

STATUTORY RULES.

1940. No. .

REGULATIONS UNDER THE COMMONWEALTH ELECTORAL ACT 1918-1940* AND THE REFERENDUM (CONSTITUTION ALTERATION) ACT 1906-1936.*

I, THE GOVERNOR-GENERAL, in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Commonwealth Electoral Act 1918-1940* and the *Referendum (Constitution Alteration) Act 1906-1936*.

Dated the *Fifteenth*
day of *August* 1940.

GOVERNOR-GENERAL

Governor-General.

By His Excellency's Command,

H. S. Toll

Minister of State for the Interior.

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Electoral and Referendum Regulations. *Citation*
Short title.

2. These Regulations are divided into Parts, as follows:— Parts.

Part I.—Preliminary.

Part II.—Electoral—

Division 1.—Enrolment.

Division 2.—Enforcement of Law in relation to Enrolment.

Division 3.—Objections.

Division 4.—Miscellaneous.

Part III.—Electoral and Referendum.

Division 1.—Conduct of Elections and Referendums.

Division 2.—Voting by Post.

Division 3.—Absent Voting.

Division 4.—Voting pursuant to Sections 91A, 121 and 121A* of the Act.

Division 5.—Scrutiny by Assistant Returning Officer.

Division 6.—Recount of Ballot-papers.

Division 7.—Enforcement of Law in relation to Voting.

Division 8.—Miscellaneous.

Part IV.—Referendum.

* Notified in the *Commonwealth Gazette* on 3911.—6/2.8.1940.—PRICE 2s. 6d. 1940.

3. The Electoral and Referendum Regulations (being Statutory Rules 1928, No. 80, as amended by Statutory Rules 1928, Nos. 107 and 117, and 1934, No. 100) are repealed.

4. These Regulations shall not apply in relation to joint rolls in any State with which an arrangement has been made in pursuance of section 32 of the Act, so far as provision is made by any joint regulations relating thereto, but shall, to the extent they are applicable, apply in relation to other matters in connexion with those joint rolls, and, for the purposes of the application of any regulations relating to compulsory enrolment, any reference in these Regulations to a form shall, where an appropriate form is provided by the joint regulations, include a reference to the form so provided.

5.—(1.) In these Regulations, unless the contrary intention appears—

“referendum” means a referendum held under the provisions of the *Referendum (Constitution Alteration) Act 1906-1936*, as amended from time to time;

“the Act” means the *Commonwealth Electoral Act 1918-1940* as amended from time to time.

(2.) In these Regulations, any reference to a Form shall be read as a reference to a Form in the Schedule to these Regulations.

PART II.—ELECTORAL.

Division 1.—Enrolment.

6. The Roll may be in accordance with Form 1 and shall contain the particulars indicated therein.

7. The prices at which Rolls shall be sold shall be as follows:—

	s.	d.
Principal Roll for a Division of a State other than Tasmania	3	0
Principal Roll for a Division of the State of Tasmania	2	0
Principal Roll for a Subdivision	0	6
Supplemental Roll for a Division of a State other than Tasmania	1	0
Supplemental Roll for a Division of the State of Tasmania	0	6
Supplemental Roll for a Subdivision	0	3

8.—(1.) The form of claim for enrolment, or transfer of enrolment, or notification of change of address within the same Subdivision, may be in accordance with Form 2.

(2.) Any person applying for the alteration or correction of the entry on the Roll of his name or particulars of enrolment may apply in accordance with Form 2 as the case requires, or in such other form, signed by the applicant, as the Registrar approves.

9.—(1.) Upon receipt of a claim for enrolment or transfer of enrolment, or notification of change of address within the Subdivision, or application for the alteration or correction of particulars of an existing enrolment, the Registrar shall note thereon the date of its

receipt by him, and if the claim, notification or application is in order and he is satisfied the claimant is entitled to be enrolled or to have his name transferred or the particulars of his enrolment altered or corrected, the Registrar shall forthwith—

- (i) enter on the Subdivision Roll the name of the claimant and the particulars relating to him or alter or correct the particulars of his enrolment, as the case requires;
- (ii) notify the claimant in accordance with Form 3 that his enrolment has been effected or adjusted as required; and
- (iii) in the case of a transfer of enrolment give notice of the transfer to the Registrar keeping the Subdivision Roll from which the elector's name has been transferred.

(2.) An interim acknowledgment of the receipt, after the issue of the writ for an election or a referendum and before the close of the polling at the election or referendum, of a claim for enrolment or transfer of enrolment, may be issued to the claimant by the Registrar in the form authorized by the Chief Electoral Officer.

10. The notification of the transfer of the enrolment of an elector, or the enrolments of electors, may be in accordance with Form 4.

Notification of transfer of enrolment.
Sec. 43 (1.).
Notification of reference or rejection of claim.
Sec. 44.

11.—(1.) The notification to the claimant of the reference of an electoral claim to the Divisional Returning Officer for his decision under sub-section (1.) of section 44 of the Act may be in accordance with Form 5.

(2.) The notification to the claimant of the rejection of an electoral claim, sent in pursuance of sub-section (4.) of section 44 of the Act, may be in accordance with Form 6.

12. Upon receipt of an electoral claim which is not in order by reason of some formal defect only, the Registrar may send to the claimant a notification in accordance with Form 7 and, as the case requires—

Formally defective claim.

- (a) return the claim to him for completion or correction, or
- (b) furnish him with a fresh form of claim for completion.

13. The certificate of the Commonwealth Electoral Officer under paragraph (h) of sub-section (1.) of section 47 of the Act and the direction of the Divisional Returning Officer thereon may be in accordance with Form 8.

Certificate authorizing removal of name.
Sec. 47 (1.) (h).

14.—(1.) The certificate of the Commonwealth Electoral Officer under paragraph (b) of sub-section (2.) of section 47 of the Act and the directions of the respective Divisional Returning Officers thereon may be in accordance with Form 9.

Certificate authorizing change of enrolment, and notification of such change.
Sec. 47 (2.) (b).

(2.) The notification to the elector of a change of enrolment effected in pursuance of the direction of the Divisional Returning Officer upon a certificate of the Commonwealth Electoral Officer under paragraph (b) of sub-section (2.) of section 47 of the Act may be in accordance with Form 10.

15.—(1.) The certificate of the Commonwealth Electoral Officer under section 47A of the Act and the direction of the Divisional Returning Officer thereon may be in accordance with Form 11.

Certificate as to incorrect enrolment, and notification of removal of name.
Sec. 47A.

(2.) Where a name is removed from the Roll by direction of the Divisional Returning Officer upon a certificate of the Commonwealth Electoral Officer under section 47A of the Act, the Registrar may send to the person whose name has been so removed a notification in accordance with Form 12.

16.—(1.) The transfer of the names of electors from one Roll to another under section 28 of the Act shall be effected, where necessary, by removing the names of the electors from the Roll from which they are to be transferred and by inserting the names so removed on the Roll to which they are to be transferred.

Transfer of names of electors from one Roll to another under section 28 of Act.

(2.) Notice of the transfer shall be given—

- (a) by notice in the *Gazette* and in some newspaper circulating in the locality affected where, in the opinion of the Commonwealth Electoral Officer, a reasonably effective notice generally applicable to all electors whose enrolment has been transferred can be so given; or
- (b) in any case to which the last preceding paragraph does not apply, by posting to each elector concerned a notification in accordance with Form 13.

Division 2.—Enforcement of Law in Relation to Enrolment.

17. The Registrar shall, subject to such directions as he receives from the Divisional Returning Officer, make such inquiries from time to time as are practicable in order to ascertain the names of qualified persons who are entitled to enrolment for the Subdivision for which he keeps the Roll but are not enrolled therefor or who have changed their places of living from the addresses in the Subdivision in respect of which they are enrolled to other addresses in that Subdivision, and shall, when any failure to comply with the law is disclosed, report the facts to the Divisional Returning Officer.

Inquiry and report by Registrar. Sec. 42.

18. Subject to such directions as are issued by the Chief Electoral Officer, the Divisional Returning Officer shall, if satisfied that a qualified person has failed to comply with any of the requirements of section 42 of the Act, forthwith notify him of such failure in accordance with Form 14 and inform him that he may reply by declaration in accordance with Form 15 setting out any facts relevant to the matter and that he has the option of having the matter dealt with either by the Commonwealth Electoral Officer or by a Court of summary jurisdiction.

Notification in respect of offence. Sec. 42.

19. Any person to whom a notification has been sent pursuant to the last preceding regulation who desires the matter to be dealt with by the Commonwealth Electoral Officer and is prepared to abide by the decision of that officer, may notify the Divisional Returning Officer in accordance with Form 16.

Consent to matter being dealt with by Commonwealth Electoral Officer. Sec. 42.

20. Upon the receipt from a person who has failed to comply with any of the requirements of section 42 of the Act of a notification consenting to the matter being dealt with by the Commonwealth Electoral Officer and undertaking to abide by the decision of that officer, the Divisional Returning Officer shall consider the statements contained in the declaration (if any) furnished by the person, make

Proceedings upon receipt of consent. Sec. 42.

such further inquiry as he deems necessary, and, unless he decides to withdraw the case, submit the notification and declaration (if any) with a report as to the facts and his opinion thereon, to the Commonwealth Electoral Officer.

21.—(1.) Subject to such directions as are issued by the Chief Electoral Officer, the Commonwealth Electoral Officer shall, upon the receipt of a report from the Divisional Returning Officer in respect of an alleged contravention of section 42 of the Act, consider all the facts and, if satisfied that the person concerned has contravened any of the provisions of the section, may make an order imposing upon that person a penalty not exceeding Ten shillings for a first offence and not exceeding Two pounds for any subsequent offence, and notify the Divisional Returning Officer thereof and the time allowed for payment.

Action by
Commonwealth
Electoral
Officer on
receipt of
report.
Sec. 42.

(2.) The Chief Electoral Officer may review any order made by a Commonwealth Electoral Officer in pursuance of this regulation and may, if he is of opinion the circumstances justify such action, remit the penalty imposed by the order.

22. The Divisional Returning Officer, upon receipt of advice from the Commonwealth Electoral Officer that a penalty has been imposed upon a person for a contravention of section 42 of the Act, shall notify that person in accordance with Form 17.

Notification of
imposition of
penalty.
Sec. 42.

23. Where any person to whom a notification in accordance with Form 17 has been sent fails, within the time allowed, to pay to the Divisional Returning Officer the amount of the penalty imposed by the Commonwealth Electoral Officer, his consent to have the matter dealt with by the Commonwealth Electoral Officer shall be deemed to be of no effect and that officer may revoke the order made by him.

Action where
penalty not
paid.
Sec. 42.

24.—(1.) Where any person to whom a notification in accordance with Form 14 has been sent fails, within the time allowed, to reply thereto, or does not, within that time, consent to the matter being dealt with by the Commonwealth Electoral Officer or, if he has so consented and having failed within the time allowed to pay the penalty imposed upon him by the Commonwealth Electoral Officer, his consent is deemed to be of no effect and the order of the Commonwealth Electoral Officer is revoked, the Divisional Returning Officer shall, subject to such directions as he receives from the Commonwealth Electoral Officer, if he is satisfied that such person has contravened any of the provisions of section 42 of the Act, cause proceedings to be instituted against him in a Court of summary jurisdiction:

Proceedings in
Court of
summary
jurisdiction.
Sec. 42.

Provided that where the Divisional Returning Officer, with the concurrence of the Commonwealth Electoral Officer, deems it advisable, the Registrar for the Subdivision may institute the proceedings.

(2.) When proceedings in respect of a contravention of section 42 of the Act are instituted in a Court of summary jurisdiction, the Divisional Returning Officer shall cause any declaration received from the person concerned in pursuance of regulation 18 of these Regulations to be brought to the notice of the Court, and the Court shall at the hearing of the case consider the declaration (whether the defendant is present or not) as if the matter therein set out had been given in evidence before it.

25.—(1.) In any prosecution in respect of a contravention of section 42 of the Act, the prosecuting officer may lodge with the Court a statutory declaration in support of the charge and it shall not then be necessary for him to attend at the hearing.

Declaration of prosecuting officer to be considered by Court.
Sec. 42.

(2.) Where a statutory declaration has been lodged as provided by this regulation and the prosecuting officer is not present at the hearing, the Court shall proceed with the hearing and determination of the case in his absence and shall consider the statutory declaration as if the matter set out therein had been given in evidence before it.

(3.) For the purposes of this regulation, any document purporting to be a statutory declaration shall be accepted as such by the Court without proof of the signatures thereon or proof of the authority of the person before whom it purports to have been made to take statutory declarations.

Division 3.—Objections.

26.—(1.) The notice of objection lodged by an elector in respect of a name on a Roll may be in accordance with Form 18.

Notice of objection.
Sec. 53.

(2.) The notice of objection lodged by a Registrar in respect of a name on a Roll and the direction of the Divisional Returning Officer may be in accordance with Form 19.

27. The notice to be forwarded by the Divisional Returning Officer to a person whose name has been objected to on the ground of non-residence may be in accordance with Form 20.

Notice to person objected to on the ground of non-residence.
Sec. 55.

28. The notice to be forwarded by the Divisional Returning Officer to a person whose name has been objected to on a ground other than non-residence may be in accordance with Form 21.

Notice to person objected to on ground other than non-residence.

29. Any person against whom an objection has been lodged or made may answer the objection—

Sec. 56.

(a) by attending before the Divisional Returning Officer at the place mentioned in the notice sent by the Divisional Returning Officer to him and making an oral statement to show that the objection is not good; or

Manner of answering objection.
Sec. 56.

(b) by sending by post or delivering to the Divisional Returning Officer at his office a statement in writing to show that the objection is not good.

30. Before determining an objection, the Divisional Returning Officer may make such inquiries as he thinks necessary to ascertain the facts in relation to the objection.

Inquiry into objection.
Sec. 57.

31.—(1.) Upon determining an objection the Divisional Returning Officer shall send notice of his decision in accordance with Form 22 to the objector if the objector is not a Registrar, and to the person objected to if the person objected to has answered the objection within the prescribed period.

Notice of determination of objection.
Sec. 57.

(2.) Where an objector is a Registrar, notice of the decision on the objection may be sent to him in accordance with the indorsement on Form 19, and such notice may contain a direction for the removal of an elector's name from the Roll when an objection has been sustained.

Division 4.—Miscellaneous.

32.—(1.) An application under section 58 of the Act to a Court of summary jurisdiction may be made at any time within one calendar month after the receipt of notice of the rejection of a claim for enrolment or transfer of enrolment under regulation 11 of these Regulations, or of notice of the determination of an objection under regulation 31 of these Regulations, and may be made in writing in the form of a complaint setting out the material facts and asking that the Divisional Returning Officer be summoned to answer the complaint. Electoral appeals. Sec. 58.

(2.) Upon the complaint being lodged with him, the clerk of the Court shall issue a summons to the Divisional Returning Officer to appear before the Court at a time and place mentioned in the summons to answer the complaint and produce all papers connected with the claim for enrolment or transfer of enrolment, or the objection, as the case requires.

(3.) The Divisional Returning Officer may, by himself or some person appointed to represent him, appear at the hearing and produce to the Court all papers connected with the claim for enrolment or transfer of enrolment, or the objection, as the case requires, but, if he does not desire to appear, he may send the papers to the clerk of the Court, to be produced at the hearing, together with a statement in writing containing such observations as he sees fit to make, and any such statement shall be considered by the Court at the hearing.

(4.) The Divisional Returning Officer, if present at the hearing, or the person representing him, shall be entitled to be heard.

PART III.—ELECTORAL AND REFERENDUM.

Division 1.—Conduct of Elections and Referendums.

33.—(1.) The notification by a candidate at a Senate election of his desire to have his name included in a group with the names of other candidates in that proposed group and with those names only may be in accordance with Form 23. Notification in relation to group. Secs. 72A and 72B.

(2.) The notification by a candidate whose name is included in a group of the order in which he desires the names of the candidates in the group to appear on the ballot-papers may be in accordance with Form 24.

34.—(1.) Every Divisional Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, Substitute Presiding Officer, Poll Clerk, and Scrutineer shall make and subscribe an undertaking in accordance with Form 25. Undertaking by Officers and scrutineers. Secs. 98 and 108.

(2.) An omission by a Divisional Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, Substitute Presiding Officer, Poll Clerk, or Scrutineer to sign the undertaking required by this regulation shall not be a ground for setting aside any election or referendum.

35.—(1.) The polling places for a Subdivision shall be those polling places which are declared by the Minister by notice in the *Gazette* to be the polling places for that Subdivision. Polling places. Sec. 27.

(2.) Until polling places are declared by the Minister in pursuance of this regulation, the polling places declared in pursuance of the Regulations repealed by these Regulations shall be deemed to be polling places declared for the purpose of this regulation.

36. The polling booths and ballot-boxes provided for the purposes of any election may be used for the purposes of any other election or any referendum or referendums held on the same day, but the ballot-papers for each election and referendum shall be distinctively coloured: Use of polling booth for two elections, &c. Sec. 98.

Provided that where in pursuance of section 14A of the *Referendum (Constitution Alteration) Act 1906-1936* two or more forms of ballot-paper are on one piece of paper those forms of ballot-paper may be of the same colour.

37. Each ballot-box shall have a cleft in the cover through which the ballot-papers may be deposited in the ballot-box, and shall be provided with means for securely closing the cleft. The ballot-box shall also be capable of being securely fastened by means of a lock. Ballot-boxes. Sec. 102.

38. The official mark for the authentication of ballot-papers shall be a water mark in the paper thereof, consisting of a representation of a shield having therein the letters "C A" intertwined. Official mark. Sec. 133.

39. A circle containing the words "Divisional Returning Officer's or Registrar's initials", or "Presiding Officer's initials", as the case requires, may be printed on the back of any ballot-paper, and the words "Postal Vote" or "Absent Vote" may be printed or written on the back of any postal ballot-paper or absent voter's ballot-paper, as the case requires. Endorsement on ballot-papers. Secs. 90 and 107.

Division 2.—Voting by Post.

40.—(1.) The application for a postal vote certificate and postal ballot-paper (or postal ballot-papers) for a Senate election or a House of Representatives election or a referendum, or all of them, as the case requires, may be in accordance with Form 26: Form of application for postal vote certificate and postal ballot-paper. Sec. 85.

Provided that where, in the case of an applicant enrolled for a Subdivision declared to be a remote Subdivision in pursuance of sub-section (2.) of section 26 of the Act, the application is made to the Registrar for that Subdivision, the application may be in accordance with Form 26 with such adaptations as are authorized by the Chief Electoral Officer.

(2.) Except where the applicant elector attends at the office of a Divisional Returning Officer or Registrar and obtains personal delivery of a postal vote certificate and postal ballot-paper (or postal ballot-papers), the application shall state the place which will be the place of living of the applicant elector at the time the certificate and ballot-paper (or ballot-papers) would, in the ordinary course of post, be delivered to him.

41.—(1.) The postal vote certificate may be in accordance with Form 27. Form of postal vote certificate. Sec. 88.

(2.) The form may be printed on an envelope addressed to the Divisional Returning Officer for the Division for which the elector named in the certificate declares that he is enrolled.

42.—(1.) The postal ballot-paper for a Senate election may be in accordance with Form 28. Forms of postal ballot-paper. Sec. 88.

(2.) Before issuing any postal ballot-paper for a Senate election, the Divisional Returning Officer or Registrar shall, if the particulars are not already printed thereon, insert in the ballot-paper—

- (a) the name of the State for which the voter declares that he is enrolled;
- (b) the number of candidates to be elected;
- (c) the numbers required to complete the "Directions"; and
- (d) the full names of all candidates for that State in the order and grouped as directed by the Commonwealth Electoral Officer.

(3.) The postal ballot-paper for a House of Representatives election may be in accordance with Form 29.

(4.) Before issuing a postal ballot-paper for a House of Representatives election the Divisional Returning Officer or Registrar shall, if the particulars are not already printed thereon, insert in the ballot-paper—

- (a) the name of the State and the name of the Division for which the voter declares that he is enrolled;
- (b) the numbers required to complete the "Directions"; and
- (c) the full names of all candidates for that Division in alphabetical order according to their surnames.

(5.) The postal ballot-paper for a referendum may be in accordance with Form 30 or Form 31, as the case requires.

(6.) Before issuing a postal ballot-paper for a referendum for any State in the Commonwealth other than the State in which he performs his duties, the Divisional Returning Officer shall strike out the name of the State printed thereon and insert the name of the State for which the voter declares that he is enrolled.

43.—(1.) The postal vote certificate and postal ballot-paper (or postal ballot-papers) shall be delivered to the applicant elector personally or sent by post to him at the place stated in his application in accordance with the provisions of sub-regulation (2.) of regulation 40 of these Regulations. Postal ballot-paper, &c., to be delivered to applicant or sent to his place of living.

(2.) When issuing the postal vote certificate and postal ballot-paper (or postal ballot-papers) to the applicant elector the Divisional Returning Officer or Registrar shall deliver or send therewith a copy of the "Directions to Elector and Authorized Witness" authorized by the Chief Electoral Officer.

44. In a Senate election or a House of Representatives election or a referendum a voter voting by post shall mark his vote on the ballot-paper in the manner indicated in the directions set forth on the ballot-paper. Manner of marking postal vote. Sec. 82 (1.).

45.—(1.) When, before the close of the poll, in an election or a referendum— Postal ballot-paper received by Divisional Returning Officer or Assistant Returning Officer. Sec. 82 (2.).

- (a) a Divisional Returning Officer receives an envelope bearing a postal vote certificate and purporting to contain a postal ballot-paper (or postal ballot-papers) issued in respect of a Division other than the Division for which he acts as Divisional Returning Officer, or

- (b) an Assistant Returning Officer receives an envelope bearing a postal vote certificate and purporting to contain a postal ballot-paper (or postal ballot-papers),

which envelope has been posted or delivered to him in pursuance of sub-section (2.) of section 92 of the Act, the Divisional Returning Officer or Assistant Returning Officer, as the case may be, shall immediately—

- (i) endorse on the envelope the words "Received by me" and add the date of receipt, his signature and the words "Divisional Returning Officer" or "Assistant Returning Officer", as the case requires;
- (ii) make a record of the name of the voter and the name of the Division appearing in the postal vote certificate;
- (iii) enclose the envelope in an outer cover addressed to the Divisional Returning Officer for the Division in respect of which the voter named in the postal vote certificate is entitled to vote, and transmit it by hand or registered post to that Divisional Returning Officer; and
- (iv) advise that Divisional Returning Officer, in the form authorized by the Chief Electoral Officer, by telegram (or by letter, where such letter will in the ordinary course reach that Divisional Returning Officer prior to eight o'clock in the evening of the fourth day after the close of the poll) of the despatch of the said envelope.

(2.) The Assistant Returning Officer shall, at the close of the poll, forward the record made by him in pursuance of paragraph (ii) of the last preceding sub-regulation to the Divisional Returning Officer for his Division who shall retain the same together with the record made by him under that paragraph.

46. When, before the close of the poll in an election or a referendum, a Presiding Officer receives an envelope bearing a postal vote certificate and purporting to contain a postal ballot-paper (or postal ballot-papers) which envelope has been delivered to him in pursuance of sub-section (2.) of section 92 of the Act, he shall—

- (a) endorse on the envelope the words "Received by me at polling place" and add his signature, the words "Presiding Officer" and the date;
- (b) make a record of the name of the voter and the name of the Division appearing in the postal vote certificate;
- (c) forthwith deposit the envelope in the ballot-box used for the purpose of the polling at his polling place; and
- (d) at the close of the poll forward the record, certified by him, under seal to the Assistant Returning Officer.

47. The Assistant Returning Officer, on receipt from a Presiding Officer of a ballot-box containing envelopes bearing postal vote certificates and purporting to contain a postal ballot-paper (or postal ballot-papers) shall—

- (a) check the particulars of such envelopes with the particulars appearing in the Presiding Officer's record, preserve a note of the number thereof, and report any discrepancy to his Divisional Returning Officer;

Postal
ballot-paper
received by
Presiding
Officer under
section 92 (2.).

Postal
ballot-paper
taken from
ballot-box—
action by
Assistant
Returning
Officer.
Sec. 92 (2.).

reference to the postal ballot-box and any reference to a ballot-paper, or an absent voter's ballot-paper, shall be read as a reference to a postal ballot-paper, and any reference to a declaration or an absent voter's declaration shall be read as a reference to a postal vote certificate.

(2.) The postal ballot-papers and postal vote certificates shall be dealt with as nearly as practicable in the manner provided in regulations 63 to 66 (inclusive) of these Regulations in relation to absent voters' ballot-papers and absent voters' declarations.

Division 3.—Absent Voting.

50.—(1.) In a Senate election, or a House of Representatives election, or a referendum, an elector may, subject to these Regulations, vote as an absent voter on polling day at any polling place within the State for which he is enrolled, not being a prescribed polling place for the Subdivision for which he is enrolled, provided that a polling booth is open under the law on that day at such polling place, and provided further that the privilege of voting at a polling place as an absent voter is dependent upon the arrangements of the polling place at which the elector claims to vote as an absent voter, being such as to enable the vote to be recorded, and to be recorded without interference with the rights of the electors enrolled for the Subdivision for which the polling place is prescribed.

Facilities for
voting as an
absent voter.
Sec. 113.

(2.) The elector must state his name, place of living and occupation, as appearing on the Roll, and the Division for which he is enrolled, and to the best of his knowledge the Subdivision for which he is enrolled.

(3.) The Presiding Officer shall put to the elector the questions prescribed by paragraph (a) of sub-section (1.) of section 115 of the Act, and may, and at the request of any scrutineer shall, also put all or any of the questions prescribed by paragraph (b) or paragraph (c) of sub-section (1.) of that section.

(4.) If the answers to the questions put to the elector under the provisions of section 115 of the Act show that he is entitled to vote, he may be allowed to vote as an absent voter on making a declaration in accordance with Form 32.

(5.) The form of declaration may be printed on an envelope addressed to the Divisional Returning Officer for the Division for which the elector declares that he is enrolled.

(6.) A person permitted to vote under the provisions of this regulation shall mark and fold his ballot-paper in the manner directed on the ballot-paper and return it so folded to the Presiding Officer who shall forthwith enclose the ballot-paper in the envelope bearing the declaration of the voter, securely fasten the envelope and deposit it in the ballot-box.

51. If any person claiming to vote as an absent voter refuses to answer fully any question put to him in pursuance of section 115 of the Act or his answer to any such question so put to him show that he is not entitled to vote, his claim to vote shall be rejected.

Refusal by
voter to
answer
questions.
Sec. 113.

52.—(1.) If any voter who claims to vote as an absent voter satisfies the Presiding Officer that his sight is so impaired or that he is so physically incapacitated that he is unable to vote without assistance, the Presiding Officer shall—

Blind or physically incapacitated voters.
Sec. 113.

- (a) fill in the form of declaration with the required particulars relating to the enrolment of the voter as requested by such voter;
- (b) read over to the voter the form of declaration;
- (c) require the voter to sign the form of declaration—
 - (i) in his own handwriting if he is able to do so, or
 - (ii) with his mark as his personal signature if he is unable to sign his name in his own handwriting;
- (d) cause the signature of the voter, if made by means of a mark, to be witnessed by a scrutineer present, or if no scrutineer be present, by the Poll Clerk;
- (e) complete and attest the declaration;
- (f) permit a person appointed by the voter to enter an unoccupied compartment of the booth with the voter and to mark and fold the ballot-paper (or ballot-papers) for the voter; and
- (g) enclose the ballot-paper (or ballot-papers) in the envelope bearing the declaration of the voter, securely fasten the envelope and deposit it in the ballot-box.

(2.) If any voter to whom the last preceding sub-regulation applies fails to appoint a person in pursuance of that sub-regulation, or if any voter who claims to vote as an absent voter satisfies the Presiding Officer that he is so illiterate that he is unable to vote without assistance, the presiding Officer shall take action indicated in paragraphs (a) to (e) (inclusive) of that sub-regulation and shall, in the presence of such scrutineers as are present, or, if there be no scrutineers present, then in the presence of the Poll Clerk, or if the voter so desires, in the presence of a person appointed by the voter, instead of the Poll Clerk—

- (a) mark and fold the ballot-paper (or ballot-papers) for the voter; and
- (b) enclose the ballot-paper (or ballot-papers) in the envelope bearing the declaration of the voter, securely fasten the envelope and deposit it in the ballot-box.

53.—(1.) The ballot-paper for a Senate election to be used by an elector voting as an absent voter may be in accordance with Form 33.

Forms of absent voters' ballot-papers.
Sec. 113.

(2.) The ballot-paper for a House of Representatives election to be used by an elector voting as an absent voter may be in accordance with Form 34, provided that the name of the Division, the numbers in the "Directions" and the names of the candidates may be either printed or written thereon.

(3.) The ballot-paper for a referendum in respect of one proposed law to be used by an elector voting as an absent voter may be in accordance with Form 35.

54. The ballot-papers for a referendum in respect of two or more proposed laws to be used by an elector voting as an absent voter, may be included in one special form of ballot-paper which may be in accordance with Form 36.

Absent voter's ballot-paper for referendum in respect of two or more proposed laws.
Sec. 113.

55. The Presiding Officer shall make a record of the name of each elector who has voted at his polling place as an absent voter at an election or a referendum, together with the names of the Division and Subdivision for which the elector declares that he is enrolled, as shown in his declaration, and at the close of the poll, shall forward the record, duly certified by him, under seal, to the Assistant Returning Officer.

Record of absent voters.
Sec. 113.

56. The Assistant Returning Officer, on receipt from a Presiding Officer of a ballot-box containing envelopes bearing absent voters' declarations and purporting to contain an absent voter's ballot-paper (or ballot-papers) shall—

Absent voters' ballot-papers—action by Assistant Returning Officer.
Sec. 113.

- (a) check the particulars of such envelopes with the particulars appearing in the Presiding Officer's record, preserve a note of the number thereof, and report any discrepancy to his Divisional Returning Officer;
- (b) place in a separate outer cover all the envelopes bearing absent voters' declarations relating to the same Division, endorse on the outer cover the number of such envelopes so placed therein, fasten and seal the outer cover, address it to the Divisional Returning Officer for the Division named in the electors' declarations, and forthwith transmit it by hand or registered post to that Divisional Returning Officer; and
- (c) forthwith advise that Divisional Returning Officer, in the form authorized by the Chief Electoral Officer, by telegram (or by letter, where such letter will in the ordinary course reach that Divisional Returning Officer prior to eight o'clock in the evening of the fourth day after the close of the poll) of the total number of envelopes bearing absent voters' declarations enclosed in the outer cover so forwarded to him.

57. Each Divisional Returning Officer shall preserve in his custody—

Custody of absent voters' ballot-papers.
Sec. 113.

- (a) a book, or set of cards, in which he shall record from time to time the particulars of the respective advices, and the number of envelopes bearing absent voters' declarations, received by him from each Assistant Returning Officer; and
- (b) a locked and sealed ballot-box (or ballot-boxes) with the words "Absent Voters' Ballot-box" marked thereon, in which he shall forthwith place all envelopes bearing absent voters' declarations received by him from Assistant Returning Officers.

58. The scrutiny of absent voters' ballot-papers shall commence as soon as practicable after the close of the poll, and shall be conducted by the Divisional Returning Officer, or an Assistant Returning Officer thereto directed by the Divisional Returning Officer, in the presence of such scrutineers as choose to attend and any other persons approved by the Divisional Returning Officer.

Scrutiny of
absent voters'
ballot-papers.
Sec. 113.

59.—(1.) The officer conducting the scrutiny shall—

Preliminary
scrutiny.
Sec. 113.

- (a) produce and open the absent voters' ballot-box or ballot-boxes in which the envelopes containing the absent voters' ballot-papers have been placed;
- (b) place in one parcel the envelopes bearing the signed and attested declarations of persons who he is satisfied are enrolled for, and entitled to vote in respect of, the Division, accept for further scrutiny the ballot-papers contained therein and place a mark opposite the name of each such person on a certified copy of the Roll used by him for the purposes of the scrutiny;
- (c) place in another parcel the envelopes bearing the declarations of persons who he is satisfied are not enrolled for, or are not entitled to vote in respect of, the Division, or whose declarations are not signed and attested, fasten and seal the parcel, endorse thereon the words "Absent voters' ballot-papers rejected at the preliminary scrutiny" and add the name of the Division, his signature and the date:

Provided that an absent voter's ballot-paper shall not be rejected at the preliminary scrutiny by reason only of the fact that the Presiding Officer has omitted to attest the declaration of the elector if before the declaration of the poll the officer certifies that the omission was due to inadvertence, and that the declaration was, as a matter of fact, duly signed in his presence;

- (d) place the envelopes containing the ballot-papers accepted for further scrutiny before him on a table in such a manner that the face only of each envelope bearing the address of the Divisional Returning Officer shall be visible;
- (e) number each envelope consecutively from one upwards in the top right-hand corner until the whole of the envelopes have been dealt with;
- (f) without further examining the declaration of any voter, or permitting any other person to do so, withdraw from the envelope each ballot-paper contained therein, and, without inspecting or unfolding the ballot-paper, or allowing any other person to do so, place thereon a number corresponding with that placed on the envelope from which the ballot-paper has been withdrawn, and forthwith deposit the folded ballot-paper in a locked and sealed ballot-box for further scrutiny; and

- (g) place the envelopes in a parcel, indorsed with the words "Envelopes bearing absent voters' declarations from which ballot-papers have been withdrawn for further scrutiny", fasten and seal the parcel, add the name of the Division, his signature, and the date.

(2.) It shall not be necessary to await the receipt of the whole of the envelopes containing absent voters' ballot-papers for the Division before proceeding with the further scrutiny of the ballot-papers which have been placed in the ballot-box referred to in paragraph (f) of the last preceding sub-regulation, but sufficient uncounted ballot-papers shall be kept in the ballot-box to insure that all ballot-papers for an election or referendum, when counted, shall be taken from a number sufficient to prevent the identity of the voters from being disclosed.

60. At the further scrutiny, the officer conducting the scrutiny shall open the ballot-box referred to in paragraph (f) of sub-regulation (1.) of the last preceding regulation, examine the absent voters' ballot-papers contained therein, and shall—

Further
scrutiny.
Sec. 113.

- (a) in a Senate election or in a House of Representatives election—

- (i) reject all informal ballot-papers, and arrange the unrejected ballot-papers under the names of the respective candidates by placing in a separate parcel all those on which a first preference is indicated for the same candidate; and
- (ii) count the first preference votes given for each candidate on all unrejected ballot-papers; and

- (b) in a referendum, allow and count the ballot-papers which are formal and disallow and reject those which are informal.

61.—(1.) An absent voter's ballot-paper shall be informal if—

- (a) in a Senate election or a House of Representatives election or a referendum—

Informal
ballot-papers.
Sec. 113.

- (i) it is not contained in the envelope bearing the declaration of the elector; or
- (ii) it is not authenticated by the initials of the presiding officer or by the official mark prescribed by regulation 38 of these Regulations; or
- (iii) it has upon it any mark or writing (not lawfully authorized to be put upon it) by which, in the opinion of the officer conducting the scrutiny, the voter can be identified:

Provided that this sub-paragraph shall not apply to any mark or writing placed upon the ballot-paper by an officer notwithstanding that the placing of the mark or writing upon the ballot-paper is a contravention of the law; or

- (b) in a Senate election, it has no vote indicated on it, or it does not indicate the voter's first preference for one candidate and the order of his preference for all the remaining candidates:

Provided that where the voter has indicated his first preference for one candidate and his consecutive preferences for all the remaining candidates except one and

the square opposite the name of that candidate has been left blank, it shall be deemed that the voter's preference for that candidate is his last and that accordingly he has indicated the order of his preference for all the candidates:

Provided further that in a Senate election where a candidate dies between the date of nomination and polling day a ballot-paper shall not be informal by reason only—

- (i) of the inclusion on the ballot-paper of the name of a deceased candidate;
 - (ii) of the marking of any consecutive number opposite that name; or
 - (iii) of the omission to place any number opposite that name or of any resultant failure to indicate in consecutive order the voter's preference; or
- (c) in a House of Representatives election, it has no vote indicated on it, or it does not indicate the voter's first preference for one candidate and his contingent votes for all the remaining candidates:

Provided that where the voter has indicated his first preference for one candidate and his contingent votes for all the remaining candidates except one and the square opposite the name of that candidate has been left blank it shall be deemed that the voter's preference for that candidate is his last and that accordingly he has indicated the order of his preference for all the candidates:

Provided further that where there are two candidates only and the voter has indicated his vote by placing the figure 1 in the square opposite the name of one candidate and has left the other square blank, the voter shall be deemed to have indicated the order of his preference for all the candidates; or

- (d) in a referendum it has no vote marked on it or has more than one vote marked on it:

Provided that in a referendum a ballot-paper shall not be informal by reason only of the fact that the voter has indicated his vote by placing in one square the number 1 or a cross and by leaving the other square blank, and in that case the cross shall be deemed to be equivalent to the figure 1.

(2.) An absent voter's ballot-paper shall not be rejected as informal merely because of a formal defect therein through the name of a wrong Division appearing thereon or the omission of the name of the Division if the name of the Division for which the elector is enrolled appears in the declaration of the elector, or, in a Senate election or a House of Representatives election, the surname only of any candidate has been written thereon, if no other candidate has the same surname, or by reason of any mistake in spelling where there is no doubt as to the identity of the candidate.

(3.) An absent voter's ballot-paper shall not be informal for any reason other than the reasons specified in this regulation but shall be given effect to according to the voter's intention so far as his intention is clear.

62. If a scrutineer objects to a ballot-paper as being informal, the officer conducting the scrutiny shall mark the ballot-paper "Admitted", or "Rejected", according to his decision to admit or reject the ballot-paper, and add his initials, but nothing in this regulation shall prevent the officer from rejecting a ballot-paper as being informal although it is not objected to.

Objection by scrutineer to ballot-paper.
Sec. 113.

63. The officer conducting the scrutiny shall place in separate parcels—

Parcelling of ballot-papers.
Sec. 113.

- (a) all absent voters' ballot-papers allowed or admitted as formal for each election;
- (b) all absent voters' ballot-papers disallowed or rejected as informal for each election;
- (c) all absent voters' ballot-papers allowed or admitted as formal or disallowed or rejected as informal in connexion with any referendum or referendums,

and shall fasten and seal each parcel, and endorse thereon particulars of the contents thereof, the name of the Division, and add his signature and the date.

64.—(1.) The sealed parcels of absent voters' ballot-papers may only be opened—

Opening of sealed parcels of ballot-papers.
Secs. 113, 135 and 136.

- (a) in the case of a Senate election, for the purpose of determining the election in the manner provided in section 135 of the Act; or
- (b) in the case of a House of Representatives election, where no candidate has received an absolute majority of first preference votes and it is necessary to determine the election in the manner provided in section 136 of the Act; or
- (c) for the purposes of an authorized recount; or
- (d) by direction of the Court of Disputed Returns.

(2.) Where sealed parcels of absent voters' ballot-papers are opened in pursuance of paragraph (a) or paragraph (b) of the last preceding sub-regulation, the ballot-papers shall be dealt with in the same manner as ballot-papers contained in a parcel transmitted to the Divisional Returning Officer by an Assistant Returning Officer.

65. The sealed parcels of absent voters' declarations may only be opened—

Opening of sealed parcels of declarations.

- (a) by direction of the Court of Disputed Returns, or
- (b) as provided in regulation 85 of these Regulations.

66. Subject to any action taken in pursuance of regulation 64 or regulation 65 of these Regulations, the Divisional Returning Officer shall preserve the sealed parcels of—

Preservation of ballot-papers and declarations.

- (a) absent voters' ballot-papers allowed or admitted to the scrutiny;
- (b) absent voters' ballot-papers disallowed or rejected at the scrutiny;

- (c) envelopes bearing absent voters' declarations from which ballot-papers have been withdrawn for further scrutiny; and
- (d) envelopes bearing absent voters' declarations and containing ballot-papers rejected at the preliminary scrutiny,
- until their destruction has been authorized by the Chief Electoral Officer.

Division 4.—Voting pursuant to Sections 91A, 121 and 121A of the Act.

67.—(1.) The declaration to be made by a person claiming to vote in pursuance of section 121 of the Act may be in accordance with Form 37 and the declaration to be made by a person claiming to vote in pursuance of section 91A or section 121A of the Act shall be in accordance with Form 38.

Declaration under Section 91A, 121 or 121A of the Act.

(2.) The declaration may be printed on an envelope addressed to the Divisional Returning Officer for the Division in respect of which the elector claims to vote or may be attached by gum or other adhesive substance to such envelope.

68. The ballot-paper to be used by a person claiming to vote in pursuance of section 91A, section 121 or section 121A of the Act may be in accordance with the form prescribed to be used by an elector voting as an absent voter. The words "Absent Vote" appearing on such ballot-paper may be struck out and the words "Section 91A", "Section 121" or "Section 121A", as the case requires, substituted therefor.

Ballot-paper under Section 91A, 121 or 121A of Act.

69. The Presiding Officer shall make a record of the name and other particulars of each person who votes at his polling booth under the provisions of section 91A, section 121, or section 121A of the Act, and, at the close of the poll, shall forward the record, certified by him, under seal, to the Assistant Returning Officer.

Record to be made by Presiding Officer.

70. The Assistant Returning Officer, on receipt from a Presiding Officer of a ballot-box containing ballot-papers enclosed in envelopes bearing declarations of persons who have voted in pursuance of section 91A, section 121 or section 121A of the Act, shall—

Action by Assistant Returning Officer.

- (a) check the particulars of such envelopes with the particulars appearing in the Presiding Officer's record, preserve a note of the number thereof and report any discrepancy to his Divisional Returning Officer;
- (b) place all the envelopes in an outer cover, endorse on the outer cover the number of such envelopes so placed therein, fasten and seal the outer cover, address it to the Divisional Returning Officer for his Division and forthwith transmit it by hand or registered post to that Divisional Returning Officer; and
- (c) forthwith advise that Divisional Returning Officer in the form authorized by the Chief Electoral Officer by telegram (or by letter, where such letter will in the ordinary course reach that Divisional Returning Officer prior to eight o'clock in the evening of the fourth day after the close of the poll) of the number of such envelopes contained in the outer cover so forwarded to him.

71. The provisions of regulations 57 to 66 (inclusive) shall apply as nearly as practicable to the receipt, scrutiny, parcelling, and preservation of ballot-papers and envelopes bearing declarations used for the purposes of voting under section 91A, section 121 or section 121A of the Act:

Scrutiny of votes cast under Sections 91A, 121 or 121A of Act.

Provided that the scrutiny shall be conducted by the Divisional Returning Officer:

Provided further that, for the purpose of the scrutiny of ballot-papers and envelopes bearing declarations used for the purposes of voting under section 91A, section 121, or section 121A of the Act, any reference in these Regulations to a ballot-paper, an absent voter's ballot-paper, an absent voter's declaration, or an absent voter's ballot-box, shall be read as a reference to a ballot-paper, declaration, or ballot-box, as the case requires, used for the purposes of voting under section 91A, section 121, or section 121A of the Act, or for the receipt and scrutiny of votes cast under any of those sections.

72. In the case of a person, whose sight is so impaired or who is so physically incapacitated or illiterate that he is unable to vote without assistance, who claims to vote in pursuance of section 91A, section 121, or section 121A of the Act, the provisions of regulation 52 of these Regulations, as the case requires, shall apply *mutatis mutandis* as if the person were claiming to vote as an absent voter:

Physically incapacitated or illiterate electors voting under Section 91A, 121 or 121A of Act.

Provided that in the application of that regulation any reference to the particulars relating to the enrolment of the elector shall be read as a reference to the Division and Subdivision for which the elector claims to be enrolled.

Division 5.—Scrutiny by Assistant Returning Officer.

73.—(1.) At the scrutiny the Assistant Returning Officer shall, on receipt, from a Presiding Officer, of a ballot-box, forthwith exhibit it for the inspection of the scrutineers present, and shall record the condition in which the box is received, and shall then, in the presence of the scrutineers present, open the ballot-box, and, subject to the action prescribed in regulations 47, 56 and 70 of these Regulations, take out and count the ballot-papers (but not inspect the votes), and record the total number of the ballot-papers taken therefrom, and thus check the statement of the Presiding Officer.

Scrutiny by Assistant Returning Officer. Secs. 135 and 136.

(2.) If the total number of ballot-papers taken from a ballot-box is not less than one hundred, the votes may immediately be inspected and counted.

(3.) If the total number of ballot-papers taken from a ballot-box is less than one hundred, they shall be placed in a locked and sealed ballot-box, called a reserve ballot-box, which has been previously exhibited to the scrutineers, and the counting of the votes on these ballot-papers shall be deferred.

(4.) The ballot-papers in the reserve ballot-box may be taken out and counted when all the ballot-papers taken from any two or more ballot-boxes and placed in the reserve ballot-box exceed one hundred, but where no more ballot-boxes are to be received at the counting centre, the ballot-papers may be taken out and counted, notwithstanding that there are less than one hundred ballot-papers in the reserve ballot-box.

Division 6.—Recount of Ballot-papers.

74.—(1.) Before proceeding to recount any ballot-papers, the Recount.
 Divisional Returning Officer shall send to each candidate notice of Secs. 137 and
 the time and place fixed for the recount. 138.

(2.) The Divisional Returning Officer shall, at the time and place fixed for the recount, in the presence of the scrutineer or scrutineers in attendance, and of an officer of the Commonwealth Public Service, open every sealed parcel of ballot-papers to be recounted, and shall count the votes therein.

(3.) Each parcel of ballot-papers to be recounted shall be opened separately without destroying or rendering illegible any endorsement on the parcel, and every care shall be taken to prevent the ballot-papers in the parcel from being mixed with the ballot-papers in any other parcel.

(4.) After a parcel has been opened and the votes therein counted, the Divisional Returning Officer shall replace the ballot-papers in their original cover, which he shall reseal, refasten, and then place in a new cover, which he shall seal and fasten, and make thereon an endorsement of the fact and date of the recount, and the Divisional Returning Officer and such persons authorized to be present at the recount as choose to add their signatures shall sign the endorsement.

(5.) When any ballot-papers are, at a recount, reserved for the decision of the Commonwealth Electoral Officer for the State, the Divisional Returning Officer shall, in the presence of the scrutineer or scrutineers in attendance, place the ballot-papers in a properly fastened and sealed parcel bearing his signature and the signature or signatures of the scrutineer or scrutineers, together with an endorsement setting forth the number of ballot-papers contained therein, the name of the Division, and the date, and shall place the parcel in a fastened and sealed outer cover fully addressed to the Commonwealth Electoral Officer for the State, and forthwith transmit the parcel to him by hand or registered post.

(6.) On receipt of the parcel, the Commonwealth Electoral Officer shall, in the presence of an officer of the Commonwealth Public Service, and, if any candidate so desires, in the presence of a person appointed by such candidate, open the parcel and scrutinize the ballot-papers and shall mark each ballot-paper "Admitted", or "Rejected", according to his decision to admit or reject such ballot-paper.

(7.) When the Commonwealth Electoral Officer has given his decision on the ballot-papers, he shall restore them to their original cover, refasten and reseal the cover, and endorse thereon—

- (a) the number of ballot-papers contained therein;
- (b) a statement that such ballot-papers have been the subject of decision by him; and
- (c) his signature and the date,

and shall request the persons in whose presence he scrutinized the ballot-papers to add their signatures, and shall then place the parcel in a new cover, which he shall fasten, seal and forthwith return by hand or registered post to the Divisional Returning Officer.

(8.) The Commonwealth Electoral Officer shall advise the Divisional Returning Officer, in writing, as to the number of ballot-papers admitted or rejected by him, and the Commonwealth Electoral Officer's decision shall be accepted by the Divisional Returning Officer in completing his recount of the ballot-papers.

(9.) The receipt of every parcel of ballot-papers shall be acknowledged in writing by the Commonwealth Electoral Officer and the Divisional Returning Officer respectively.

Division 7.—Enforcement of Law in Relation to Compulsory Voting.

75.—(1.) The list of the names and descriptions of the electors enrolled for a Division, who did not vote at an election or a referendum, which is required to be prepared by the Divisional Returning Officer for the Division, under the provisions of sub-section (2.) of section 128A of the Act, may be prepared in separate Subdivision lists, which may be certified in accordance with Form 39.

List of electors who failed to vote.
Sec. 128A.

(2.) All the Subdivision lists for a Division shall together form the list for the Division.

76.—(1.) The notice to be sent under the provisions of sub-section (4.) of section 128A of the Act to each elector whose name appears on the list shall be posted within three months after the close of the election or referendum.

Notice to elector under Section 128A (4.), and reply of elector.

(2.) The notice may be in accordance with Form 40.

(3.) The form for the reply of the elector, which shall be filled up and signed by the elector in the presence of a witness, may be in accordance with Form 41.

(4.) The witness shall be an elector or a person qualified to be an elector.

77.—(1.) Where the reply of the elector states a reason for his failure to vote which, in the opinion of the Divisional Returning Officer, is not a valid and sufficient reason for that failure, the Divisional Returning Officer shall, after endorsing on the list prepared by him his opinion in accordance with sub-section (8.) of section 128A of the Act, notify the elector, in accordance with Form 42, of his opinion, and inform him that he has the option of having the matter dealt with by the Commonwealth Electoral Officer or by a Court of summary jurisdiction.

Action where reason considered insufficient.
Sec. 128A.

(2.) Any elector to whom a notification has been sent in pursuance of the last preceding sub-regulation who desires the matter to be dealt with by the Commonwealth Electoral Officer and is prepared to abide by the decision of that officer, may notify the Divisional Returning Officer in accordance with Form 43, and may deposit with the Divisional Returning Officer such sum as that officer determines, to be appropriated in payment of the penalty, if any, which the Commonwealth Electoral Officer imposes upon him.

(3.) Upon the receipt from an elector who has failed to vote—

(a) of a notification consenting to the matter being dealt with by the Commonwealth Electoral Officer and to abide by the decision of that officer, and

(b) of the deposit specified in the last preceding sub-regulation,

the Divisional Returning Officer shall transmit the notification, together with the elector's reply stating his reason for having failed to vote and the Divisional Returning Officer's opinion thereon, to the Commonwealth Electoral Officer.

78.—(1.) Subject to such directions as are issued by the Chief Electoral Officer, the Commonwealth Electoral Officer shall, upon the receipt from a Divisional Returning Officer, of the documents mentioned in the last preceding regulation, consider all the facts, and if satisfied that the elector concerned has failed to vote at the election without a valid and sufficient reason for that failure, he may make an order imposing upon that elector a penalty not less than Ten shillings nor more than Two pounds, and notify the Divisional Returning Officer thereof and of the time allowed for payment.

Action by
Commonwealth
Electoral Officer
upon receipt of
report from
Divisional
Returning
Officer.
Sec. 128A.

(2.) Any penalty imposed by the Commonwealth Electoral Officer in pursuance of this regulation shall be a debt due to the Commonwealth, and may be recovered in accordance with the provisions of regulation 79 of these Regulations.

(3.) The Chief Electoral Officer may review any order made by a Commonwealth Electoral Officer in pursuance of this regulation, and may, if he is of opinion that the circumstances justify such action, remit the penalty imposed by the order.

79. The Divisional Returning Officer, upon receipt of advice from the Commonwealth Electoral Officer that a penalty has been imposed upon an elector for a contravention of paragraph (a) of sub-section (12.) of section 128A of the Act, may appropriate the deposit or portion thereof in payment of the penalty, shall notify the elector, in accordance with Form 44 of the amount of the penalty, and refund to the elector the balance, if any, of the deposit.

Notification of
imposition of
penalty.
Sec. 128A (12.).

80. Subject to such directions as are issued by the Commonwealth Electoral Officer, the Divisional Returning Officer shall—

Proceedings in
a Court of
summary
jurisdiction.
Sec. 128A.

- (a) if he is satisfied that there has been a contravention of paragraph (a) of sub-section (12.) of section 128A of the Act by an elector, and the elector has not within the time allowed, intimated that he consents to the matter being dealt with by the Commonwealth Electoral Officer, and deposited the sum specified in sub-regulation (2.) of regulation 77 of these Regulations; or
- (b) if he is satisfied that there has been a contravention of paragraph (b) of sub-section (12.) of section 128A of the Act by an elector; or
- (c) if he is satisfied that there has been a contravention of paragraph (c) of sub-section (12.) of section 128A of the Act by an elector,

forthwith cause proceedings to be taken against the elector in a Court of summary jurisdiction.

81.—(1.) In any proceedings which are instituted in a Court of summary jurisdiction against an elector for a contravention of paragraph (a) of sub-section (12.) of section 128A of the Act, the Divisional Returning Officer shall send to the Court the elector's reply, if any, stating his reason for having failed to vote.

Proceedings in
Court on
failure of
elector to vote.
Sec. 128A.

(2.) The Court shall, whether the defendant is present or not, consider the contents of the reply as if it were given in evidence before the Court.

(3.) If the defendant attends the Court, and sets up a defence differing in substance from the statement contained in his reply, the Court shall, if it dismisses the information, do so without awarding the defendant the costs of his defence.

(4.) A copy of this regulation shall be printed on the back of the form of summons.

82.—(1.) In any proceedings in a Court of summary jurisdiction against an elector for a contravention of paragraph (b) of sub-section (12.) of section 128A of the Act, there shall be served on the defendant a notice that the defendant may attend the Court and answer the charge in person, or may, at any time, not less than seven days before the date fixed for the hearing, lodge with or send by post to the prosecuting officer a statutory declaration setting out any matter which he desires to set out in answer to the charge, and that, unless the prosecuting officer withdraws the charge, the declaration will be sent to the Court for consideration of the matter set out therein as if it were given in evidence before the Court, subject to any evidence in reply adduced by the prosecuting officer. The notice may be printed or written on the summons or may be by separate document served therewith.

Proceedings in Court on failure of elector to send reply to Divisional Returning Officer's notification. Sec. 128A.

(2.) Where a statutory declaration is received by the prosecuting officer, in pursuance of the last preceding sub-regulation, he shall, as far as it is practicable for him to do so, inquire into the truth of the statements therein set out, and shall, unless he withdraws the prosecution, bring the declaration to the notice of the Court.

(3.) The Court shall, at the hearing of the case, consider the statutory declaration (whether the defendant is present or not) as if the matter therein set out were given in evidence before it, but if the defendant attends the Court, and sets up a defence differing in substance from the statement contained in his declaration, the Court shall, if it dismisses the prosecution, do so without awarding the defendant the costs of his defence.

(4.) The Court may, in its discretion, on the application of the prosecuting officer adjourn the hearing for any period it thinks fit, to enable that officer to answer the declaration.

83.—(1.) In any prosecution in a Court of summary jurisdiction against an elector for a contravention of sub-paragraph (a) or sub-paragraph (b) of sub-section (12.) of section 128A of the Act, the prosecuting officer may lodge with the Court a statutory declaration in accordance with Form 45, together with a certified extract in accordance with Form 46, and it shall not then be necessary for him to attend at the hearing.

Evidence in Court of summary jurisdiction. Sec. 128A.

(2.) Where a statutory declaration and certified extract have been lodged as provided by this regulation, and the prosecuting officer is not present at the hearing, the Court shall proceed with the hearing

and determination of the case in his absence, and shall consider the statutory declaration and certified extract as if the matter set out therein had been given in evidence before it, and shall, notwithstanding the absence of the prosecuting officer, permit evidence to be given for the prosecution of any witness who is summoned by, or attends on behalf of, the prosecuting officer.

(3.) For the purposes of this regulation, any document purporting to be a statutory declaration shall be accepted as such by the Court without proof of the signatures thereon or proof of the authority of the person before whom it purports to have been made to take statutory declarations.

Division 8.—Miscellaneous.

84. All ballot-papers, certified lists of voters, certified copies of the Roll for the Division, forms of declaration and postal vote certificates used at an election or referendum shall, after the scrutiny is completed, be parcelled and sealed by the officer who conducted the scrutiny. The Assistant Returning Officer shall transmit in properly endorsed fastened and sealed parcels all ballot-papers scrutinized by him and all certified lists of voters used within that portion of the Division in which he exercises his powers to the Divisional Returning Officer for the Division, who shall be responsible for the safe custody of these documents until their destruction is authorized by the Chief Electoral Officer.

Preservation
of documents.
Sec. 218.

85.—(1.) The Divisional Returning Officer may, for the purposes of any official inquiry (including the preparation of any list in accordance with sub-section (2.) of section 128A of the Act), if so authorized by the Chief Electoral Officer, open any parcel in his custody containing any certified list of voters, or any certified copy of the Roll used at the scrutiny of absent votes or postal votes, or containing any declarations used for the purpose of absent voting or voting in pursuance of section 91A, section 121 or section 121A of the Act, or any postal vote certificates, and may take out and examine any certified list or certified copy of the Roll or any declaration or postal vote certificate and take a copy thereof.

Authorized
official inquiry.

(2.) Any certified list or certified copy of the Roll or any declaration or postal vote certificate which has, in pursuance of this regulation, been taken out of a sealed parcel, may be retained by the Divisional Returning Officer, or dealt with in the manner directed by the Chief Electoral Officer:

Provided that, upon the attainment of the purpose for which the certified list or certified copy of the Roll or declaration or postal vote certificate was so retained or dealt with, the Divisional Returning Officer shall forthwith replace it in the parcel from which it was taken and refasten and reseal that parcel and by endorsement thereon state that the parcel had been opened by him and the purpose for which it had been opened.

(3.) A Divisional Returning Officer who opens a sealed parcel in pursuance of this regulation shall not mark alter or in any way

deface or permit any other person to mark alter or deface, any document taken out of the parcel and shall be responsible for every such document being replaced in the same condition as when it was taken out.

- 86.** The fee to be paid for an inspection of the return, and the receipted bills of particulars, of a candidate's electoral expenses shall be 2s. 6d. Fee for inspection of candidate's return. Sec. 151.
- 87.**—(1.) The return to be made by a trades union, registered or unregistered, organization, association, league, body of persons, or person, under section 152 of the Act shall be in accordance with Form 47. Return under Section 152 of Act.
- (2.) Every return filed in pursuance of section 152 of the Act shall be open to public inspection during ordinary office hours, on payment of a fee of One shilling.
- 88.** The notice by the Chief Electoral Officer under sub-section (8.) of section 152 of the Act may be in accordance with Form 48. Notice under Section 152 (8.) of Act.
- 89.**—(1.) The return to be made by the proprietor or publisher of a newspaper under section 153 of the Act shall be in accordance with Form 49. Return under Section 153 of Act.
- (2.) Every return filed in pursuance of section 153 of the Act shall be open to public inspection during ordinary office hours on payment of a fee of One shilling.
- 90.** The notice of withdrawal by a candidate of his consent to nomination may be in accordance with Form 50 and shall be signed by the candidate in the presence of the officer with whom the nomination was lodged or of a Justice of the Peace. Withdrawal of consent to nomination. Sec. 80.
- 91.** The endorsement to be made by a Divisional Returning Officer on the copy of the Writ for a Senate election shall be in accordance with Form 51. Endorsement by Divisional Returning Officer on the copy of Senate writ. Sec. 135.
- 92.** Where a building used as a polling booth is within grounds enclosed by a wall or fence, any gate entrance of such wall or fence through which electors gain ingress to the polling booth may be deemed to be the entrance of the polling booth for the purposes of section 171 of the Act. Prohibition of canvassing near polling booth. Sec. 171.
- 93.** Any person who is convicted of an offence against these Regulations for which no penalty is provided shall be liable to a penalty not exceeding Two pounds. Offence for which no penalty prescribed.
- 94.** Where any action is required to be taken under the Act or these Regulations by an officer, and no form is prescribed for use in connexion with such action, the officer may use such form as is approved by the Chief Electoral Officer. Use of forms which are not prescribed.
- 95.** Form A in the Schedule to the Act is amended by omitting the words "the office of the Commonwealth Electoral Officer" and inserting in their stead the words "(here insert name of building)". Amendment of Form in Schedule to Act.

96. Strict compliance with the Forms in the Schedule shall not be required, and substantial compliance therewith shall be sufficient for the purposes of these Regulations.

Strict compliance with Forms in the Schedule not required.

97. Notwithstanding anything contained in these Regulations, the Chief Electoral Officer may permit the continuance of the use of Forms 8, 12, 22 and 23 as prescribed by the regulations repealed by these Regulations for such time as he considers desirable.

Continuance of use of certain Forms.

PART IV.—REFERENDUM.

98. The official mark for the authentication of referendum ballot-papers shall be the official mark prescribed for electoral ballot-papers.

Official mark.

99. When the day fixed for the taking of the votes of the electors for the purposes of a referendum is the same as that fixed for the polling at a Senate election or a general election for the House of Representatives, and no poll is taken in any particular Division for the purposes of the election—

Referendum in Divisions where no electoral poll taken.

- (a) the forms in these Regulations may be modified so far as is necessary to enable them to apply, as regards that Division, to the referendum only, and
- (b) any forms under these Regulations may, as regards that Division, be deemed to refer to the referendum only.

100. When the validity of any referendum can no longer be questioned, the Chief Electoral Officer may, subject to the provisions of the *Referendum (Constitution Alteration) Act 1906-1936* authorize the destruction of the ballot-papers used for voting at the referendum.

Destruction of ballot-papers.

101.—(1.) The return to be made by a trades union, registered or unregistered, organization, association, league, body of persons, or person, in pursuance of section 35 of the *Referendum (Constitution Alteration) Act 1906-1936* shall be in accordance with Form 52.

Return by trade union, organization, &c.

(2.) Every return filed in pursuance of section 35 of the *Referendum (Constitution Alteration) Act 1906-1936* shall be open to public inspection during ordinary office hours, on payment of a fee of One shilling.

102. The notice by the Chief Electoral Officer under sub-section (9.) of section 35 of the *Referendum (Constitution Alteration) Act 1906-1936* may be in accordance with Form 53.

Notice to trade unions, &c., requiring return.

103.—(1.) The return to be made by the proprietor or publisher of a newspaper in pursuance of section 36 of the *Referendum (Constitution Alteration) Act 1906-1936* shall be in accordance with Form 54.

Return by newspaper proprietors.

(2.) The return filed in pursuance of section 36 of the *Referendum (Constitution Alteration) Act 1906-1936* shall be open to public inspection during ordinary office hours, on payment of a fee of One shilling.

THE SCHEDULE.

FORM 1.

Regulation 6.

19 .

COMMONWEALTH OF AUSTRALIA.

Made up to [here insert date]

ELECTORAL ROLL.

State of [here insert name of State].

Division of [here insert name of Division].

Roll of Electors for the Subdivision of [here insert name of Subdivision].

No., Name in Full, Place of Living, Occupation, and Sex of each Elector.

M signifies Male, F signifies Female.

[Here follow Names, &c.]

FORM 2.

Regulation 8(1).

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.

ELECTORAL CLAIM.

Particulars for Enrolment { Surname—
Christian Names—
(in full).
Place of Living—
(Give full address).
Occupation—

Sex—

The following particulars relating to claimant will not appear on the Roll, but must be stated on this card.

Date and year of birth— Place of birth— Former surname*—

(*See Instruction D on other side).

To the Electoral Registrar for the Subdivision of—
Division of— State of—

1. I am an inhabitant of Australia and have lived therein for six months continuously.

2. I am a natural-born or naturalized subject of the King, am not under the age of 21 years, and am qualified to be enrolled as an elector.

3. I claim to have my name and particulars for enrolment placed on the Electoral Roll for the above-named Subdivision in which I now live and have lived for a period of not less than one month immediately preceding the date of this Claim.

4. My name is at present enrolled for the Subdivision of the Division of in respect of the following address in that Subdivision, namely:—

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—

Date

19 .

I, the undersigned, am an elector or a person qualified to be an elector of the Commonwealth, and I certify that I have seen the above-named Claimant sign the above Claim, and that I either know the statements contained in the Claim to be true or have satisfied myself by inquiry of the Claimant or otherwise that the said statements are true.

(Penalty on witness for failure to fully comply with this requirement— £50.)

Personal Signature of Witness—

Occupation—

Place of Living—

FORM 2—continued.

[Back of Form.]

This form may be used only by a qualified person not under the age of 21 years, (a) when claiming enrolment or transfer of enrolment, or (b) when notifying a change of address within the same Subdivision or applying for the correction of any particulars of an existing enrolment.

INSTRUCTIONS TO BE OBSERVED WHEN FILLING IN PARTICULARS ON THE OTHER SIDE OF THIS CLAIM.

(A) Place of Living.—Full address, including name and street number (if any) of habitation, must be inserted.

(B) Paragraph 4 should be struck out if claimant is not already enrolled.

(C) Personal Signature of Claimant.—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 signature must be made in the presence of the person who signs as witness.

(D) Former surname is to be filled in only in the case of a married woman who has changed her name by marriage since her last enrolment.

NOTE.—The claimant should see that he receives an acknowledgment of this claim in due course.

INSTRUCTIONS TO PERSON WITNESSING ELECTORAL CLAIM.

(i) The person witnessing an electoral claim must be an elector, or a person qualified to be an elector, of the Commonwealth.

(ii) A person shall not sign his name as witness—

(a) on any blank electoral claim; or

(b) on any electoral claim which has been wholly or partly filled up unless it has been signed by the person intended to sign it; or

(c) on any electoral claim unless he has seen the person, whose signature he purports to witness, sign it. Penalty—Fifty pounds.

(iii) A person shall not write on any electoral claim as his own name—

(a) the name of another person; or

(b) any name not being his own name. Penalty—Fifty pounds.

This space to be filled in by the Electoral Registrar.

Received (date)—

Registered (date)—

Acknowledged (date)—

Initials—

N.B.—An elector may only have his name placed upon the Roll for the Subdivision in which he lives. A map and description of the boundaries of the Subdivision may be inspected at, and Electoral Forms for public use may be obtained from, any Post Office.

FORM 3.
[Front of Form.]

Regulation 9(1).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

ACKNOWLEDGMENT OF RECEIPT OF ELECTORAL CLAIM.

To the Elector whose name appears on back hereof.

Your electoral claim dated _____ has been received and, pursuant
communication dated _____ to the Electoral Registrar for the Subdivision of the Division of
thereto, your enrolment for the _____ Subdivision of the Division of
has been effected or adjusted as required.

POINTS FOR ELECTOR TO REMEMBER—

1. You should bear in mind the name of the Subdivision and Division for which you are enrolled and retain this acknowledgment as evidence of your enrolment.
2. Voting at Commonwealth Elections and Referendums is compulsory.
3. Correct enrolment is compulsory, therefore—
 - (a) If you change your place of living from the address in the Subdivision for which you are enrolled to another address in the same Subdivision you should, within 21 days after making such change, notify the Electoral Registrar for the Subdivision of your new address, in the prescribed form.*
 - (b) If you change your place of living to any other Subdivision you should, after you have lived in that Subdivision for a period of one month, send or deliver to the Electoral Registrar for the Subdivision a claim for transfer of enrolment, in the prescribed form,* within 21 days after the expiration of that period. Failure to comply with the provisions of paragraphs (a) and (b) above will render you liable to a penalty not exceeding £2 (Two pounds).

* Obtainable at any post office.

Electoral Registrar for the above-named Subdivision.

Date—

Address—

NOTE TO ELECTOR.—An elector who is only temporarily absent from his place of living, although the period of such absence may exceed one month, is not thereby deemed to have changed his place of living for the purposes of transfer of enrolment, or change of address on the Roll.

DIRECTIONS TO REGISTRAR.—The Registrar will strike out the words "electoral claim" or the word "communication" as the case requires.

[Back of Form.]

O.H.M.S.

Commonwealth Electoral
Paper only.

Post Free.

To

M.....

.....

.....

FORM 4.

Regulation 10.

COMMONWEALTH OF AUSTRALIA.
The *Commonwealth Electoral Act*.
State of

NOTIFICATION OF TRANSFER OF ENROLMENT.

To the Electoral Registrar for the Subdivision of— Division of—

You are requested to remove from the Roll for the above mentioned Subdivision the name of each elector set out in Column 1 herein, on the ground that the elector has now been enrolled by me, in pursuance of a claim for transfer of enrolment, for the Subdivision specified in Column 2 opposite the elector's name.

(1) Particulars appearing in claim for transfer received by me.				(2)	(3)	(4) (To be filled in by Registrar to whom notification addressed.)		
Surname.	Christian Names (in full).	Occupation.	Sex.	Subdivision for which Elector has now been enrolled.	Address of Elector in Subdivision Roll kept by you as set out in Paragraph 4 of claim for transfer received by me.	Name removed (date).	Elector's Number on Roll (if name in print) or Date of Enrolment (if name in manuscript).	Remarks.

Electoral Registrar for the Subdivision (or Subdivisions) specified in Column 2.

Electoral Division of—

Dated the day of 19 .

Received (date)—

Acted upon and forwarded to Divisional Returning Officer (date)—

Signature of Registrar—

FORM 5.

Regulation 11(1).

COMMONWEALTH OF AUSTRALIA.
The *Commonwealth Electoral Act*.
State of
Electoral Division of

NOTIFICATION TO CLAIMANT OF REFERENCE OF ELECTORAL CLAIM.

To—

As I am not satisfied that you are entitled to be enrolled in pursuance of your claim, dated the , I am referring the claim to the Divisional Returning Officer for his decision.

Upon receipt of the Divisional Returning Officer's decision you will be duly notified in accordance therewith.

Electoral Registrar for the Subdivision of—

Address—

Dated the day of , 19 .

FORM 6.

Regulation 11(2).

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

State of

Electoral Division of

NOTIFICATION TO CLAIMANT OF REJECTION OF ELECTORAL CLAIM.

To—

You are hereby notified that your claim to be enrolled on the Electoral Roll for the Subdivision of the above-named Division has been rejected by the Divisional Returning Officer on the ground that [*here specify reason for rejection*].

You are entitled, at any time within one calendar month after the receipt of this notification, to appeal to a Court of summary jurisdiction for an order directing that your name may be added to the Roll.

Electoral Registrar for the Subdivision of—

Address

Dated the day of . 19 .

FORM 7.

Regulation 12.

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

State of

Electoral Division of

NOTIFICATION TO CLAIMANT OF FORMAL DEFECT IN ELECTORAL CLAIM.

To—

Your claim to be enrolled on the Electoral Roll for the Subdivision of the abovenamed Division is defective by reason of [*here set out nature of defect*].

*The Claim is forwarded herewith for completion or correction, and return to me without delay.

*Please complete the accompanying fresh form of Claim and return it to me without delay.

Electoral Registrar for the Subdivision of—

Address

Dated the day of , 19 .

* The Registrar will strike out whichever of these paragraphs is not applicable to the case.

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

Consecutive No.

State of

CERTIFICATE AUTHORIZING REMOVAL OF NAMES OF ELECTORS FROM ROLL.

To the Divisional Returning Officer for the Division of

I certify that each elector named in Column (1) has ceased to be qualified for enrolment on the Roll for the Subdivision specified in Column (2) opposite his name, and has secured enrolment for the Subdivision specified in Column (3) opposite his name.

(1) Surname, Christian Names, Place of Living, Occupation and Sex.	(2) Subdivision for which Elector has ceased to be enrolled.	(3) Subdivision and Division for which Elector has now been enrolled.		(4) (To be filled in by Registrar.)		
		Subdivision.	Division.	Name removed (date).	Elector's Number on Roll (if name in print) or Date of Enrolment (if name in manuscript).	Remarks.

Commonwealth Electoral Officer for the State of Date / / 19	Received (date) --- Acted upon and returned to Divisional Returning Officer (date) - Signature of Registrar -
---	---

To the Electoral Registrar
 for the Subdivision or Subdivisions specified
 in Column (2) above.

You are directed to remove the name of each of the above-named electors from the Roll on which it appears, as specified in Column (2). You will specify in Column (4) the action taken by you, and return this form to me for transmission to the Commonwealth Electoral Officer.

Divisional Returning Officer.

Date / / 19 .

FORM 9.

Regulation 14(1).

COMMONWEALTH OF AUSTRALIA.
The *Commonwealth Electoral Act*.
State of

CERTIFICATE OF COMMONWEALTH ELECTORAL OFFICER UNDER
SECTION 47 (2.) (b) OF THE COMMONWEALTH ELECTORAL ACT.

To the Divisional Returning Officer for the Division of

I certify that the name of the undermentioned elector:--

Surname.	Christian Names.	Place of Living.	Occupation.	Sex.

has, pursuant to a claim, been incorrectly placed on the roll for the Subdivision of Division of and that at the date of the claim the elector named was living within and entitled to have his name placed on the Roll for the Subdivision of Division of

Commonwealth Electoral Officer for the
State of

Date / /19 .

To the Electoral Registrar for the Subdivision of

You are directed to remove the name of the above-named elector from the Roll kept by you, to endorse hereon the action taken, and to return this Form to me for transmission to the Commonwealth Electoral Officer.

Divisional Returning Officer for the
Division of

Date / /19 .

Received (date)

Acted upon and Form returned to
Divisional Returning Officer (date)

Signature of Registrar--

To the Electoral Registrar for the Subdivision of

You are directed to place the name and particulars of the above-named elector on the Roll kept by you, to notify the elector (by sending him a notification in accordance with Form 10) of the change in his enrolment, to endorse hereon the action taken, and to return this Form to me for transmission to the Commonwealth Electoral Officer.

Divisional Returning Officer for the
Division of

Date / /19 .

Received (date)

Acted upon, elector notified and
Form returned to Divisional Returning Officer (date)

Signature of Registrar--

To the Commonwealth Electoral Officer for the State of

Returned. The necessary action has been taken.

Divisional Returning Officer for the
Division of

Date / /19 .

FORM 10.

Regulation 14(2).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.
State of

NOTIFICATION OF CHANGE OF ENROLMENT FROM ONE SUBDIVISION AND DIVISION TO ANOTHER SUBDIVISION AND DIVISION PURSUANT TO SECTION 47 (2.) (b) OF THE COMMONWEALTH ELECTORAL ACT.

To—

Your name has been removed from the Electoral Roll for the Subdivision of Division of and placed upon the Roll for the Subdivision of Division of on the ground that your place of living, as stated in your claim, is within the last-mentioned Subdivision and Division.

Electoral Registrar for the Subdivision
of
Date / /19 .

FORM 11.

Regulation 15(1).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.
State of

CERTIFICATE OF COMMONWEALTH ELECTORAL OFFICER PURSUANT TO SECTION 47A OF THE COMMONWEALTH ELECTORAL ACT.

To the Divisional Returning Officer for the Division of

I certify that the undermentioned person:—

Surname.	Christian Names.	Place of Living (as appearing on roll).	Occupation.	Sex.

whose name has been placed on the roll for the Subdivision of Division of is not entitled to enrolment for that Division, and that that person secured enrolment pursuant to a claim in which he made a false statement.

Commonwealth Electoral Officer for the
State of
Date / /19 .

To the Electoral Registrar for the Subdivision of

You are directed to remove the name of the above-named person from the Roll kept by you, to notify that person (by sending him a notification in accordance with Form 12) of the removal of his name, to endorse hereon the action taken by you, and to return this Form to me for transmission to the Commonwealth Electoral Officer.

Divisional Returning Officer for the
Division of
Date / /19 .

Received (date)
Name removed, person notified and Form returned to Divisional Returning Officer (date)
Signature of Registrar—

The Commonwealth Electoral Officer for the State of
Returned. The necessary action has been taken.

Divisional Returning Officer for the
Division of
Date / /19 .

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

State of

NOTIFICATION OF REMOVAL OF NAME FROM ROLL PURSUANT TO SECTION 47A OF THE COMMONWEALTH ELECTORAL ACT.

To—

Your name has been removed from the Electoral roll for the Subdivision of Division of on the ground that you are not entitled to enrol for that Division.

Electoral Registrar for the Subdivision of

Date / /19 .



COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

NOTIFICATION OF TRANSFER OF ENROLMENT CONSEQUENT UPON ALTERATION OF BOUNDARIES OF DIVISIONS OR SUBDIVISIONS.

To—

You are hereby informed that your name has in accordance with the provisions of Section 28 of the Act been removed from the Roll for the Subdivision of the Electoral Division of and has been placed on the Roll for the Subdivision of the Electoral Division of

Electoral Registrar for the Subdivision of—

or

Commonwealth Electoral Officer for the State of—

(as the case requires).

Address—

Dated the day of 19 .

FORM 14.

Regulation 18.

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of _____ Electoral Division of _____
**NOTIFICATION TO A PERSON ALLEGED TO HAVE FAILED TO COMPLY
 WITH THE REQUIREMENTS OF SECTION 42 [here insert number of
 sub-section] OF THE COMMONWEALTH ELECTORAL ACT.**

To—

You are hereby notified that it would appear that on the _____ day of _____ 19____, at _____ in the said State [here insert nature of contravention alleged], and I do therefore allege that you have contravened the provisions of Section 42 [here insert number of sub-section] of the Commonwealth Electoral Act.

A contravention of the section mentioned is punishable under the Commonwealth Electoral Act by a penalty not exceeding Ten shillings for a first offence and not exceeding Two pounds for any subsequent offence.

You have the option of having the alleged contravention dealt with by the Commonwealth Electoral Officer for the State (thus avoiding costs of Court) or by a Court of summary jurisdiction.

If you desire to have the matter dealt with by the Commonwealth Electoral Officer, you must fill in and sign, in the presence of a witness, who must be an elector or a person qualified to be an elector of the Commonwealth, the form of consent at the foot of this form and send it or deliver it to me so as to reach me not later than the _____ day of _____ 19____.

If you desire to answer the allegation you may send or deliver to me, so as to reach me not later than the lastmentioned date, a declaration in the form printed on the back of the form of consent setting out any facts relevant to the matter.

If your answer be accepted as a satisfactory reply to the allegation, no further action will be taken, and no further notice will be sent to you.

If it be decided to proceed with the case and you have forwarded within the specified time your consent to the matter being dealt with by the Commonwealth Electoral Officer, your declaration will be considered by him. If you have not consented within the specified time to the matter being dealt with by the Commonwealth Electoral Officer your declaration will be forwarded to the Court by which your case is to be dealt with.

Dated the _____ day of _____ 19____

 Divisional Returning Officer for the
 abovenamed Division.

Address—

FORM 15.

Regulation 18.

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of _____ Electoral Division of _____
**DECLARATION OF PERSON ALLEGED TO HAVE FAILED TO COMPLY
 WITH THE REQUIREMENTS OF SECTION 42 OF THE COMMON-
 WEALTH ELECTORAL ACT.**

I,
 do hereby declare (a)

of _____
 Personal Signature—
 Date—

(a) Here insert
 matter declared
 to. Where the
 matter is long
 it should be set
 out in numbered
 paragraphs.

I, the undersigned, being an elector or a person qualified to be an elector of the Commonwealth, certify that I have seen the above-named person sign the above declaration.

Signature of Witness—
 Occupation—
 Address—

NOTE.—Any person who makes an untrue statement in an electoral paper is guilty of an offence, and is liable to a penalty not exceeding Twenty pounds.

FORM 16.

Regulation 19.

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of _____ Electoral Division of _____
 CONSENT OF PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH
 THE REQUIREMENTS OF SECTION 42 [*here insert number of*
sub-section] OF THE ACT TO THE MATTER BEING DEALT WITH BY
 THE COMMONWEALTH ELECTORAL OFFICER FOR THE STATE.
 To the Divisional Returning Officer
 for the Division of _____

I, _____ of _____
 having received from you a notification alleging that I have contravened the
 provisions of Section 42 [*here insert number of sub-section*] of the Common-
 wealth Electoral Act, hereby consent to have the matter dealt with by the
 Commonwealth Electoral Officer for the State, and I undertake to abide by his
 decision thereon, and to pay the amount of the penalty (if any) that he may
 impose.

Personal Signature---

Address---

Date---

Witness—

This form must be signed in the presence of, and attested by, an elector, or a
 person qualified to be an elector, of the Commonwealth.

FORM 17.

Regulation 22.

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of _____ Electoral Division of _____
 NOTIFICATION OF PENALTY IMPOSED BY COMMONWEALTH
 ELECTORAL OFFICER FOR CONTRAVENTION OF SECTION 42 [*here*
insert number of sub-section] OF COMMONWEALTH ELECTORAL ACT.

To—

You are informed that pursuant to your notification of consent dated the
 day of _____ 19____, the Commonwealth Electoral Officer
 for the State has dealt with the matter of your contravention of Section 42
 [*here insert number of sub-section*] of the Commonwealth Electoral Act and
 that he has imposed upon you a penalty of _____.

You are hereby required to pay the amount to me not later than the
 day of _____ 19____.

The amount may be paid at my office in cash or may be remitted to me by
 Postal Note or Money Order, made payable to the Divisional Returning Officer
 for the Division of _____. Upon payment of the penalty an official
 receipt will be handed to you or forthwith sent to you by post.

Unless you comply with the requirements of this notification within the
 time allowed herein, your consent to have the matter of your contravention
 dealt with by the Commonwealth Electoral Officer shall be deemed to have been
 of no effect and the order of the Commonwealth Electoral Officer shall be revoked
 and in lieu thereof proceedings may be instituted against you in a Court of
 Summary Jurisdiction.

Divisional Returning Officer for the

Division of _____

Address---

Date---

FORM 18. Regulation 26(1).

[Form to be used by an Elector for the same Electoral Subdivision or by an Officer (not being a Registrar) when lodging an objection.]

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of
Electoral Division of

NOTICE OF OBJECTION.

To the Divisional Returning Officer for the Electoral Division of—
I object to the name of

No. on Roll.	Surname.	Christian Names at full length.	Place of Living as appearing on Roll.	Occupation.	Place of Abode for time being, if known to the objector.

being retained on the Electoral Roll for the Subdivision of the Division of , on the ground that [here insert ground of objection].

Signature—
Occupation—
Address—

Dated the day of 19 .

FORM 19. Regulation 26(2).

[Form to be used by a Registrar when lodging objections to the retention of names on the Subdivision Roll kept by him.]

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of

Electoral Division of Subdivision of

NOTICE OF OBJECTION.

To the Divisional Returning Officer.

I object to each undermentioned name being retained on the Electoral Roll for the above-named Subdivision on the ground [here insert ground of objection].
Registrar for the Subdivision of—

Dated the day of 19 .

Person Objected to.			Place of Living as appearing on Roll.	Occupation.	Place of Abode for time being, if known to Registrar.	Registrar's Initials.
No. on Roll.	Surname.	Christian Names at full length.				

NOTE.—This form must be prepared in triplicate, one form retained by the Registrar and the other two furnished to the Divisional Returning Officer.

FORM 19—continued.
[Back of Form.]

ENDORSEMENT BY DIVISIONAL RETURNING OFFICER.

- (1) Notices of Objection posted by Divisional }
Returning Officer to persons objected to }
- (2) Date of expiration of period allowed for }
answers to objections. (See Sec. 57) . . }
- (3) Answers received from--

Notification to the Registrar for the _____ Subdivision.

(A) Objections sustained excepting as to the following names, viz:---

(B) You are hereby directed to forthwith remove from the Roll for the
Subdivision all the names appearing on the within list of objections,
with the exception of those mentioned in the foregoing paragraph (A),
in which cases the objections have not been sustained.

Divisional Returning Officer for the Division of

All necessary action taken in accordance with the above direction.

Registrar for the Subdivision of---

FORM 20. Regulation 27.

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.
State of

NOTICE OF OBJECTION TO PERSON OBJECTED TO ON THE GROUND OF
NON-RESIDENCE.

To the person objected to, whose name and address appear on the back hereof.
Notice is hereby given that an objection has been lodged with me by [here
insert the name and description of the objector] objecting to your name being
retained on the Electoral Roll for the Subdivision of [here insert name of
Subdivision] of this Division, on the ground that you do not live in the
Subdivision and have not so lived for at least one month last past.

You are entitled at any time within twenty days from the posting of this
notice to answer the objection either orally or in writing.

If you intend to answer the objection orally you should attend at my Office at
[here insert address of office] between the hours of [here insert hours and days
office will be officially open] before the expiration of twenty days from the
posting of this notice.

If you claim that your place of living is still in the Subdivision, and you do
not desire to attend at my office for the purpose of answering this objection
orally, you should with the least delay, but before the expiration of twenty
days from the posting of this notice--

- (a) complete, personally sign, and date the reply at the foot hereof in
the presence of a witness; and
- (b) fold the notice so that the address "Commonwealth Divisional
Returning Officer for the Division of _____"
be visible, and send or deliver the notice to me with reply attached.

Form 20—continued.

If you have ceased to live in the Subdivision as alleged you need not reply to this objection.

If you answer the objection, notice of the decision on the objection will be sent to you.

If you fail to answer the objection within twenty days from the posting of this notice, the objection will be determined, and your name may be struck off the Roll, but no notice of the decision on the objection will be sent to you.

Divisional Returning Officer for the Division of—

Dated the _____ day of _____ 19 _____
 Postal Address—

REPLY.

(To be completed only if the elector claims that his place of living is still in the Subdivision.)

1. I am the Elector whose enrolment is objected to in this notice.
2. My place of living is still in the Subdivision of [*here insert name of Subdivision*], for which I retain my qualification for enrolment.

Personal Signature of Elector—
 (To be made in presence of Witness.)

Address in Subdivision—

Witness to Signature —
 (Being an Elector or person qualified to be an Elector.)

Occupation—
 Place of Living—

Dated the _____ day of _____ 19 _____

[Back of Form.]

Signature and Address of Sender—
 Divisional Returning Officer for the
 Division of

Commonwealth Electoral
 Papers Only.

Post Free.

M

[Here insert full Christian names and surname, occupation, and place of abode for the time being, if known to the Divisional Returning Officer, or, if not so known, place of living as appearing on Roll.]

Signature and Address of Sender—

Commonwealth Electoral
 Papers Only.

Post Free.

The Commonwealth Divisional Returning Officer

for the Division of

Postal Address

FORM 21.

Regulation 28.

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.
State of

NOTICE OF OBJECTION TO PERSON OBJECTED TO ON A GROUND
OTHER THAN THAT OF NON-RESIDENCE.

To the person objected to, whose name and address appear on the back hereof.

Notice is hereby given that an objection has been lodged with me by [*here insert the name and description of the objector*] objecting to your name being retained on the Electoral Roll for the Subdivision of [*here insert name of Subdivision*] of this Division, on the following grounds, namely:—[*here insert grounds of objection.*]

You are entitled at any time within twenty days from the posting of this notice to answer the objection either orally or in writing.

If you intend to answer the objection orally you should attend at my Office at [*here insert address of office*] between the hours of [*here insert hours and days office will be officially open*] before the expiration of twenty days from the posting of this notice.

If you claim that you are qualified for the enrolment objected to, and do not desire to attend at my office for the purpose of answering this objection orally, you should with the least delay, but before the expiration of twenty days from the posting of this notice—

- (a) complete, personally sign, and date the reply at the foot hereof in the presence of a witness; and
- (b) fold the notice so that the address "Commonwealth Divisional Returning Officer for the Division of " shall be visible, and send or deliver the notice to me with reply attached.

If you are not qualified for the enrolment objected to, you need not reply to this objection.

If you answer the objection, notice of the decision on the objection will be sent to you.

If you fail to answer the objection within twenty days from the posting of this notice, the objection will be determined, and your name may be struck off the Roll, but no notice of the decision on the objection will be sent to you.

Divisional Returning Officer for the Division of---

Postal Address

Dated the day of , 19 .

REPLY.

(To be completed only if the Elector claims that he is qualified for the enrolment objected to.)

I am the Elector whose enrolment is objected to in this notice, and I claim that I am qualified for such enrolment.

My reasons for so claiming are as follow:---

[*Here set forth reasons relied upon as an answer to the objection.*]

Personal Signature of Elector—

(*To be made in presence of Witness.*)

Address in Subdivision—

Witness to Signature--

(*Being an Elector or person qualified to be an Elector.*)

Occupation--

Place of Living--

Dated the day of 19 .

FORM 21—continued.
[Back of Form.]

Signature and Address of Sender—

Divisional Returning Officer for the
Division of

Commonwealth Electoral
Papers Only.

Post Free.

M

[Here insert full Christian names and surname, occupation, and
place of abode for the time being, if known to the Divisional Return-
ing Officer, or, if not so known, place of living as appearing on Roll.]

Signature and Address of Sender—

Commonwealth Electoral
Papers Only.

Post Free.

The Commonwealth Divisional Returning Officer

for the Division of

Postal Address—

FORM 22. Regulation 31(1).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

NOTICE OF DETERMINATION OF OBJECTION.

To—

Notice is hereby given that I have considered the objection lodged by [*here set out the name of objector*] to the retention of the name of [*here set out name of person objected to*] on the Electoral Roll for the Subdivision of the Division of— and have decided—

- (a) to remove the said name from the said Electoral Roll;
- (b) to dismiss the objection and to retain the said name on the said Electoral Roll.

NOTE.—Strike out sub-paragraph (a) or sub-paragraph (b) as the case requires.

If aggrieved by this decision you may, at any time within one calendar month after the receipt of this notice, appeal against the decision to a Court of summary jurisdiction.

Divisional Returning Officer for the Division of—

Dated the day of , 19 .

FORM 23.

Regulation 33(1).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of

NOTIFICATION BY A CANDIDATE IN A SENATE ELECTION OF DESIRE
TO HAVE NAME GROUPED WITH THE NAMES OF OTHER
CANDIDATES.To—
The Commonwealth Electoral Officer
for the State of

I, [*here insert full Christian names and surname*], of _____, being
duly nominated as a candidate in the Senate Election for the State of _____
to be held on the _____ day of _____, 19____, do hereby notify you
that I desire to have my name included in a group of candidates in the said
Election with the names of [*here insert full Christian names and surnames of
other candidates in proposed group*] and with those names only.

Dated the _____ day of _____, 19____

Signature of Candidate.

Signature of Witness--

Address--

Occupation--

an elector or person qualified to be an elector of the Commonwealth.

FORM 24.

Regulation 33(2).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

State of

NOTIFICATION BY A CANDIDATE IN A SENATE GROUP OF THE ORDER
IN WHICH HE DESIRES THE NAMES OF THE CANDIDATES IN THE
GROUP TO APPEAR IN THE BALLOT-PAPERS.To—
The Commonwealth Electoral Officer
for the State of

I, [*here insert full Christian names and surname*], of _____, being
duly nominated as a candidate in the Senate election for the State of _____
to be held on the _____ day of _____, 19____, and having notified
you that I desire to have my name included in a group of candidates in the
said election with the names of the other candidates named herein, do hereby
notify you that I desire the names of the candidates in the said group to
appear on the ballot-papers in the following order:--

Dated the _____ day of _____, 19____

Signature of Candidate.

Signature of Witness---

Address of Witness---

Occupation of Witness---

FORM 25.

Regulation 34(1).

COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

UNDERTAKING TO BE MADE BY OFFICERS AND SCRUTINEERS.

I, [*here insert name, address, and occupation*] do hereby promise and under-
take that I will faithfully perform the duties of [*here insert name of office held by
the person signing undertaking*] to the best of my understanding and ability,
and that I will not directly or indirectly attempt to influence the vote of any
elector, or, except by recording my vote as allowed by law, the result of any
election or referendum, and that I will not disclose any knowledge officially
acquired by me touching the vote of any elector, except in reply to a question
which I am legally bound to answer.

Dated the _____ day of _____, 19____ Signature --
Witness to signature--

This application should be made and sent, after the tenth day prior to the issue of the Writ for the election to which it relates and before polling day, to the Divisional Returning Officer for the Division for which the elector is enrolled; but if the elector has reason to believe that it may not in the ordinary course of post reach that officer so as to enable him to send a Postal Vote Certificate and Postal Ballot-paper to the elector in time to permit of his voting at the election, the application may, for purposes of expedition, be made and sent to some other Divisional Returning Officer.

Unless the application reaches the Divisional Returning Officer to whom it is addressed, before six o'clock in the afternoon of the day immediately preceding the polling day for the election, a Postal Vote Certificate or Postal Ballot-paper shall not be issued in respect of it.

In order that a Postal Ballot-paper may be admitted to the scrutiny it should be posted prior to the close of the poll to the Divisional Returning Officer for the Division in respect of which the elector claims to vote so as to reach him before the end of the period of seven days immediately succeeding the close of the poll, or delivered to that officer prior to the close of the poll. If, however, time does not permit of that course, it may be posted or delivered to any other Divisional Returning Officer, or to any Assistant Returning Officer, or delivered on polling day to any Presiding Officer, but in any such case it must reach such officer before the close of the poll.

NOTE.—If on polling day an elector will be within the State for which he is enrolled, but will not be within the Subdivision for which he is enrolled, he may vote as an absent voter at any polling place prescribed for any other Subdivision in the State.

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

Number.....
Postal Vote Certificate and Postal Ballot-paper issued / / 19
Initials of the Divisional Re- turning Officer for the Division of.....

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

To the Divisional Returning Officer for the Electoral Division of (1)

(*) Here insert name of Division to which application is being sent.

Surname.	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation.
I, (2)			

(*) Here insert surname, Christian names, place of living, and occupation as appearing on the Roll.

hereby apply for a Postal Vote Certificate and a Postal Ballot-paper (or Postal Ballot-papers) to enable me to vote by post at the next forthcoming Election.

NOTE.—“Election” in this application means a Senate Election, or a House of Representatives Election, or any Referendum (held under the provisions of the Referendum (Constitution Alteration) Act in force for the time being), or all of them, as the case requires.

I declare—

- (1) That I am an elector enrolled on the Electoral Roll for the (3) Subdivision of the Division of (4)
- (2) That my answers to the following questions are true and correct in every particular:—

(*) Here insert name of Subdivision for which enrolled.

(*) Here insert name of Division for which enrolled.

Question.

Applicant's Answer.

(The following question (A) must be answered by the applicant.)

(A) Is your real place of living within the Division in respect of which you claim to vote?

(The following question (B) must be answered by the applicant if his answer to question (A) is in the negative.)

(B) Was your real place of living, at any time within the three months immediately preceding the date fixed for the polling at the election, within the Division in respect of which you claim to vote?

FORM 20—continued.

NOTE.—If answer to question (A) is "Yes", the applicant is not required to answer question (B).

NOTE.—The words "real place of living" in questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

- (3) That the ground on which I apply to vote by post is—
- (a) That I will not throughout the hours of polling on polling day be within the State for which I am enrolled;
 - (b) That I will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open in the State for which I am enrolled for the purposes of an election;
 - (c) That I will throughout the hours of polling on polling day be travelling under conditions which will preclude me from voting at any polling booth in the State for which I am enrolled;
 - (d) That I am seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote;
 - (e) That I will, by approaching maternity, be precluded from attending at any polling booth to vote.

NOTE.—The elector *must strike out* any of these grounds which do not apply to his or her particular case.

- (4) That my place of living at the time when the Postal Vote Certificate and the Postal Ballot-paper (or Postal Ballot-papers) would be delivered in the ordinary course of post, will be as follows:—

An elector shall not make, and a person shall not induce an elector to make, any false statement in an application for a Postal Vote Certificate and a Postal Ballot-paper, or in the declaration contained in such application.

Penalty: Fifty pounds, or imprisonment for one month.

Signed by the applicant in his own handwriting in my presence—

Signature of Witness—
(in own handwriting).

(A person whose name appears on the roll of electors for an Electoral Division, or the Australian Capital Territory, or the Northern Territory.)

Address of Witness—

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

Signature of Applicant—
(in own handwriting).

OBLIGATIONS OF ELECTOR WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

An elector shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless—

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his (the applicant's) own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

The elector witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the date.

Any such elector shall not persuade or induce, or associate himself with any person in persuading or inducing, any person to make application for a Postal Vote Certificate and Postal Ballot-paper.

Penalty: Fifty pounds, or imprisonment for one month.

PENALTY FOR FAILURE TO POST OR DELIVER APPLICATION FOR POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

Any person to whom an application for a Postal Vote Certificate and Postal Ballot-paper is entrusted by a voter for the purpose of posting or delivery to a Divisional Returning Officer and who fails to forthwith post or deliver the application shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for one month.

FORM 27.

Regulation 40(1).

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

POSTAL VOTE CERTIFICATE.

No.

I hereby certify that _____ of _____
 is entitled (subject to the provisions of the Commonwealth Electoral Act) to
 vote by post in respect of the Division of _____ State of _____
 at the Senate Election or House of Representatives Election or any Referendum,
 or all of them, as the case requires, to be held on Saturday the _____

Divisional Returning Officer for the Electoral
 Division of _____

or

Registrar for the Subdivision of _____

Date - -

CERTIFICATE OF VOTER.

I, the person named in the above certificate, hereby certify that the
 signature of voter hereunder is my personal signature written by me with my
 own hand.

Signature of Voter--

[in his or her own handwriting.]

NOTE.—Any person who makes the signature of any other person in this
 certificate is liable to a penalty of Fifty pounds.

CERTIFICATE OF AUTHORIZED WITNESS.*

I hereby certify that the above certificate was signed by the voter in his or
 her own handwriting in my presence at [here insert address of place where
 signature is made and witnessed].

Signature of Authorized Witness [in his own handwriting]--

Title under which witness acts as Authorized Witness [in full]--

Address of Witness--

Date--

NOTE.—Any person who signs this certificate as witness without having
 seen the voter sign the above certificate is liable to a penalty of Fifty pounds.

* No person other than a person indicated in the List of Authorized Witnesses printed on the
 "Directions to Elector and Authorized Witness" issued by the Chief Electoral Officer is authorized to
 act as an Authorized Witness for Postal Voting purposes.

NOTES.—(1) This envelope, containing the ballot-paper (or ballot-papers)
 marked by the voter, should be forthwith posted or delivered to the Divisional
 Returning Officer to whom it is addressed, but, if it cannot be delivered to that
 officer prior to the close of the poll, or, if posted prior to the close of the poll,
 would not reach him before the end of a period of seven days immediately
 preceding the close of the poll, it may be posted or delivered to any other
 Divisional Returning Officer or any Assistant Returning Officer or delivered
 on polling day to any Presiding Officer, but so as to reach such officer before
 the close of the poll.

(2) Any person to whom this envelope, containing a ballot-paper (or ballot-
 papers) is entrusted by the voter for the purpose of posting or delivery to a
 Divisional Returning Officer, Assistant Returning Officer or delivery to a
 Presiding Officer, who fails to forthwith post or deliver the envelope, shall be
 guilty of an offence. Penalty: Fifty pounds or imprisonment for one month.

(3) No person other than the Returning Officer for the Division concerned
 or any officer acting under his directions shall open this envelope after the
 ballot-paper (or ballot-papers) has or have been placed therein and the envelope
 fastened. Penalty: Fifty pounds.

/ succeeding

NS

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

POSTAL BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [here insert name of State].

Election of [here insert number] Senators.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers [here insert 1, 2 and so on as the case requires] in the squares immediately to the left of the names of the respective candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorized Witness.

CANDIDATES.

A	<input type="checkbox"/>	B	<input type="checkbox"/>	C	<input type="checkbox"/>	<input type="checkbox"/>
A	<input type="checkbox"/>	B	<input type="checkbox"/>	C	<input type="checkbox"/>	<input type="checkbox"/>
A	<input type="checkbox"/>	B	<input type="checkbox"/>				<input type="checkbox"/>

NOTE.—The letter "A" or "B" or "C", &c., appearing before the square immediately to the left of a candidate's surname indicates that that candidate and each other candidate who has the same letter appearing before the square immediately to the left of his surname have been grouped by mutual consent.

The fact that no letter appears before the square immediately to the left of a candidate's surname indicates that the name of that candidate has not been included in any group.

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

POSTAL BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [here insert name of State].

Electoral Division of [here insert name of Division].

Election of One Member of the House of Representatives.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers [here insert "1 and 2" where there are two candidates, "1, 2 and 3" where there are three candidates, "1, 2, 3 and 4" where there are four candidates and so on as the case requires] in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorized Witness.

CANDIDATES.

-
-
-
-
-

FORM 30.

Regulation 42(5).

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

POSTAL BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [*here insert name of State*].

Submission to the Electors of a Proposed Law for the Alteration of the Constitution.

DIRECTIONS.—Mark your vote on this ballot-paper as follows:—

If you approve of the proposed law, place the number 1 in the square opposite the word "Yes" and the number 2 in the square opposite the word "No";

If you do not approve of the proposed law, place the number 1 in the square opposite the word "No" and the number 2 in the square opposite the word "Yes";

fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorized Witness.

Do YOU APPROVE of the Proposed Law for the alteration of the Constitution entitled [*here set out the title of the proposed law*]?

YES.

No.

FORM 31.

Regulation 42(5).

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

POSTAL BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [*here insert name of State*].

Submission to the electors of Proposed Laws for the Alteration of the Constitution.

DIRECTIONS.—Mark your vote on this ballot-paper in relation to each Proposed Law as follows:—

If you approve of the proposed law, place the number 1 in the square opposite the word "Yes" and the number 2 in the square opposite the word "No";

If you do not approve of the proposed law, place the number 1 in the square opposite the word "No" and the number 2 in the square opposite the word "Yes";

fold the ballot-paper so that the votes cannot be seen and hand it so folded to the Authorized Witness.

1. Do YOU APPROVE of the Proposed Law for the alteration of the Constitution entitled [*here set out the title of the proposed law*]?

YES.

No.

2. Do YOU APPROVE of the Proposed Law for the alteration of the Constitution entitled [*here set out the title of the proposed law*]?

YES.

No.

(Additional ballot-papers (numbered consecutively) in similar form may be included in this form.)

FORM 33.
ABSENT VOTE.

Regulation 53(1).

BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [here insert name of State].

Election of [here insert number] Senators.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers [here insert 1, 2 and so on as the case requires] in the squares immediately to the left of the names of the respective candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and return it to the Presiding Officer before whom you made your declaration.

CANDIDATES.

A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	<input type="checkbox"/>
A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	<input type="checkbox"/>
A <input type="checkbox"/>	B <input type="checkbox"/>			<input type="checkbox"/>

NOTE.—The letter "A" or "B" or "C", &c., appearing before the square immediately to the left of a candidate's surname indicates that that candidate and each other candidate who has the same letter appearing before the square immediately to the left of his surname have been grouped by mutual consent.

The fact that no letter appears before the square immediately to the left of a candidate's surname indicates that the name of that candidate has not been included in any group.

FORM 34.

Regulation 53(2).

The Presiding Officer must, before issuing this ballot-paper to an elector, fill in the name of the Division for which the elector declares that he is enrolled, the numbers required to complete the "Directions" and the names of all the candidates for that Division.

(The foregoing paragraph may be omitted where the ballot-paper is fully printed.)

ABSENT VOTE.

BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [here insert name of State].

Electoral Division of [here insert name of Division].

Election of One member of the House of Representatives.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers [here insert "1 and 2" where there are two candidates, "1, 2 and 3" where there are three candidates, "1, 2, 3 and 4" where there are four candidates and so on as the case requires] in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and return it to the Presiding Officer before whom you made your declaration.

CANDIDATES.

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

FORM 35.

Regulation 53(3).

ABSENT VOTE.

BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [*here insert name of State*].*Submission to the Electors of a Proposed Law for the Alteration of the Constitution.*

DIRECTIONS.—Mark your vote on this ballot-paper as follows:—

If you approve of the proposed law, place the number 1 in the square opposite the word "Yes" and the number 2 in the square opposite the word "No";

If you do not approve of the proposed law, place the number 1 in the square opposite the word "No" and the number 2 in the square opposite the word "Yes";

fold the ballot-paper so that the vote cannot be seen and return it to the Presiding Officer before whom you made your declaration.

Do YOU APPROVE of the Proposed Law for the alteration of the Constitution, entitled [*here set out the title of the proposed law*]? Yes. No.

FORM 36.

Regulation 54.

ABSENT VOTE.

BALLOT-PAPER.

COMMONWEALTH OF AUSTRALIA.

State of [*here insert name of State*].*Submission to the Electors of Proposed Laws for the Alteration of the Constitution.*

DIRECTIONS.—Mark your vote on this ballot-paper in relation to each proposed law as follows:—

If you approve of the proposed law, place the number 1 in the square opposite the word "Yes" and the number 2 in the square opposite the word "No";

If you do not approve of the proposed law, place the number 1 in the square opposite the word "No" and the number 2 in the square opposite the word "Yes";

fold the ballot-paper so that the votes cannot be seen and return it to the Presiding Officer before whom you made your declaration.

1. Do YOU APPROVE of the Proposed Law for the alteration of the Constitution, entitled [*here set out the title of the proposed law*]? Yes. No.2. Do YOU APPROVE of the Proposed Law for the alteration of the Constitution, entitled [*here set out the title of the proposed law*]? Yes. No.

(Additional ballot-papers (numbered consecutively) in similar form may be included in this form.)

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

FORM OF DECLARATION TO BE USED AT THE POLLING BY A PERSON CLAIMING TO VOTE UNDER THE PROVISIONS OF SECTION 121 OF THE COMMONWEALTH ELECTORAL ACT WHO DECLARES THAT HIS NAME HAS BEEN OMITTED FROM, OR STRUCK OUT OF, THE CERTIFIED LIST OF VOTERS FOR THE POLLING PLACE AT WHICH HE CLAIMS TO BE ENTITLED TO VOTE, OWING TO AN ERROR OF AN OFFICER, OR A MISTAKE OF FACT.

I, [here insert name in full of person claiming to vote] of [here insert full address and occupation] declare:—

That I am entitled to be enrolled on the Electoral Roll for the [here insert name of Subdivision] Subdivision of the Electoral Division of [here insert name of Division]; in the State of [here insert name of State].

That after becoming qualified for enrolment for such Subdivision I sent or delivered to the Registrar for the Subdivision a duly completed claim for enrolment (or transfer of enrolment), and that my claim was received by the Registrar before 6 o'clock in the afternoon of the [here insert date of issue of writ], that is, before the issue of the writ for the election being held this day;

That from the time of sending or delivering my claim to the Registrar and up to the issue of the writ as aforesaid, I continuously retained my right to be enrolled for the Subdivision and did not become qualified for enrolment for any other Subdivision;

That to the best of my knowledge and belief my name has been struck out of, or omitted from, the Certified List of Voters for this polling place owing to an error of an officer or a mistake of fact, and not as the result of an objection on the ground of non-residence or other disqualification, or in consequence of the transfer or duplication of my enrolment.

NOTE.—“Election” in this Declaration means a Senate Election, or a House of Representatives Election, or any Referendum (held under the provisions of the Referendum (Constitution Alteration) Act in force for the time being), or all of them, as the case requires.

Personal Signature of Voter—

Signed before me the _____ day of _____, 19____, at _____ polling place.

Presiding Officer.

NOTE.—A person making any untrue statement in this declaration is liable to a penalty of Twenty pounds.

DIRECTIONS.

1. This form of declaration must, after being filled up, be signed by the Voter with his personal signature in the presence of the Presiding Officer and then completed and attested by the Presiding Officer.

2. The Presiding Officer shall then (subject to the provisions of section 115 of the Act) initial and hand to the voter—

- (a) one ballot-paper (headed “Section 121”) for the Senate election for the above-mentioned State;
- (b) one ballot-paper (headed “Section 121”) for the House of Representatives election for the above-mentioned Division; and
- (c) one ballot-paper (headed “Section 121”) for each referendum for the above-mentioned State,

held on the date upon which this declaration is made.

FORM 38—*continued*.

DIRECTIONS.

1. This form of declaration must, after being filled up, be signed by the voter with his personal signature in the presence of the Presiding Officer, and then be completed and attested by the Presiding Officer.
2. The Presiding Officer shall then (subject to the provisions of section 115 of the Act) initial and hand to the voter—
 - (a) one ballot-paper headed "section 91A" or "section 121A" (as the case requires) for the Senate Election for the above-mentioned State;
 - (b) one ballot-paper headed "section 91A" or "section 121A" (as the case requires) for the House of Representatives Election for the above-mentioned Division; and
 - (c) one ballot-paper headed "section 91A" or "section 121A" (as the case requires) for each Referendum for the above-mentioned State, held on the date upon which this declaration is made.
3. The voter will then forthwith (i) retire alone to an unoccupied compartment of the polling booth and there, in private, mark his vote on each ballot-paper handed to him, in the manner directed thereon; (ii) fold each ballot-paper separately in such a manner as to conceal the vote marked thereon, and at once return the ballot-paper or ballot-papers (as the case requires) so folded, to the Presiding Officer before whom he made his declaration.
4. The Presiding Officer will see that he receives from the voter each ballot-paper duly folded, and if necessary for purposes of identification, will request the voter to again state his name, and then, without unfolding the ballot-paper or ballot-papers, will forthwith, in the presence of the voter, and of such scrutineer or scrutineers (if any) as are present, enclose the ballot-paper or ballot-papers received from that voter, in the envelope bearing the declaration of the voter and addressed to the Divisional Returning Officer for the above-mentioned division, securely fasten the envelope and deposit it in the ballot-box.

FORM 39.

Regulation 75(1).

COMMONWEALTH OF AUSTRALIA.

State of

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

Division of

Subdivision of

LIST OF THE NAMES AND DESCRIPTIONS OF THE ELECTORS
ENROLLED FOR THE ABOVE-NAMED SUBDIVISION OF THE ABOVE-
NAMED DIVISION WHO DID NOT VOTE AT THE ELECTION [or
REFERENDUM, *as the case may be*] HELD ON SATURDAY, THE
DAY OF , 19 .

I, , of , Divisional Returning Officer for the Commonwealth Electoral Division of , do solemnly and sincerely declare that the names on the within print of the roll for the above-mentioned Subdivision against which a mark indicating the electors who voted at the election [or referendum, *as the case may be*] has not been placed, constitute the list of the names and descriptions of the electors enrolled for the said Subdivision who did not vote at the election [or referendum, *as the case may be*], held on Saturday, the , and that the said list was prepared by me pursuant to sub-section (2.) of section 128A of the Commonwealth Electoral Act [*add, in the case of a referendum, as applied by the Referendum (Constitution Alteration) Act*].

And I make this solemn declaration by virtue of the *Statutory Declarations Act 1911-1922*, conscientiously believing the statements contained therein to be true in every particular.

Declared at the day of , 19 .

Divisional Returning Officer for the Division of

Before me

J.P. or Commissioner for Declarations.

FORM 40.

Regulation 76(2).

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

State of

Division of

No. on roll

Subdivision of

NOTIFICATION TO ELECTOR WHO APPEARS TO HAVE FAILED TO VOTE.

To the elector whose name and address appear on the back hereof.

You are notified that you appear to have failed to vote at the election (or referendum, as the case may be) held under the Commonwealth Electoral Act (or Referendum (Constitution Alteration) Act, as the case may be) on Saturday, the _____, and you are hereby called upon, in pursuance of sub-section (4) of section 128A of the Commonwealth Electoral Act [add, in the case of a referendum, as applied by the Referendum (Constitution Alteration) Act], to give a valid, truthful, and sufficient reason why you failed so 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, "Commonwealth Divisional Returning Officer for the Division of _____," shall be visible, and post it so as to reach me on or before the*

Divisional Returning Officer for the above-named Division.

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 twenty-one days after the posting of this notice.

FORM 41.

Regulation 76(3).

FORM OF DECLARATION TO BE COMPLETED AND RETURNED TO THE DIVISIONAL RETURNING OFFICER.

I, _____ do hereby declare that the following is the true reason why I* failed to vote at the election (or referendum, as the case may be) held under the Commonwealth Electoral Act (or Referendum (Constitution Alteration) Act, as the case may be), on Saturday, the _____ day or _____, 19 ____

†

Personal Signature of Elector

I, the undersigned, being an elector or a person qualified to be an elector of the Commonwealth, certify that I have seen the above-named 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.

Form 41—continued.

[Back of Form.]

From—the Divisional Returning Officer
for the Division of

Commonwealth Electoral Papers Only. Post Free.

M.
.....
.....

Every elector who—

- (a) fails to vote at an election (or referendum, as the case may be) without a valid and sufficient reason for such failure; or
- (b) on receipt of a notice in accordance with sub-section (4.) of section 128A of the Commonwealth Electoral Act (add, in the case of a referendum, as applied by the Referendum (Constitution Alteration) Act), 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 less than ten shillings and not more than Two Pounds.

Commonwealth Electoral Papers only. Post Free.

The Commonwealth Divisional Returning Officer
for the Division of
Postal address.

FORM 42. Regulation 77(1).

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

State of

Division of . Subdivision of

No. on roll

NOTIFICATION TO ELECTOR WHOSE REASON FOR FAILING TO VOTE
IS HELD NOT TO BE VALID AND SUFFICIENT.

To—

You are hereby notified—

- (1) that the reason given by you in your declaration dated the 19 , is not, in my opinion, a valid and sufficient reason for your failure to vote at the election (or referendum, as the case may be) held under the provisions of the Commonwealth Electoral Act (or Referendum (Constitution Alteration) Act) as the case may be, on Saturday, the ; and
- (2) that you have the option of having the matter dealt with by the Commonwealth Electoral Officer for the State (thus avoiding costs of Court), or by a Court of summary jurisdiction.

FORM 42—continued.

If you desire to have the matter dealt with by the Commonwealth Electoral Officer, you must fill in and sign, in the presence of a witness, the form of consent at the foot hereof and send or deliver it to me, so as to reach me not later than the _____, together with the sum of _____ * to be appropriated in payment or part payment of the penalty, if any, which the Commonwealth Electoral Officer may impose upon you.

In the event of the form and deposit not reaching me on or before the date set out in the preceding paragraph, it will be taken that you desire to have the matter dealt with by a Court of summary jurisdiction.

Divisional Returning Officer for the above-named Division.

Address—

Date _____, 19 ____ .

* This amount may be paid to the Divisional Returning Officer in cash, or be remitted to him by postal note or money order made payable to "The Divisional Returning Officer for the Division of....."

FORM 43.

Regulation 77(2).

FORM OF CONSENT TO BE USED BY AN ELECTOR WHO DESIRES TO HAVE HIS CASE DEALT WITH BY THE COMMONWEALTH ELECTORAL OFFICER FOR THE STATE.

To the Divisional Returning Officer for the above-named Division.

I, _____, of _____, enrolled as an elector on the roll for the above-named Subdivision and Division, having failed to vote at the election (or referendum, as the case may be) held under the provisions of the Commonwealth Electoral Act (or Referendum (Constitution Alteration) Act, as the case may be), on Saturday, the _____ day of _____, 19____, and having been notified by you that the reason given by me for such failure to vote is not, in your opinion, a valid and sufficient reason for such failure, do hereby notify you that I consent to have the matter dealt with by the Commonwealth Electoral Officer for the State, and to abide by his decision.

I enclose herewith the sum of _____, and I agree that the said sum may be appropriated in payment or part payment of any penalty (not exceeding Two pounds, without costs) which the Commonwealth Electoral Officer may impose upon me.

Personal Signature of Elector

I, the undersigned, being an elector, or a person qualified to be an elector, of the Commonwealth, certify that I have seen the above-named elector sign the above form.

Signature of witness (in own handwriting)

Occupation—

Address—

Date _____, 19 ____ .

FORM 44.

Regulation 79(1).

COMMONWEALTH OF AUSTRALIA.

The *Commonwealth Electoral Act*.The *Referendum (Constitution Alteration) Act*.

State of

Division of

Subdivision of

No. on roll

NOTIFICATION OF PENALTY FOR FAILURE TO VOTE.

To—

You are notified that, pursuant to your notification of consent dated the day of , 19 , the Commonwealth Electoral Officer for the State has dealt with the matter of your contravention of paragraph (a) of subsection (12) of section 128A of the Commonwealth Electoral Act (*add, in the case of a referendum, as applied by the Referendum (Constitution Alteration) Act*), and that he has imposed upon you a penalty of

The deposit made by you has been appropriated in payment (or part payment —as the case may be) of the said penalty.

Divisional Returning Officer for the Division of

Address—

Date

, 19 .

FORM 45.

Regulation 83(1).

COMMONWEALTH OF AUSTRALIA.

State of

The *Commonwealth Electoral Act*.The *Referendum (Constitution Alteration) Act*.

In the Court of Petty Sessions

at—

Between

Informant or Complainant.

And

Defendant.

STATUTORY DECLARATION.

I, , of , Divisional Returning Officer for the Commonwealth Electoral Division of do solemnly and sincerely declare:—

(1.) That I am the Divisional Returning Officer for the Commonwealth Electoral Division of , and am the (a) Informant or complainant herein, and that I am duly authorized 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 Commonwealth Electoral Roll for the Subdivision of the Division of

(3.) That the paper writing on the back of this declaration contains a true extract from the list prepared and endorsed by me under the provisions of the Commonwealth Electoral Act (*add, in the case of a referendum, as applied by the Referendum (Constitution Alteration) Act*), and of the regulations made thereunder.

And I make this declaration by virtue of the *Statutory Declarations Act 1911-1922*, conscientiously believing the statements therein to be true in every particular.

Declared at the day of , 19 .
Before me

NOTE.—Any person who wilfully makes a false statement in a Statutory Declaration is guilty of an indictable offence, and is liable to imprisonment with or without hard labour for four years.

A Statutory Declaration may be made before—

- (i) A Police Stipendiary or Special Magistrate, or a Justice of the Peace; or
- (ii) A Commissioner for Affidavits; or
- (iii) A Commissioner for Declarations.

COMMONWEALTH OF AUSTRALIA.

State of

The Commonwealth Electoral Act.

Division of

The Referendum (Constitution Alteration) Act.
Subdivision of

Extract from LIST OF THE NAMES AND DESCRIPTIONS OF THE ELECTORS ENROLLED FOR THE ABOVE-MENTIONED DIVISION WHO DID NOT VOTE AT THE ELECTION (OR REFERENDUM, AS THE CASE MAY BE) HELD ON SATURDAY, the

No. on roll.	Name and Description of Elector.	Notification to Elector, Sub-section (1), Section 128A, of the Commonwealth Electoral Act. Date sent.	Elector's Reply.			Further action under Regulation 77.			Subsequent proceedings (if any).
			Date to be in hands of Divisional Returning Officer.	Whether Received by Divisional Returning Officer. (a)	Whether reason stated in reply is, in the opinion of the Divisional Returning Officer, a valid and sufficient reason for failure to vote.	Notification to Elector that reply is not considered a valid and sufficient reason for failure to vote. Date sent.	Consent of Elector to matter being dealt with by the Commonwealth Electoral Officer.	Date to be in hands of the Divisional Returning Officer.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

80

(a) Insert in this column "Yes" and date of receipt if a reply has been received, or "No" if a reply has not been received.

Divisional Returning Officer
for the Division of

Section 128A (11.) of the Commonwealth Electoral Act provides :—
Each copy of the list prepared and indorsed by the Divisional 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 Divisional Returning Officer received, within the time allowed under sub-section (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 Divisional 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 sub-section (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 sub-section (5.) of this section.

* By section 4 of the Referendum (Constitution Alteration) Act, a reference to an election in the Commonwealth Electoral Act shall be read as a reference to a referendum.

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

State of

RETURN OF MONEY EXPENDED OR EXPENSE INCURRED IN CONNECTION WITH AN ELECTION (TO BE FURNISHED IN ACCORDANCE WITH SECTION 152 OF THE ACT). Sec. 152.

Moneys to the following amounts have been expended, and expenses to the following amounts have been incurred by (1)

(1) Here set out the name of the trades union, organization, association, league, body of persons, or the name of the person, as the case requires.

in connexion with the election held on the day of , 19 , for (2)

(2) Here insert particulars of the election.

and such amounts were expended or such expense was incurred on behalf of or in the interests of (3)

(3) Here set out the name of the candidate or the names of the candidates and the name of any political party on behalf of or in the interests of which the expenditure was incurred.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
<i>I. Preparing Articles, Reports, Advertisements, Notices or other matter.</i>						
Money expended or expense incurred in preparing (a) Articles and Reports, (b) Advertisements and Notices, or (c) other matter, including matter appearing in newspapers, and matter printed on cards or in the form of handbills, posters, pamphlets, or otherwise (4)						
Total						
<i>II. Articles or other matter in Newspapers.</i>						
Money expended or expense incurred in connexion with the insertion of articles or other matter in newspapers (5)						
Total						

(4) Here set out the names and addresses of persons to whom amounts have been paid or are to be paid, the amount paid or to be paid to each, and the nature of the service.

(5) Here set out the names of newspapers, the dates on which the articles or other matter appeared, the nature of the articles or other matter, and the amounts paid or to be paid for the insertion thereof. The particulars in respect of each newspaper are to be separately stated.

FORM 47--continued.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
III. Reports in Newspapers of Speeches or Addresses.						
Money expended or expense incurred for the insertion in newspapers of reports of addresses or speeches (6)						(6) Here set out the names of the newspapers in which the reports appeared, the nature of the addresses or speeches, the dates on which they appeared and the name of the person making the speech or delivering the address, and the amount paid or to be paid. The particulars as regards each newspaper are to be separately stated.
Total						
IV. Advertisements or Notices in Newspapers.						
Money expended or expense incurred in connexion with the insertion of advertisements or notices in newspapers (7)						(7) Here set out the names of the newspapers in which the advertisements or notices appeared, the dates on which the advertisements or notices appeared, the nature of the advertisements or notices, and the amounts paid or to be paid for the insertion thereof. The particulars in respect of each newspaper are to be separately stated.
Total						
V. Printing Articles, Reports, Advertisements, Notices or other matter (other than in Newspapers).						
Money expended or expense incurred in printing (a) Articles and Reports, (b) Advertisements and Notices, or (c) other matter, including matter printed on cards or in the form of handbills, posters, pamphlets, or otherwise (8)						(8) Here set out the names and addresses of persons to whom amounts have been paid or are to be paid, the amount paid or to be paid to each, and the nature of the service.
Total						
VI. Publishing, Issuing, and Distributing Articles, Reports, Advertisements, Notices or other matter.						
Money expended or expense incurred in publishing, issuing, and distributing (a) Articles and Reports, (b) Advertisements and Notices, or (c) other matter, including matter printed on cards or in the form of handbills, posters, pamphlets, or otherwise (8)						
Total						

FORM 47—continued.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
<i>VII. Miscellaneous Expenses.</i>						
Money expended or expense incurred but not accounted for under any other head provided in this return ⁽⁹⁾						
Total						

(9) Here set out under separate heads precise particulars of the service for which the money was expended or the expense was incurred, together with the names of the persons concerned and the amount paid or to be paid to each person.

SUMMARY OF MONEY EXPENDED OR EXPENSE INCURRED, AS SHOWN IN THE FOREGOING RETURN.

Head	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
I.						
" II.						
" III.						
" IV.						
" V.						
" VI.						
" VII.						
Totals						

(10)

(10) Here insert I or We, and the names, addresses, and descriptions of the persons making the return.

do solemnly and sincerely declare that this return is true in every particular.

Declared and subscribed before me at _____ the
day of _____ 19__

Justice of the Peace.

FORM 48.
COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.
State of

Regulation 88.

NOTICE UNDER COMMONWEALTH ELECTORAL ACT, SECTION 152 (8.).

To—

Take notice that I, _____ the Chief Electoral Officer for the Commonwealth, hereby require you, within _____ from the date of this notice, to make a return, in accordance with section 152 of the above-named Act, of any money expended or expense incurred by [here insert you or your trades union registered or unregistered, organization, association, or league or the body of persons of which you are the president (or the chairman or the secretary or an officer) as the case requires] in connexion with the [here insert the election or elections in connexion with which the return is required]—

- (a) on behalf of, or in the interests of, any candidate; or
(b) on behalf of, or in the interests of, any political party; or
(c) in printing, publishing, or issuing electoral advertisements or notices, or procuring the insertion in any newspaper of any advertisement, article, or report, or matter intended or calculated to affect the result of the said election [or elections].

Dated this _____ day of _____, 19 _____

Chief Electoral Officer.

FORM 49.
COMMONWEALTH OF AUSTRALIA.
The Commonwealth Electoral Act.
State of

Regulation 89(1).

RETURN BY PROPRIETOR OR PUBLISHER OF A NEWSPAPER OF
ELECTORAL MATTER PUBLISHED THEREIN IN RESPECT OF WHICH PAYMENT HAS BEEN OR IS TO BE MADE. Ser. 153.

Title of newspaper—
Place where published—
Name of proprietor—

The amount of electoral matter in connexion with the election held on the _____ day of _____, 19 _____, for—*

inserted in the above paper in respect of which payment has been or is to be made, the space occupied by such matter; the amount paid or owing in respect of such matter, and the names and addresses of the trades unions (registered or unregistered), organizations, associations, leagues, bodies of persons, or persons authorizing the insertion thereof are as follows:—[Here set out in the proper columns the date and particulars as regards each article, advertisement, report of speech, paragraph, or other electoral matter inserted in the paper and for the insertion of which payment has been or is to be made. The following specimens of particulars may be taken as guides.]

* Here insert particulars of the election.

Date.	Particulars of Electoral Matter.	Amounts paid or owing for insertion.
1918.		£ s. d.
Dec. 2	Article headed "Aims of the Buff Party," 1½ columns, inserted by authority of Samuel Grey, 14 Yellow-street, Buff Town, Secretary of the Buff Party	5 5 0
" 3	Advertisement announcing candidature of William Drab, for the Buff Town Division, ¼ column, inserted by authority of William Drab, of 25 White-street, Buff Town, gentleman	1 1 0
" 4	Report of Speech by William Drab, delivered at Town Hall, Buff Town, on 3 Feb., 2 columns, inserted by his authority	7 7 0
" 5	Paragraph, "Points for the Buff Town electors," ¼ column, inserted by authority of Samuel Grey, 14 Yellow-street, Buff Town, Secretary of the Buff Party	2 2 0

* Here set out name and address of person making return, and whether proprietor or publisher of the newspaper.

I,—"

do solemnly and sincerely declare that this return is true in every particular.

Declared and subscribed before me this _____

day of _____, 19 _____

Justice of the Peace.

FORM 50.

Regulation 90.

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

State of

Division of [*here insert name of Division if for the House of Representatives*]FORM OF WITHDRAWAL BY CANDIDATE OF CONSENT TO
NOMINATION.

(Section 80 of Act.)

To the [*here insert Commonwealth Electoral Officer in the case of a Senate Election or Divisional Returning Officer in the case of a House of Representatives Election*].I [*here insert Christian names, surname, place of residence, and occupation*] do hereby withdraw my consent to nomination as [*here insert a Senator or a Member of the House of Representatives, as the case may be*], dated the
day of 19 .[*Personal signature of Candidate.*]Dated at [*here insert place*] the day of 19 .

Witness—

NOTE.—To be signed in the presence of the Officer with whom the nomination was lodged or of a Justice of the Peace.

FORM 51.

Regulation 91.

This copy of the writ was received by me this day of 19 .

Divisional Returning Officer for the Electoral Division of

I certify that the statement made out and signed by me in pursuance of sub-section 14 (a) of section 135 of the Commonwealth Electoral Act and attached hereto is correct in every particular.

Dated this day of 19 .

Divisional Returning Officer for the Electoral Division of

I hereby return this copy of the writ to the Commonwealth Electoral Officer for the State of this day of 19 .

Divisional Returning Officer for the Electoral Division of

FORM 52.

Regulation 101(1). Sec. 35.

COMMONWEALTH OF AUSTRALIA.

The Referendum (Constitution Alteration) Act.

State of

RETURN OF MONEY EXPENDED OR EXPENSE INCURRED IN CONNEXION WITH A REFERENDUM OR REFERENDUMS (TO BE FURNISHED IN ACCORDANCE WITH SECTION 35 OF THE REFERENDUM (CONSTITUTION ALTERATION) ACT).

Moneys to the following amounts have been expended and expenses to the following amounts have been incurred by (1) within three months before the date of taking the vote at the Referendum (or Referendums) held on the _____ day of _____ 19____ for the submission of a proposed law (or proposed laws) entitled (2)

in connexion with the Referendum or Referendums, and such amounts were expended or such expense was incurred (3)

the proposed law submitted to the electors at the Referendum or Referendums.

(1) Here set out the name of the trades union, organization, association, league, body of persons, or the name of the person, as the case requires.

(2) Here set out the title of the proposed law (or proposed laws). When two or more Referendums are being held on the same day, the particulars as regards all the Referendums may be included in one return.

(3) Here state whether the money was expended, or the expense incurred in favour of the proposed law or in opposition to the proposed law.

(4) Here set out the names and addresses of persons to whom amounts have been paid or are to be paid, the amount paid or to be paid to each, and the nature of the service.

(5) Here set out the names of newspapers, the dates on which the articles or other matter appeared, the nature of the articles or other matter, and the amounts paid or to be paid for the insertion thereof. The particulars in respect of each newspaper are to be separately stated.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
I. Preparing Articles, Reports, Advertisements, Notices or other matter.						
Money expended or expense incurred in preparing (a) Articles and Reports, (b) Advertisements and Notices, or (c) other matter, including matter appearing in newspapers, and matter printed on cards or in the form of handbills, posters, pamphlets, or otherwise (4)						
Total						
II. Articles or other matter in Newspapers.						
Money expended or expense incurred in connexion with the insertion of articles or other matter in newspapers (5)						
Total						

FORM 52—continued.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
III. Reports in Newspapers of Speeches or Addresses.						
Money expended or expense incurred for the insertion in newspapers of reports of addresses or speeches (6)						(6) Here set out the names of the newspapers in which the reports appeared, the nature of the addresses or speeches, the dates on which they appeared and the names of the persons making the speeches or delivering the addresses, and the amount paid or to be paid. The particulars as regards each newspaper are to be separately stated.
Total						
IV. Advertisements or Notices in Newspapers.						
Money expended or expense incurred in connexion with the insertion of advertisements or notices in newspapers (7)						(7) Here set out the names of the newspapers in which the advertisements or notices appeared, the dates on which the advertisements or notices appeared, the nature of the advertisements or notices, and the amounts paid or to be paid for the insertion thereof. The particulars in respect of each newspaper are to be separately stated.
Total						
V. Printing Articles, Reports, Advertisements, Notices or other matter (other than in Newspapers).						
Money expended or expense incurred in printing (a) Articles and Reports, (b) Advertisements and Notices, or (c) other matter, including matter printed on cards or in the form of handbills, posters, pamphlets, or otherwise (8)						(8) Here set out the names and addresses of the persons to whom amounts have been paid or are to be paid, the amount paid or to be paid to each, and the nature of the service.
Total						
VI. Publishing, Issuing, and Distributing Articles, Reports, Advertisements, Notices or other matter.						
Money expended or expense incurred in publishing, issuing, and distributing (a) Articles and Reports, (b) Advertisements and Notices, or (c) other matter, including matter printed on cards or in the form of handbills, posters, pamphlets, or otherwise (8)						
Total						

FORM 52—continued.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
<i>VII. Miscellaneous Expenses.</i>						
Money expended or expense incurred but not accounted for under any other head provided in this return ⁽⁹⁾						
Total						

(9) Here set out under separate heads precise particulars of the service for which the money was expended or the expense was incurred, together with the names of the persons concerned and the amount paid or to be paid to each person.

SUMMARY OF MONEY EXTENDED OR EXPENSE INCURRED, AS SHOWN IN THE FOREGOING RETURN.

	Amounts Paid.			Expenditure Incurred but not yet Paid.		
	£	s.	d.	£	s.	d.
Head I.						
" II.						
" III.						
" IV.						
" V.						
" VI.						
" VII.						
Totals						

(10)

(10) Here insert I or We, and the names, addresses and descriptions of the persons making the return.

do solemnly and sincerely declare that this return is true in every particular.

Declared and subscribed before me at _____ the _____ day of _____ 19____

Justice of the Peace.

FORM 53.

Regulation 102.

COMMONWEALTH OF AUSTRALIA.

The Referendum (Constitution Alteration) Act.

State of

NOTICE UNDER REFERENDUM (CONSTITUTION ALTERATION) ACT,
SECTION 35 (9).

To—

Take notice that I, _____ the Chief Electoral Officer for the Commonwealth, hereby require you, within _____ from the date of this notice, to make a return, in accordance with section 35 of the above-named Act, of any money expended or expenses incurred, within three months before the date of taking the vote at the undermentioned referendum (or referendums), by [here insert you or your trades union, registered or unregistered, organization, association, or league or the body of persons of which you are the president (or the chairman or the secretary or an officer) as the case requires] in connexion with the [here insert the referendum or referendums in connexion with which the return is required]—

- (a) in support of the proposed law (or laws) submitted to the electors at the said referendum (or referendums); or
- (b) in opposition to the proposed law (or laws) submitted to the electors at the said referendum (or referendums); or
- (c) in printing, publishing, or issuing advertisements or notices, or procuring the insertion in any newspaper of any advertisement, article, or report, or matter intended or calculated to affect the result of the said referendum (or referendums).

Dated this

day of

19

Chief Electoral Officer.

FORM 54.

Regulation 103(1).

COMMONWEALTH OF AUSTRALIA.

The Referendum (Constitution Alteration) Act.

State of

RETURN BY PROPRIETOR OR PUBLISHER OF A NEWSPAPER OF
MATTER RELATING TO A REFERENDUM, PUBLISHED THEREIN
WITHIN THREE MONTHS BEFORE THE DATE OF TAKING THE
VOTE AT THE REFERENDUM IN RESPECT OF WHICH PAYMENT
HAS BEEN OR IS TO BE MADE.

Title of newspaper—

Place where published—

Name of Proprietor—

The amount of matter in connexion with the Referendum (or Referendums) held on the _____ day of _____, 19____, for the submission to the electors of a proposed law (or proposed laws) entitled—(1)

(2) Here insert the title of the proposed law (or proposed laws). (Where two or more referendums are being held on the same day the particular as regards all the Referendums may be included in one return).

inserted in the above paper within three months before the date of taking the vote at the said Referendum (or Referendums) in respect of which payment has been or is to be made, the space occupied by such matter, the amount paid or

FORM 54—continued.

owing in respect of such matter, and the names and addresses of the trades unions (registered or unregistered), organizations, associations, leagues, bodies of persons, or persons authorizing the insertion thereof are as follows:—[Here set out in the proper columns the date and particulars as regards each article, advertisement, report of speech, paragraph, or other matter in connexion with the referendum, inserted in the paper, and for the insertion of which payment has been or is to be made.]

Date.	Particulars.	Amounts paid or owing for insertion.	
		£	s. d.

I,—(2)

(*) Here set out name and address of person making the return, and whether proprietor or publisher of the newspaper.

do solemnly and sincerely declare that this return is true in every particular.

Declared and subscribed before me this day of 19 .

Justice of the Peace.