the close of the election.

(2) Such notice shall be in accordance with Form 40 in the Appendix to these Regulations.

14. (1) The form of reply which under Subsections (6) and (7) of Section 154A of the Act is required to be filled up and signed by or on behalf of an elector who has received notice from the Returning Officer as provided for by Subsection (4) of Section 154A aforesaid may be in accordance with Form 41 in the Appendix to these Regulations.

(2) The witness to the signing of such form shall be an elector or a person qualified to be an elector.

15. An extract from a copy of a list of electors who failed to vote at an election prepared and indorsed by the Returning Officer in accordance with the provisions of Section 154A of the Act, and referred to in Subsection (11) of such section required for use as evidence in any proceedings may be in accordance with Forms 42 and 43 in the Appendix to these Regulations.

Honorary Government Electoral Agents.

16. (1) With a view to providing facilities for persons qualified but not enrolled as electors—

(a) to inspect the Rolls;

(b) to obtain information as regards qualifications and disqualifications; and

(c) to procure the requisite claim forms,

the following public servants shall be *ex officio* Honorary Government Electoral Agents:—Clerks of Court, Mining Registrars, Government Land Agents, Managers of State Batteries, Officers in the Police Force in charge of Stations, District Registrars of Births, Deaths and Marriages (except those paid by fees only), Post and Telegraph Masters.

(2) The duties of such Honorary Government Electoral Agents shall be as follows:

(a) To exhibit in a conspicuous place outside their office a copy of an Electoral poster and sign, supplied by the Chief Electoral Officer;

(b) To have charge of on behalf of the Chief Electoral Officer, for free inspection by the public, copies of the Rolls; and

(c) To hold sufficient quantity of claim forms at the disposal of the general public.

(3) The Honorary Government Electoral Agents shall not be required to render any returns or to collect any forms.

(4) The Minister may appoint from time to time such additional Honorary Government Electoral Agents as he may think fit, and he may also cancel the appointment of any Honorary Government Electoral Agent.

(5) Notice of every appointment to or removal from an office under this Regulation shall be published in the *Government Gazette*.

17. The forms set out in the Appendix hereto shall (subject to Section 209 of the Act) be used for the purpose for which they are prescribed, as indicated by the section of the Act mentioned.

Fees to Officers at Elections, etc.

18. (a) Every officer under "The Public Service Act, 1904-1935" may be required by the Governor to act in the capacity of Returning Officer, Deputy or Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, Poll Clerk, or Door Keeper, under the provisions of "The Electoral Act, 1907-1936."

(b) Such officers, when so acting, and all officers appointed under the Electoral Act, shall be entitled to receive and retain the fees or allowances as in this Regulation hereinafter prescribed for them respectively in paragraph (e).

(c) Subject to this Regulation, all Electoral officers acting and residing in that portion of the State comprised within the Electoral Districts of Kimberley, Pilbara, Roebourne, and Gascoyne, or such Districts as are comprised within the boundaries of the North Province, shall be entitled to receive and retain the fees prescribed for them respectively in paragraph (e) of this Regulation, together with an additional amount equal to twenty per centum of such prescribed fee.

(d) Subject to this Regulation all Electoral officers acting and residing in the Electoral Districts comprised within that portion of the State known as the Mining and Pastoral Area under the provisions of "The Electoral Districts Act, 1922" (No. 10 of 1923), shall be entitled to receive and retain the fees prescribed for them respectively in paragraph (e) of this Regulation, together with an additional amount equal to ten per centum of such prescribed fee.

(e) The fees payable to Returning Officers, Deputy and Assistant Returning Officers, Presiding Officers, Assistant Presiding Officers, Poll Clerks and Door Keepers shall be as follows:—

Officers.	3,000 Electors or over. £ s. d.	Under 3,000 Electors. £ s. d.
Returning Officers—		
Contested election	12 0 0	10 0 0
Uncontested election	5 0 0	3 0 0
Deputy Returning Officers—		
Contested election	10 0 0	8 0 0
Uncontested election	3 0 0	1 10 0
Assistant Returning Officers (including fee for presiding)*	3 0 0	3 0 0
Presiding Officers and Assistant Presiding Officers*	2 0 0	2 0 0
Poll Clerks and Door Keepers*	1 0 0	1 0 0

*For contested election only.

Provided that—

(i) where the Returning Officer, Deputy Returning Officer, or Assistant Returning Officer for a Province has to conduct an election for portion only of an Assembly District, or for portions of Assembly Districts containing several Provinces, the fees payable shall in all cases be subject to approval by the Minister, who may, after consideration of the circumstances, increase or decrease the fees specified in the foregoing table, and may allot the fees amongst the officers concerned in such portions as he sees fit;

(ii) in Districts where more than twelve polling places have been gazetted for a Council or an Assembly Election the Minister may grant the Returning Officer or Deputy Returning Officer, as the case may be, in addition to the fee prescribed in the foregoing table, a further fee in accordance with the following scale:—

(a) For every polling place in excess of twelve up to and including twenty polling places ..	Ten shillings.
(b) For every polling place in excess of twenty and up to and including thirty polling places ..	Seven shillings and sixpence.
and	
(c) For every polling place in excess of thirty polling places	Five shillings.

(iii) if an officer holds simultaneously more than one position under the Act for each of which service fees are prescribed, he shall be entitled only to the fee for that position for which the highest fee is prescribed, where the duties of all such positions can be performed simultaneously. In all other cases such officer shall be entitled to the fee prescribed for each position the duties of which he performs;

(iv) the fees prescribed in the foregoing table for Presiding Officers, Assistant Presiding Officers, Poll Clerks, and Door Keepers shall cover all services performed between the hours of 7 o'clock a.m. and 8 o'clock p.m. on the day of the election;

(v) subject to paragraphs (e), (d), and (f) of this regulation, the fees prescribed in the foregoing table for Returning Officers and Deputy and Assistant Returning Officers shall cover all services required by the Act or by the Regulations and instructions made or given under the Act to be performed by such officer on the day of election, and includes subsistence for that day.

(f) Returning Officers, Deputy Returning Officers and Assistant Returning Officers, while engaged on the scrutiny and count of votes, shall be paid for such services at the rate of five shillings per hour; and Presiding Officers and Assistant Presiding Officers required to assist at the scrutiny and count of votes shall be paid for such services at the rate of three shillings and sixpence per hour; and Poll Clerks and Door Keepers required to assist at the scrutiny and count of votes shall be paid for such services at the rate of two shillings and sixpence per hour.

(g) Where officers are required prior or subsequent to the day of an election to perform in relation to such election, any authorised service as in this paragraph hereinafter defined, such officers shall be entitled for such authorised service to a special fee in accordance with the following scale:—

Officers.	Per Day. £ s. d.	Per Hour. £ s. d.
Returning Officers and Deputy Returning Officers	1 15 0	0 5 0
Assistant Returning Officers, Presiding Officers, and Assistant Presiding Officers	1 4 6	0 3 6
Poll Clerks and Door Keepers	0 17 6	0 2 6

For the purposes of this paragraph "authorised service" means service for which an application has been made through the Chief Electoral Officer to the Minister and by him approved, and after authority has been duly communicated by the Chief Electoral Officer in writing or by telegraph to the officer making application.

(h) Officers under "The Public Service Act, 1904-1935," when acting as Returning Officers, Deputy or Assistant Returning Officers, Presiding Officers, Assistant

Presiding Officers, Poll Clerks, or Door Keepers on the day of an election shall be deemed to be absent from their public service offices on leave of absence with payment of salary in respect of such offices.

19. When on the day of an election officers employed on the staff of the department under the Chief Electoral Officer, instead of being specially appointed as Presiding Officers, Assistant Presiding Officers, Poll Clerks, or Door Keepers for such election are instructed by the Chief Electoral Officer to be and remain at the office of the Chief Electoral Officer and expressly to render to Returning Officers and other officers aforesaid such urgent assistance and help as they may require urgently in connection with the election, such first-mentioned officers may, on the recommendation and with the approval of the Chief Electoral Officer be allowed, in addition to their ordinary salary, the same fees, under Regulation 18 (e) hereof, as they would have been entitled to if they had in fact been specially appointed as Presiding Officers, Poll Clerks, or Door Keepers for such election.

20. (1) Whenever in accordance with the provisions of Section 154a of the Act Returning Officers are required after an election for the Legislative Assembly to prepare a list of the electors who failed to vote at such election contrary to the requirements of the said section, such Returning Officers shall, in respect of such service, be entitled to receive and retain a special fee calculated at the rate of 7s. 6d. for every 500 or portion of 500 votes polled.

Provided that, where in respect of any election the number of Electoral Rolls to be examined by the Returning Officer or Deputy Returning Officer for the purpose of the preparation of the list aforesaid exceeds sixteen, a fee additional to the relevant fee prescribed above shall be paid at the rate of two shillings and sixpence in respect of every such Electoral Roll in excess of sixteen aforesaid.

(2) Whenever in accordance with the provisions of the Act, Returning Officers or Deputy Returning Officers are required after an election for the Legislative Council to prepare a unified Roll of Electors in connection with such election, such Returning Officers or Deputy Returning Officers shall, in respect of such service, be entitled to receive and retain a special fee calculated at the rate of 10s. for every 500 or portion of 500 votes polled.

Provided that the Hon. Minister may on the recommendation of the Chief Electoral Officer, approve of additional remuneration where it appears that the fee payable in accordance with the above scale is inadequate for the service rendered.

Provided also, that the prescribed fee payable to a Deputy Returning Officer for a Legislative Council Election shall be deemed to include the work involved for the whole of the District for which he is the Returning Officer.

21. Subject as in this Regulation hereinafter provided, Returning Officers, Deputy and Assistant Returning Officers, Electoral Registrars, Presiding Officers, Assistant Presiding Officers, Poll Clerks, and Door Keepers who are required to travel outside the Metropolitan Area for the purpose of performing their duties as electoral officers, shall be entitled to travelling allowance in accordance with the following scale:—

(a) Any of the officers aforesaid who are public service officers under "The Public Service Act, 1904-1935," shall be entitled to such travelling allowance prescribed under the Regulations for the time being or from time to time in force, made under the said "Public Service Act, 1904-1935," as they would be entitled to under the said Regulation if the travelling which they are required to do as such electoral officers were done in their capacity as Public Service officers.

(b) Any such officers aforesaid who are not public service officers under "The Public Service Act, 1904-1935," shall be entitled to travelling allowance in accordance with the rates of travelling allowance prescribed under the Regulations for the time being and from time to time in force made under the said "Public Service Act, 1904-1935," but so that the rate of travelling allowance to be paid to Returning Officers, Deputy and Assistant Returning Officers shall be the higher of the rates of travelling allowance prescribed by the said Regulations and the rate of travelling allowance to be paid to Electoral Registrars, Presiding Officers, Assistant Presiding Officers, Poll Clerks, and Door Keepers shall be the lower of the rates of travelling allowance prescribed by the said Regulations.

No transport or meal allowance shall be paid to any officer aforesaid in respect of the day of an election, but, if approved by the Chief Electoral Officer, any expense necessarily incurred by an officer for transport on the day of the election may be recouped to such officer.

THE APPENDIX.

Section 12.

Form No. 1.

Western Australia.

The Electoral Act, 1907-1936.

DECLARATION BY RETURNING OFFICER.

I, , of hereby declare that I accept the office of Returning Officer for the Electoral Province [or the Electoral District], and that I will faithfully perform the duties of my office to the best of my understanding and ability, and that I will not attempt to improperly ascertain or discover, or directly or indirectly aid in discovering, the person for whom any vote is given, and that I will keep secret all knowledge of the person for whom any elector has voted which I may obtain in the exercise of my office, unless in answer to any question which I am legally bound to answer.

Declared before me this day of , 19 .

J.P.

Section 22.

Form No. 2.

Western Australia.

The Electoral Act, 1907-1936.

LEGISLATIVE COUNCIL ELECTORAL ROLL.

.....Electoral Province.

Name in Full, Place of Living, Occupation, Qualification, and Sex of each Elector.

Section 22.

Form No. 3.

Western Australia.

The Electoral Act, 1907-1936.

LEGISLATIVE ASSEMBLY ELECTORAL ROLL.

.....Electoral District.

Name in Full, Place of Living, Occupation, and Sex of each Elector.

Section 42.

Form No. 4.

(Front.)

Western Australia.

The Electoral Act, 1907-1936.

LEGISLATIVE COUNCIL ELECTORAL CLAIM.

To the Electoral Registrar for the.....Electoral Province.

1.—I have resided in Western Australia for six months.

2.—I claim to have my name placed on the Electoral Roll for the abovementioned Province.

3.—I am not under the age of 21 years.

4.—I am a natural-born subject of the King (or, a naturalised subject of the King, and have been naturalised for twelve months).

5.—My qualification for enrolment is as follows, namely:—

.....

.....

.....

6.—I am not disqualified for enrolment.

I declare that the whole of the statements made in this Claim (including those set forth on the back hereof) are true, to the best of my knowledge and belief.

Personal Signature of Claimant.....

Dated the.....day of....., 19...

Note.—The signature of the Claimant must be his personal signature. If unable to sign his name in his own handwriting, he may make his mark as his signature, but such mark must be made in the presence of the person who signs as witness.

I, the undersigned, being an elector or person qualified to be an elector of the Commonwealth or of the Legislative Assembly of Western Australia, certify that I have seen the abovenamed Claimant sign the above Claim.

Witness to Signature.....
Occupation.....
Place of Living.....

Special Note.—Any person who witnesses the signature of the Claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the Claimant or otherwise that the statements contained in the Claim are true, is guilty of an offence, and liable to a penalty of £50.

Surname .....

Christian Names (in full) .....

Place of Living .....

(Full Address, including name of street, and House No., if any.)

Occupation..... *Sex*.....

—	Date Received.	Date Approved and Enrolled.	Registrar's Initials.
Registrar's Notations			

(Back.)

BRIEF EXPLANATION OF QUALIFICATIONS REFERRED TO IN PARAGRAPH 5 ON BACK HEREOF.

Note.—Enrolment may be claimed for each Province in which claimant possesses a sufficient qualification.

1. FREEHOLDER who has Legal or Equitable estate in possession of the clear value of £50.
2. HOUSEHOLDER occupying any dwellinghouse of £17 clear Annual Value.
   (The annual rental, after deducting rates and taxes, must be at least £17, or, if rent is not paid, the annual letting value based on average reasonable rental prevailing in locality must, after deducting rates and taxes, be at least £17.)
   N.B.—A Lodger, or Persons Renting Rooms from Legal Occupier cannot claim "Householder" qualification.
3. LEASEHOLDER who has a leasehold estate in possession of the Clear Annual Value of £17.
   To have an annual value, the lease must have at least one year to run.
4. CROWN LEASEHOLDER who holds a lease or license to depasture, occupy, cultivate, or mine upon Crown Lands at an Annual Rental of at least £10.
5. RATEPAYER for property of an Annual Rateable Value of at least £17.
   (The name of the Claimant must appear as "Ratepayer" for property of above Annual Value on the latest Municipal or Road Board Electoral List. If valuation is made on the basis of "Unimproved Capital Value" the ratepayer's qualification cannot be claimed, as no Annual Valuation exists.)

Section 42.

(Front.)

Form No. 5.

Surname.....
Christian Names (in full).....
Place of Living (full address)..... Sex.....
Occupation..... Electoral District or Sub-District.

To the Electoral Registrar for the.....

1.—I am an inhabitant of Western Australia and have lived therein for six months continuously, and I claim to have my name placed on the Electoral Roll for the above-mentioned District (or Sub-District), in which I now live and have lived for a period of not less than one month immediately preceding the date of this claim.

2.—I am not under the age of 21 years, am a natural-born or a naturalised subject of the King, and am not disqualified for enrolment.

3.—My name is on the Roll for*.....Electoral District or Sub-District.

* Here insert the name of the District or Sub-District, or if NOT aready enrolled insert the words "NO OTHER."

I declare that the whole of the statements made in this claim are true to the best of my knowledge and belief.

Personal Signature of Claimant.....

Dated the.....day of....., 19....

I, the undersigned, being an elector or person qualified to be an elector of the Commonwealth or of the Legislative Assembly of Western Australia, certify that I have seen the above-named Claimant sign the above Claim.

Witness to Signature.....

Occupation and Place of Living.....

Section 42.

(Back.)

Form No. 5.

Western Australia.

The Electoral Act, 1907-1936.

LEGISLATIVE ASSEMBLY ELECTORAL CLAIM.

Note.—Enrolment may be claimed only for the Electoral District in which the Claimant lives.

Points to be remembered when filling in this Claim Form.

1. Carefully peruse the Form, which must be filled in in all blank spaces on back hereof and forwarded to the Registrar for the District, postage to be paid by claimant. The addresses of Registrars are indicated on the back of the official claim envelopes.

2. *Christian Names* must be stated in full.

3. *Place of Living.*—If within a municipality or townsite the name of a street and the locality, and the house No. (if any) must be stated. If not within a municipality or townsite, such particulars must be given as, in the Registrar's opinion, are sufficient to enable the exact locality of the claimant's place of living to be ascertained.

4. *Occupation* should be briefly stated, and a female claimant having no definite occupation should fill in "married," "widow," or "spinster," as the case may be.

5. The *signature* of the claimant must be in *his own handwriting*, and be witnessed by an authorised person (see back hereof). If unable to sign, claimant may make his mark as his signature, but such mark must be made in the presence of the person who signs as witness.

6. *Qualification for Enrolment.*—See paragraphs 1 and 2 on back hereof.
Important.—Claims not complying with the foregoing will be rejected by the Registrar.

7. Any person who witnesses the signature of the Claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the Claimant or otherwise that the statements contained in the Claim are true, is guilty of an offence, and liable to a penalty of £50.

—	Date Received.	Date Approved and Enrolled.	Registrar's Initials.
Registrar's Notations }			

Section 44.

Form No. 6.

Western Australia.

The Electoral Act, 1907-1936.

NOTICE OF REJECTION OF CLAIM.

To

I hereby give you notice that your claim, dated the day of , 19 , to have your name placed on the Electoral Roll for the Province [*or* District] does not comply with Section forty-four of the Act in the following particular, namely—

, and it is therefore rejected.

Dated the day of , 19 .

Electoral Registrar.
Electoral Province [*or* District].

[*Extract from Government Gazette of 24th February, 1939.*]

THE ELECTORAL ACT, 1907-1936.

Crown Law Department,
Perth, 23rd February, 1939.

HIS Excellency the Lieutenant-Governor in Council, acting pursuant to section 210 of the Electoral Act, 1907-1936, has been pleased to amend the regulations made under and for the purposes of the said Act and published in the *Government Gazette* on the 31st day of December, 1937, in the manner set forth in the Schedule hereunder:—

Schedule.

The Electoral Regulations 1937, as made and published in the *Government Gazette* on the 31st day of December, 1937, are amended as follows:—

1. Regulation 20 is amended as follows:—
   (a) by deleting from the proviso to paragraph (1) of the said regulation the words "or Deputy Returning Officer" in line two of the said proviso;
   (b) by inserting in paragraph (2) after the word "election" in line three of the said paragraph the words "for their respective districts"; and
   (c) by deleting from the first proviso to paragraph (2) the word "scale" in line three of the said proviso and inserting in lieu thereof the words "scales for the Legislative Council or for the Legislative Assembly (as the case may be)."

THE ELECTORAL ACT, 1907-1936.

HIS Excellency the Lieutenant-Governor in Council, acting pursuant to section 210 of the Electoral Act, 1907-1936, has been pleased to amend the regulations made under and for the purposes of the said Act and published in the *Government Gazette* on the 31st day of December, 1937, in the manner set forth in the Schedule hereunder:—

Schedule.

The Electoral Regulations, 1937, as made and published in the *Government Gazette* on the 31st day of December, 1937, are amended as follows:—

1. Regulation 18 is amended—
   (a) by deleting from paragraph (e) the words and figures "Poll Clerks and Door-keepers 1 0 0 1 0 0" where they appear in the table of fees in the said paragraph (e) and by inserting in lieu thereof words and figures as follows:—

"Poll clerks	1 5 0	1 5 0
Door-keepers	1 0 0	1 0 0"

2. A new regulation, to stand as regulation 22, is added after regulation 21, as follows:—

22. (1) Whenever a returning officer is expressly instructed by the Chief Electoral Officer to despatch notices to electors who failed to vote at an election, such returning officer shall, in respect of such service, be entitled to receive and retain a special fee, calculated at the rate of ten shillings for every fifty or portion of fifty of the notices despatched by him in accordance with his said instructions.

(2) Where subsequently to the despatch of notices by the returning officer as aforesaid the returning officer is required to take any action or do any other act, matter or thing as provided by section 154A of the Act, the special fee payable under paragraph (1) of this regulation in respect of the despatch of notices as aforesaid shall be deemed to include also the taking of such other action or the performance of such other service required by section 154A as aforesaid.

H. R. GORDON,
Under Secretary for Law.

By Authority: FRED. WM. SIMPSON, Government Printer, Perth.

Section 44A.

Form No. 7.
Western Australia.
The Electoral Act, 1907-1936.

Notification to a person alleged to have failed to comply with the requirements of Section 44A of "The Electoral Act, 1907-1936."

To.....
.....

You are hereby notified that it appears to me that on the day of , 19 , at , in the said State (herein state nature of contravention alleged), and I do therefore allege that you have contravened the provisions of Section 44A of "The Electoral Act, 1907-1936."

If you desire to answer the allegation, you may send or deliver to me a Statutory Declaration in the attached form, setting out any facts relevant to the matter. Such Statutory Declaration must reach me on the day of , 19 .

If it be decided to proceed with the case, and you have forwarded, within the time specified, the Statutory Declaration referred to, the last document would be forwarded to the Court by which your case is to be dealt with.

Dated the day of , 19 .

Electoral Registrar for the District.
Postal Address

Section 45 (2).

Form No. 8.
Western Australia.
The Electoral Act, 1907-1936.

CLAIM SUBMITTED FOR PUBLIC OR LOCAL GOVERNMENT.
OFFICER'S REPORT.

To.....
.....
.....

Sir,

The following claim forms for Legislative Council [*or* Assembly] enrolment are submitted to you for report under the provisions of Sections 35 and 45 (2) of the above Act:—

Name of Claimant, and reason for submitting same for report.	Public or Local Government Officer's reply.

.....
Electoral Registrar
for the..... {Province / District

Dated at....., the.....day of....., 19.....

.....
(Title)
Dated at....., the.....day of....., 19.....

Section 46.

Form No. 9.
Western Australia.
The Electoral Act, 1907-1936.

OBJECTION TO CLAIM.

To the Electoral Registrar,
Electoral Province [*or* Electoral District of].

Take notice that I object to the claim of to be enrolled as an elector for the Province [*or* District] on the following grounds:—

I deposit herewith the sum of two shillings and sixpence.

Dated the day of , 19 .

An elector enrolled for the said Province [*or* District].

Sections 46, 47, 118, 121, and 150. Form No. 10.

Western Australia.

The Electoral Act, 1907-1936.

DECLARATION BY A PERSON WHOSE NAME IS OBJECTED TO.

I, , declare as follows:—

1. I am the elector enrolled on the Roll for the Province [*or* District] in the name and numbered

2. I was legally qualified to be enrolled as an elector for the said Province [*or* District], and am still so qualified.

3. I have not already voted at this Election either in person or by postal vote.

Signature of Elector

Address

Occupation

Declared before me this day of , 19 .

Presiding Officer,
Polling Place.

———

Section 46. Form No. 11.

Western Australia.

The Electoral Act, 1907-1936.

REGISTRAR'S OBJECTION TO CLAIM.

To

Take notice that I object to your claim to be enrolled as an elector for the Province [*or* District] on the following grounds:—

Unless the annexed notice of appeal is signed by you and returned to me within days from this date your claim will be rejected.

Dated the day of , 19 .

Electoral Registrar.
Electoral Province [*or* District].

———

To the Electoral Registrar for the Electoral Province [*or* District].

(*Address*)

Take notice that I appeal from your rejection of my claim to be enrolled as an elector for the Province [*or* District].

Dated the day of , 19 .

(*Signature*)

———

Section 47. Form No. 12.

Western Australia.

The Electoral Act, 1907-1936.

OBJECTION TO ENROLMENT.

To the Electoral Registrar,
Electoral Province [*or* Electoral District of].

Take notice that I object to the name of on the roll for the Province [*or* District] on the following grounds:—

I deposit herewith the sum of two shillings and sixpence.

Dated the day of , 19 .

An elector enrolled for the said Province [*or* District].

Section 47. Form No. 13.

Western Australia.

The Electoral Act, 1907-1936.

REGISTRAR'S OBJECTION TO ENROLMENT.

Take notice that I object to the retention of your name on the Roll for the .....Province/District on the following grounds:—

That you no longer retain the qualification set out against your name on the Roll, namely:—

.....

.....

Unless the annexed notice of appeal is signed by you and returned to me within .....days from this date your name will be struck off the Roll.

Dated the.....day of.....19...

.....

Electoral Registrar for the above-mentioned District (or Province).

Note.—An Elector who has changed his place of living from one address to another in the same Electoral District shall within twenty-one days of such change of address fill in and sign a new claim and send same to the Registrar for the District concerned. (Sec. 44a (2).)

Penalty for non-compliance £2.

NOTICE OF APPEAL AGAINST REGISTRAR'S OBJECTION TO ENROLMENT.

To the Electoral Registrar for the*.....Electoral Province/District.

(Address).....

Take notice that I appeal from your objection to the retention of my name on the Roll for the*.....Electoral Province/District on the ground that .....

Dated the.....day of.....19...

(Signature).....

(Full Postal Address).....

.....

Note.—The attached "Notice of Appeal" should only be filled in and returned to the Registrar by such person who claims to retain his qualification as an elector by residence in the District (or Province) for which he is enrolled.

---

*Here insert name of District or Province.

(Front.)

Section 49. Form No. 14.

Western Australia.

SUBSTITUTED QUALIFICATION.

The Electoral Act, 1907-1936.

LEGISLATIVE COUNCIL ELECTORAL CLAIM.

To the Electoral Registrar for the.....Electoral Province.

1.—I have resided in Western Australia for six months.

2.—I claim to have my name placed on the Electoral Roll for the abovementioned Province.

3.—I am not under the age of 21 years.

4.—I am a natural-born subject of the King (or a naturalised subject of the King, and have been naturalised for twelve months).

5.—My qualification for enrolment is as follows, namely:—

.....

.....

.....

6.—I am not disqualified for enrolment.

I declare that the whole of the statements made in this Claim (including those set forth on the back hereof) are true to the best of my knowledge and belief.

Personal Signature of Claimant.....

Dated the.....day of....., 19...

Note.—The signature of the Claimant must be his personal signature. If unable to sign his name in his own handwriting, he may make his mark as his signature, but such mark must be made in the presence of the person who signs as witness.

I, the undersigned, being an elector or person qualified to be an elector of the Commonwealth or of the Legislative Assembly of Western Australia, certify that I have seen the abovenamed Claimant sign the above Claim.

Witness to Signature.....

Occupation.....

Place of Living.....

Special Note.—Any person who witnesses the signature of the Claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the Claimant or otherwise that the statements contained in the Claim are true, is guilty of an offence, and liable to a penalty of £50.

(Back.)

Surname .....

Christian Names (in full) .....

.....

Place of Living .....

.....

.....

(Full Address, including name of street, and House No., if any.)

Occupation..... *Sex*.....

——	Date Received.	Date Approved and Enrolled.	Registrar's Initials.
Registrar's Notations			

BRIEF EXPLANATION OF QUALIFICATIONS REFERRED TO IN PARAGRAPH 5 ON BACK HEREOF.

Note.—Enrolment may be claimed for each Province in which claimant possesses a sufficient qualification.

1. FREEHOLDER who has Legal or Equitable estate in possession of the clear value of £50.
2. HOUSEHOLDER occupying any dwellinghouse of £17 clear Annual Value.
   (The annual rental, after deducting rates and taxes, must be at least £17, or, if rent is not paid, the annual letting value based on average reasonable rental prevailing in locality must, after deducting rates and taxes, be at least £17.)
   N.B.—A Lodger, or Persons Renting Rooms from Legal Occupier cannot claim "Householder" qualification.
3. LEASEHOLDER who has a leasehold estate in possession of the Clear Annual Value of £17.
   To have an annual value, the lease must have at least one year to run.
4. CROWN LEASEHOLDER who holds a lease or license to depasture, occupy, cultivate, or mine upon Crown Lands at an Annual Rental of at least £10.
5. RATEPAYER for property of an Annual Rateable Value of at least £17.
   (The name of the Claimant must appear as "Ratepayer" for property of above Annual Value on the latest Municipal or Road Board Electoral List. If valuation is made on the basis of "Unimproved Capital Value" the ratepayer's qualification cannot be claimed, as no Annual Valuation exists.)

Section 49.

Form No. 15.

Western Australia.

The Electoral Act, 1907-1936.

NOTICE THAT APPLICATION TO SUBSTITUTE QUALIFICATION IS NOT IN ORDER.

To

With reference to your claim for a substitution of qualification as an elector of the Province, I beg to inform you that your application is not in order, for the following reasons:—

Dated the day of , 19 .

Electoral Registrar.
Province.

Section 51.

(Front.)

ALTERATION.

Form No. 16.

Western Australia.

The Electoral Act, 1907-1936.

LEGISLATIVE COUNCIL ELECTORAL CLAIM.

To the Electoral Registrar for the.....Electoral Province.

1.—I have resided in Western Australia for six months.

2.—I claim to have my name placed on the Electoral Roll for the above-mentioned Province.

3.—I am not under the age of 21 years.

4.—I am a natural-born subject of the King (or a naturalised subject of the King, and have been naturalised for twelve months).

5.—My qualification for enrolment is as follows, namely:—

.....

.....

.....

6.—I am not disqualified for enrolment.

I declare that the whole of the statements made in this Claim (including those set forth on the back hereof) are true to the best of my knowledge and belief.

Personal Signature of Claimant.....

Dated the.....day of....., 19 .

Note.—The signature of the Claimant must be his personal signature. If unable to sign his name in his own handwriting, he may make his mark as his signature, but such mark must be made in the presence of the person who signs as witness.

I, the undersigned, being an elector or person qualified to be an elector of the Commonwealth or of the Legislative Assembly of Western Australia, certify that I have seen the abovenamed Claimant sign the above Claim.

Witness to Signature.....

Occupation.....

Place of Living.....

Special Note.—Any person who witnesses the signature of the Claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the Claimant or otherwise that the statements contained in the Claim are true, is guilty of an offence, and liable to a penalty of £50.

(Back.)

Surname .....

Christian Names (in full) .....

.....

Place of Living .....

.....

.....

(Full Address, including name of street, and House No., if any.)

Occupation..... *Sex*.....

——	Date Received.	Date Approved and Enrolled.	Registrar's Initials.
Registrar's Notations			

BRIEF EXPLANATION OF QUALIFICATIONS REFERRED TO IN PARAGRAPH 5 ON BACK HEREOF.

Note.—Enrolment may be claimed for each Province in which claimant possesses a sufficient qualification.

1. FREEHOLDER who has Legal or Equitable estate in possession of the clear value of £50.
2. HOUSEHOLDER occupying any dwellinghouse of £17 clear Annual Value.
   (The annual rental, after deducting rates and taxes, must be at least £17, or, if rent is not paid, the annual letting value based on average reasonable rental prevailing in locality must, after deducting rates and taxes, be at least £17.)
   N.B.—A Lodger, or Persons Renting Rooms from Legal Occupier cannot claim "Householder" qualification.
3. LEASEHOLDER who has a leasehold estate in possession of the Clear Annual Value of £17.
   To have an annual value, the lease must have at least one year to run.
4. CROWN LEASEHOLDER who holds a lease or license to depasture, occupy, cultivate, or mine upon Crown Lands at an Annual Rental of at least £10.
5. RATEPAYER for property of an Annual Rateable Value of at least £17.
   (The name of the Claimant must appear as "Ratepayer" for property of above Annual Value on the latest Municipal or Road Board Electoral List. If valuation is made on the basis of "Unimproved Capital Value" the ratepayer's qualification cannot be claimed, as no Annual Valuation exists.)

Section 51. (Front.)

ALTERATION. Form No. 17.

Surname.....
Christian Names (in full).....
Place of Living (full address).....
Occupation..... Sex.....

To the Electoral Registrar for the.....Electoral District or Sub-District.

1.—I am an inhabitant of Western Australia and have lived therein for six months continuously, and I claim to have my name placed on the Electoral Roll for the above-mentioned District (or Sub-District), in which I now live and have lived for a period of not less than one month immediately preceding the date of this claim.

2.—I am not under the age of 21 years, am a natural-born or a naturalised subject of the King, and am not disqualified for enrolment.

3.—My name is on the Roll for*.....Electoral District or Sub-District.

* Here insert the name of the District or Sub-District, or if NOT already enrolled insert the words "NO OTHER."

I declare that the whole of the statements made in this claim are true to the best of my knowledge and belief.

Personal Signature of Claimant.....

Dated the.....day of....., 19....

I, the undersigned, being an elector or person qualified to be an elector of the Commonwealth or of the Legislative Assembly of Western Australia, certify that I have seen the abovenamed Claimant sign the above Claim.

Witness to Signature.....

Occupation and Place of Living.....

Section 51.

(Back.)

Form No. 17.

Western Australia.

The Electoral Act, 1907-1936.

LEGISLATIVE ASSEMBLY ELECTORAL CLAIM.

Note.—Enrolment may be claimed only for the Electoral District in which the Claimant lives.

Points to be remembered when filling in this Claim Form.

1. Carefully peruse the Form, which must be filled in in all blank spaces on back hereof and forwarded to the Registrar for the District, postage to be paid by claimant. The addresses of Registrars are indicated on the back of the official claim envelopes.

2. *Christian Names* must be stated in full.

3. *Place of Living.*—If within a municipality or townsite the name of a street and the locality, and the house No. (if any) must be stated. If not within a municipality or townsite, such particulars must be given as, in the Registrar's opinion, are sufficient to enable the exact locality of the claimant's place of living to be ascertained.

4. *Occupation* should be briefly stated, and a female claimant having no definite occupation should fill in "married," "widow," or "spinster," as the case may be.

5. The *Signature* of the claimant must be in *his own handwriting*, and be witnessed by an authorised person (see back hereof). If unable to sign, claimant may make his mark as his signature, but such mark must be made in the presence of the person who signs as witness.

6. *Qualifications for Enrolment.*—See paragraphs 1 and 2 on back hereof.

Important.—Claims not complying with the foregoing will be rejected by the Registrar.

7. Any person who witnesses the signature of the Claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the Claimant or otherwise that the statements contained in the Claim are true, is guilty of an offence, and liable to a penalty of £50.

——	Date Received.	Date Approved and Enrolled.	Registrar's Initials.
Registrar's Notations }			

Section 63.

Form No. 18.

Western Australia.

The Electoral Act, 1907-1936.

WARRANT FOR ISSUE OF WRITS FOR A GENERAL ELECTION.

To the Clerk of the Writs.

You are hereby authorised and directed to proceed forthwith to issue Writs for the Election of one member for each Province [*or* District] within the State of Western Australia.

Dated this day of , 19 .

Governor.

Section 66.

Form No. 19.

Western Australia.

The Electoral Act, 1907-1936.

WARRANT FOR THE ISSUE OF A WRIT FOR A BY-ELECTION.

To the Clerk of the Writs.

You are hereby authorised and directed to proceed forthwith to issue a Writ for the election of a member to serve in the Legislative Council [*or* Assembly] for the Province [*or* District].

Dated this day of , 19 .

Governor [*or* President *or* Speaker.]

Section 66.

Form No. 20.

Western Australia.

The Electoral Act, 1907-1936.

CERTIFICATE OF DEATH OF MEMBER.

We, the undersigned, being two members of the Legislative Council [*or* Legislative Assembly], do hereby certify that , a member of the said House, serving for the Province [*or* District], died upon the day of , 19 , and we give you this notice to the intent that you may issue a Writ for the election of a member to supply the vacancy caused by the death of the said .

Given under our hand this day of , 19 .

To the President of the Legislative Council [*or* the Speaker of the Legislative Assembly, *or* His Excellency the Governor of Western Australia], *as the case may be.*

Section 68.

Form No. 21.

Western Australia.

The Electoral Act, 1907-1936.

WRIT.

To , Returning Officer for the Electoral Province [*or* the Electoral District of].

By virtue of the provisions of "The Electoral Act, 1907-1936," I hereby authorise and require you to cause election to be held, according to law, of a member for the [*here set out the name of Province or District for which election is to be held*] to serve in the Legislative Council [*or* Legislative Assembly]. And I appoint the following dates for the purposes of the said election:—

1. For nomination, the day of , 19 , at 12 o'clock noon.
2. For taking the poll in case of the election being contested, the day of , 19 .
3. For return of writ, on or before the day of , 19 .

Dated the day of , 19 .

Clerk of the Writs.

Indorsements.

I, , Returning Officer for the [*here set out the Province or District*] do hereby certify that I have received the within writ on the day of , 19 .

Returning Officer.

I, , Returning Officer for the [*name of Province or District*] do hereby certify that on the day of [*fill in date of nomination if election uncontested, and date of polling-day if contested*] was duly elected a member to serve in the [Legislative Council *or* Legislative Assembly] for the said [Province *or* District].

The number of votes polled by the candidates were as follows:—

[*Insert names of the candidates and votes polled by each*].

Returning Officer.

The execution of this writ appears by the indorsements made by me thereon and the same is sealed up by me and transmitted to the Clerk of Writs.

Dated the day of , 19 .

Returning Officer for the Electoral Province [*or* the Electoral District of].

Section 77.

Form No. 22.

Western Australia.

The Electoral Act, 1907-1936.

NOMINATION PAPER.

To the Returning Officer for the Electoral Province [*or* for the Electoral District of].

I, the undersigned, being duly qualified, do hereby nominate myself as a candidate to serve in the Legislative Council [*or* Legislative Assembly] of the Parliament of Western Australia, for the Province [*or* District].

Dated the day of , 19 .

Name in full
Residence
Occupation

Received by me this day of , 19 , at o'clock in the noon.

Returning Officer.

Sections 90, 91.

Form No. 23.

POSTAL BALLOT PAPER.

(*Front.*)

Consecutive No. 325.

Form No. 23. Section 91.

WESTERN AUSTRALIA.

The Electoral Act, 1907–1936.

ACKNOWLEDGMENT BY ELECTOR OF HAVING RECEIVED A POSTAL BALLOT PAPER.

I [*here insert names in full*] hereby acknowledge having this day received from Postal Vote Officer, a Postal Ballot Paper numbered as above, for use at the election of a member for the Province [*or* District] on the day of , 19 , and I hereby declare —

A.

*(1.) That I have reason to believe that on polling day I shall be more than seven miles from any polling place at which I am entitled to vote; my reason being

*(2.) That, being a woman, I shall on account of ill-health be unable, on polling day, to attend a polling place to vote;

*(3.) That I shall, on account of serious illness or infirmity, be unable to attend in person on polling day, for the purpose of recording my vote at any polling place at which I am entitled to vote.

B.

(1.) I am an elector duly enrolled on the roll for this Province [*or* District].

(2.) That I was legally qualified to be enrolled as an elector for the said Province [*or* District], and am still so qualified.

(3.) That I have not already voted for this election.

Signature of Elector

Address

Occupation

Signed and declared at before me this day of , 19 .

Postal Vote Officer.

* In making this declaration the Elector should strike out any of the paragraphs A. (1), (2), (3), which do not meet his case.

Section 91.

Form No. 23.

(*Back.*)

WESTERN AUSTRALIA.

The Electoral Act, 1907–1936.

POSTAL VOTE OFFICER'S CERTIFICATE.

In connection with the issue of the Postal Ballot Paper, numbered as above, to the elector whose name appears in the Declaration on the front page of the butt, I hereby certify that the provisions of Part IV. of "The Electoral Act, 1907–1936," have been duly complied with.

Dated this day of , 19 .

Postal Vote Officer.

Form No. 23. Section 91.

WESTERN AUSTRALIA.

The Electoral Act, 1907–1936.

COUNTERFOIL.

Consecutive No. 325.

A.

(To be filled in by Postal Vote Officer under Section 91.)

Name of Province [*or* District].

Date of Election.

Full names of Elector.

Address of Elector.

Occupation of Elector.

Dated this day of 19 .

Postal Vote Officer.

Signature of Elector.

Consecutive No. 325.

[redacted]

BEAUFORT 1

[redacted]

CUNNINGHAM 2

[redacted]

MURRAY, Edward 3

[redacted]

MURRAY, John 4

[redacted]

Postal Vote Officer's Signature.

Date of Issue.

Electoral { Province. / District.

Form No. 23.

Western Australia.

"The Electoral Act, 1907–1936."

Section 91.

Section 103.

Form No. 24.

Western Australia.

The Electoral Act, 1907-1936.

APPOINTMENT OF PRESIDING OFFICERS, POLL CLERKS, AND DOORKEEPERS.

I hereby appoint [*here insert names in full of person appointed*] to be Presiding Officer [*or* Assistant Presiding Officer, Poll Clerk, *or* Doorkeeper] on duty at the polling place, in the Province [*or* District] at the election to be held on the , 19 , for the above-mentioned Province [*or* District].

Dated the day of , 19 .

Returning Officer.

Section 103.

Form No. 25.

Western Australia.

The Electoral Act, 1907-1936.

DECLARATION BY PRESIDING OFFICERS, POLL CLERKS, AND DOORKEEPERS.

I, , of , do hereby declare that I accept the office of Presiding Officer [Assistant Presiding Officer, Poll Clerk, *or* Doorkeeper] at the Polling Place in the Province [*or* District], and I do hereby declare that I will faithfully perform the duties of my office to the best of my understanding and ability, and that I will not attempt to improperly ascertain or discover, or directly or indirectly aid in discovering, the person for whom any vote is given. And that I will keep secret all knowledge of the person for whom any elector has voted which I may obtain in the exercise of my office, unless in answer to any question which I am legally bound to answer.

Declared before me this day of , 19 .

Section 112.

Form No. 26.

BALLOT PAPER.

(*Front.*)

[redacted]

BEAUFORT

[redacted]

CUNNINGHAM

[redacted]

MURRAY, Edward

[redacted]

MURRAY, John

[redacted]

(Back.)

.....

.....
Presiding Officer's Initials.

Election: { Form No. 26.
Western Australia.
"The Electoral Act, 1907-1936."
Section 112.

.....Electoral Province [*or* District].

Section 113.

Form No. 27.
Western Australia.
The Electoral Act, 1907-1936.
DECLARATION BY SCRUTINEER.

I, , of , a scrutineer appointed by a candidate for election in and for the Province [*or* District], do hereby declare that I will faithfully assist at such election, and that I will not attempt to improperly discover or directly or indirectly aid in discovering the person for whom any vote is given; and that I will keep secret all knowledge of the person for whom any elector has voted, which I may obtain in the exercise of my office, unless in answer to any question which I am legally bound to answer.

Declared before me this day of , 19 .

Returning Officer *or* Presiding Officer.

Section 175.

Form No. 28.
Western Australia.
The Electoral Act, 1907-1936.
RETURN OF ELECTORAL EXPENSES.

I,* a candidate at the election for the { Province / District } held on the† day of , 19 , make the following return respecting my Electoral Expenses at such election:

*Insert name and address of candidate.

†Insert day of polling or if no opposition date of nomination.

Expenditure.

—	£	s.	d.
(1.) *Paid for printing, advertising, publishing, issuing, and distributing addresses by me as candidate, and notices of meetings ...			
(2.) †Paid for Committee rooms			

*The name and description and the nature of the work done by each person must be set out separately.

†The name, occupation, and address of each person to whom any sum is paid and the reason for which it was paid to him must be set out separately.

Expenditure—continued.

	£	s.	d
(3.) ‡Paid for public meetings and halls therefore not belonging to public bodies			
(4.) §Paid for scrutineers			
(5.) ‖Paid for election agents			
¶In addition to the foregoing, I am aware of the following disputed and unpaid claims, viz :—			
Total			

‡The name, occupation, and address of each person to whom any sum is paid and the reason for which it was paid to him must be set out separately.

§The name of each scrutineer, the name of the polling place at which he was employed, and the sum paid to him must be set out separately.

‖The name of each agent and the sum paid to him must be set out separately.

¶The name, occupation, and address of each person whose claim is disputed, the ground of the claim, and its amounts must be set out separately.

And I declare that this return is true in every particular, and that, except as appears by this return, I have not, and no person has with my knowledge or authority, paid any electoral expenses incurred by me or on my behalf or in my interests at or in connection with the said election, or incurred any such expense or any liability for any such expense or given or promised any reward, office, employment, or valuable consideration on account or in respect of any such expense.

Signature of Candidate.

Declared before me this day of , 19 .

Justice of the Peace.

Section 46.

Form No. 29.

Western Australia.

The Electoral Act, 1907-1936.

NOTICE OF HEARING OF OBJECTION TO CLAIM.

Elector's Objection.

NOTICE is hereby given that the objection lodged with me by (*a*) being enrolled on the Electoral Roll for the (*c*) Province / District against the claim of (*b*) has been set down for hearing on the ground that (*d*) at the Magistrate's Court to be held at (*e*) on the (f) day of , 19 , at the time of o'clock in the noon.

You are requested to appear at the time and place mentioned, so that the objection can be heard and determined by the Court.

Dated at the day of , 19 .

Electoral Registrar for the Province. / District.

Address

To

(*a*) Here insert the name of objector. (*b*) Here insert name of person objected to. (*c*) Here insert name of Province or District. (*d*) Here insert grounds of objection. (*e*) Here insert full address. (*f*) Here fill in full particulars as regards date of hearing and time of day.

Section 47. Form No. 30.

Western Australia.

The Electoral Act, 1907-1936.

NOTICE OF HEARING OF OBJECTION TO ENROLMENT.

Elector's Objection.

NOTICE is hereby given that the objection lodged with me by (*a*) against the enrolment of (*b*) on the Electoral Roll for the (*c*) Province. District.

on the ground that (*d*) has been set down for hearing at the Magistrate's Court to be held at (*e*) on the (*f*) day of , 19 , at the time of o'clock in the noon.

You are requested to appear at the time and place mentioned, so that the objection can be heard and determined by the Court.

Dated the day of , 19 .

Electoral Registrar for the Province. District.

Address

To

(*a*) Here insert the name of objector. (*b*) Here insert name of person objected to. (*c*) Here insert name of Province or District. (*d*) Here insert grounds of objection. (*e*) Here insert full address. (*f*) Here fill in full particulars as regards date of hearing and time of day.

Section 46. Form No. 31.

Western Australia.

The Electoral Act, 1907-1936.

NOTICE OF HEARING OF OBJECTION TO CLAIM.

Registrar's Objection.

NOTICE is hereby given that I object to your claim being enrolled on the Electoral Roll for the (*a*) Province District

on the ground that (*b*)

The said objection has been set down for hearing at the Magistrate's Court to be held at (*c*) on the (*d*) day of , 19 , at the time of o'clock in the noon.

You are requested to appear at the time and place mentioned, so that the objection can be heard and determined by the Court.

Dated the day of , 19 .

Electoral Registrar for the Province. District.

Address

To

(*a*) Here insert name of Province or District. (*b*) Here insert grounds of objection. (*c*) Here insert full address. (*d*) Here fill in full particulars as regards date of hearing and time of day.

Section 47.

Form No. 32.

Western Australia.

The Electoral Act, 1907-1936.

NOTICE OF HEARING OF OBJECTION TO ENROLMENT.

Registrar's Objection.

NOTICE is hereby given that I object to your enrolment on the Electoral Roll for the (*a*) Province

on the ground that (*b*) District

The said objection has been set down for hearing at the Magistrate's Court to be held at (*c*) on the (*d*) day of , 19 , at the time of o'clock in the noon.

You are requested to appear at the time and place mentioned, so that the objection can be heard and determined by the Court.

Dated the day of , 19 .

Electoral Registrar for the Province.

District.

To Address

(*a*) Here insert name of Province or District. (*b*) Here insert grounds of objection. (*c*) Here insert full address. (*d*) Here fill in full particulars as regards date of hearing and time of day.

Section 55.

Form No. 33.

Western Australia.

The Electoral Act, 1907-1936.

LIST OF DEATHS.

The District Registrar.

To the Registrar General.

LIST OF DEATHS, of all persons of the age of 21 years or over, which have been registered in the District during the quarter ended of , 19 .

Surname.	Christian Names at full length.	Age.	Sex.	Late Address.	Late Occupation.

Forwarded to the Registrar General on the day of , 19 .

District Registrar.

Section 55.

Form No. 34.
Western Australia.
The Electoral Act, 1907-1936.
LIST OF MARRIAGES.

The District Registrar.

To the Registrar General.

LIST OF MARRIAGES registered in the District during the quarter ended of , 19 . The particulars are those disclosed in the Marriage Certificates.

——	Surname.	Christian Names at full length.	Late Address.	Late Occupation.
Husband				
Wife				
Husband				
Wife				
Husband				
Wife				
Husband				
Wife				

Forwarded to the Registrar General on the day of , 19 .
District Registrar.

Section 56.

Form No. 35.
Western Australia.
The Electoral Act, 1907-1936.

To the Chief Electoral Officer, Perth.

In compliance with the provisions of Section 56 of "The Electoral Act, 1907-1936," I herewith forward a list of persons received by me as Inmates of any Hospital or Reception House for the Insane during the quarter ended the day of , 19 , and who remained as inmates of such institutions on the above-mentioned date.

Surname.	Christian Names in full.	Sex.	Age.	Late Address.	Late Occupation.

Dated at the day of , 19 .
Inspector General of the Insane.

Section 57.

Form No. 36.
Western Australia.
The Electoral Act, 1907-1936.

To the Chief Electoral Officer, Perth.

In compliance with the provisions of Section 57 of "The Electoral Act, 1907-1936," I herewith forward a list of persons received by me as Inmates of any Public Charitable Institutions for the reception, maintenance, and care of indigent persons during the quarter ended the day of , 19 , and who remained in such institutions at the end of the quarter referred to, who are wholly dependent upon relief from the State.

Surname.	Christian Names in full.	Sex.	Age.	Late Address.	Late Occupation.

Dated at the day of , 19 .
Superintendent of Public Charities.

Section 58.

Form No. 37.

Western Australia.

The Electoral Act, 1907-1936.

To the Chief Electoral Officer, Perth.

In compliance with the provisions of Section 58 of "The Electoral Act, 1907-1936," I herewith forward a list of persons sentenced for any offence punishable by law by imprisonment for one year or longer received by me in His Majesty's gaols during the quarter ended the day of , 19 , and who remained in such gaols at the end of the quarter referred to.

Surname.	Christian Names in full.	Sex.	Age.	Late Address.	Late Occupation.

Dated at the day of , 19 .

Comptroller General of Prisons.

Section 149

Form No. 38.

Western Australia.

The Electoral Act, 1907-1936.

STATISTICAL RETURN.

Name of Province or District.	Particulars.	Males.	Females.	Total.	Date of Polling.
	Number of electors on the roll used at the election Number of Postal ballot-papers counted Number of persons who apparently voted more than once	No.	No.	No.	

Names of Polling Places.	Number of Electors who were supplied with Ballot-papers.			Ballot-papers found in ballot boxes.	Ballot-papers rejected as informal.	Ballot-Papers.		Remarks.
	Males.	Females.	Total.			Not initialed by Presiding Officer.	Not signed by Postal Vote Officer.	
	No.	No.	No.	No.	No.	No.	No.	

STATISTICAL RETURN—*continued.*

Names of Polling Places.	Number of Votes cast in favour of each Candidate.								
									Total Valid Votes.
	No.	No.	No.	No.	No.	No.	No.	No.	No.
Total									

I certify that the above return is correct.

Dated at the day of , 19 .

Returning Officer for the { Province. / District.

To the Chief Electoral Officer, Perth.

Section 154A.

Form No. 39.

Western Australia.

The Electoral Act, 1907-1936.

District of.....

List of the Names and Descriptions of the Electors enrolled for the abovenamed District who did not vote at the Election held on.....the..... day of....., 19...

I,.....

Returning Officer for the Electoral District of....., do solemnly and sincerely declare that the names on the within print of the roll for the above-mentioned District against which a mark indicating the electors who voted at the election has not been placed, constitute the list of the names and descriptions of the electors enrolled for the said District who did not vote at the Election held on..... the.....day of.....19 , and that the said list was prepared by me pursuant to Subsection (2) of Section 154A of "The Electoral Act, 1907-1936."

And I make this solemn declaration by virtue of Section One hundred and six of the "Evidence Act, 1906."

Declared at.....the.....day of....., 19....

.....

Before me: Returning Officer for the District of.....

.....

J.P.

Section 154A. Form No. 40.

Western Australia.

The Electoral Act, 1907-1936.

NOTIFICATION TO A PERSON ALLÆGED TO HAVE FAILED TO VOTE AT AN ELECTION WHILST ENROLLED AND QUALIFIED TO VOTE AT AN ELECTION FOR THE LEGISLATIVE ASSEMBLY.

To.....

.....

.....

.....

You are hereby notified that you appear to have failed to vote at the Legislative Assembly Election held on the day of 19 , and you are hereby called upon, in pursuance of Section 154A of the Electoral Act to give a valid, truthful and sufficient reason why you failed to vote.

You are required to:—

(a) state, in the form at the foot of this notice, the true reason why you failed so to vote;

(b) complete, and personally sign the form, and have it witnessed by an elector or a person qualified to be an elector;

(c) fold the form so that the address "Returning Officer for the District of " shall be visible, and post it so as to reach me on or before the*

Returning Officer for the abovenamed District.

Address

Date , 19 .

Note.—If the elector to whom this notice is addressed is unable, by reason of absence from his place of living, or physical incapacity, to fill up, sign, and post the form at the foot hereof within the time specified in the form, any other elector who has personal knowledge of the facts may fill up, sign, and post the form, duly witnessed, within that time, and the filling up, signing, and posting of the form will be treated as compliance by the first-mentioned elector with the requirements of this notice.

*Not being less than forty-two days after the posting of this notice.

Form No. 41.

FORM OF DECLARATION TO BE COMPLETED AND RETURNED TO THE RETURNING OFFICER.

I, , do hereby declare that the following is the true reason why I* failed to vote at the State election held under "The Electoral Act, 1907-1936," on the day of , 19 .
†

Personal Signature of Elector.

I, the undersigned, being an elector or a person qualified to be an elector of the State, certify that I have seen the abovenamed elector sign the above declaration.

Signature of Witness (in own handwriting)

Occupation

Address

Date , 19 .

*Where this form is filled up on behalf of an absent or physically incapacitated elector, the word "I" must be struck out, and the name of such elector inserted.

†Here set out the precise and true reason for having failed to vote.

(*On back.*)

The State Returning Officer for the ..... District

Mr. .....

.....

.....

.....

Every elector who—

(a) fails to vote at an election without a valid and sufficient reason for such failure; or

(b) on receipt of a notice in accordance with Subsection (4) of Section 154A of "The Electoral Act, 1907-1936," fails to fill up, sign, and post, within the time specified in the notice, the form (duly witnessed) attached thereto; or

(c) states in such form a false reason for not having voted, or in the case of an elector filling up or purporting to fill up a form on behalf of any other elector, states in such form a false reason why that other elector did not vote,

is guilty of an offence and liable to a penalty of not more than two pounds.

Form 42.

State of Western Australia.

The Electoral Act, 1907–1936.

District of.....

EXTRACT FROM LIST OF THE NAMES AND DESCRIPTIONS OF THE ELECTORS ENROLLED FOR THE ABOVE-MENTIONED DISTRICT WHO DID NOT VOTE AT THE LEGISLATIVE ASSEMBLY ELECTION HELD ON THE .....19...

No. on Roll.	Name and Description of Elector.	Notification to Elector. Subsection 4, Section 154A of "The Electora, Act, 1907-1936." Date sent.	Elector's Reply.			
			Date to be in hands of Returning Officer.	Whether received by Returning Officer (a).	Whether reason stated is in the opinion of the Returning Officer a valid and sufficient reason for failure to Vote.	Subsequent proceedings (if any).
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(a) Insert in this column "Yes" if a reply has been received, or "No" if a reply has not been received.

.....

Returning Officer for the District of.....

ection 154A of "The Electoral Act, 1907–1936," provides:—

Each copy of the list prepared and indorsed by the Returning Officer, indicating—

(a) the names of the electors who did not vote at the election;

(b) the names of the electors whom or on whose behalf the Returning Officer received, within the time allowed under Subsection (5) of this section, forms properly filled up and signed; and

(c) the names of the electors who failed to reply within the time;

and any extract therefrom, certified by the Returning Officer under his hand, shall in all proceedings be *prima facie* evidence of the contents of such list or extract, and of the fact that the electors whose names appear therein did not vote at the election, and that the notice specified in Subsection (4) of this section was received by those electors, and those electors did or did not (as the case may be) comply with the requisitions contained in the notice within the time allowed under Subsection (5) of this section.

Form 43.

State of Western Australia.

The Electoral Act, 1907-1936.

IN THE COURT OF PETTY SESSIONS

at.....

Between.....

.....Informant or Complainant and

.....Defendant.

Statutory Declaration.

I,....., of.....,

Returning Officer for the Electoral District of.....,

do solemnly and sincerely declare:—

(1) That I am the Returning Officer for the Electoral District of.....

and am the (a).....herein, and that I am duly authorised in writing by the Chief Electoral Officer to institute these proceedings.

(2) That the defendant on the.....day of....., 19.....

was enrolled as an elector on the Electoral Roll for the.....District.

(3) That the paper writing on the back of this declaration contains a true extract from the list prepared and indorsed by me under the provisions of "The Electoral Act, 1907-1936," and of the Regulations made thereunder.

And I make this Declaration by virtue of Section 106 of "The Evidence Act, 1906," conscientiously believing the statements therein to be true in every particular.

.....

Declared at.....the.....day of....., 19.....

Before me.....,J.P.

(a) Informant or complainant.

By Authority: FRED. WM. SIMPSON, Government Printer, Perth.