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Statutory Rules 1998 No. ^h1

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**Electoral and Referendum Amendment
Regulations 1998 (No. ^h2)**

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations under the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984*.

Dated ^h 1998.

31 August

^h
Governor-General

WILLIAM DEANE

By His Excellency's Command,

NICK MINCHIN
Special Minister of State

1. Name of regulations

1.1 These regulations are the *Electoral and Referendum Amendment Regulations 1998 (No. ^h2)*.

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2. Commencement

2.1 These regulations commence on gazettal.

3. Amendment

3.1 The Electoral and Referendum Regulations² are amended as set out in these regulations.

4. Regulation 1 (Citation)

4.1 Omit the regulation, substitute:

Name of regulations

“1. These regulations are the *Electoral and Referendum Regulations 1940*.”

5. New regulation 40

5.1 After regulation 39A, insert:

State referendum or vote (Act, s 394)

“40. (1) This regulation applies if:

- (a) the Governor-General has authorised a State vote to be held or taken on the day appointed as polling day for a Commonwealth vote; and
- (b) there is an arrangement between the Electoral Commission and the electoral authority of the State for the Electoral Commission to conduct the State vote.

“(2) An officer who performs functions in relation to the Commonwealth vote may perform functions in relation to the State vote.

“(3) Polling booths, ballot boxes and other facilities provided, and machinery or arrangements established, for the Commonwealth vote may be used for the State vote.

“(4) Ballot papers for declaration votes in the State vote may be put in the envelopes used for ballot papers for declaration votes in the Commonwealth vote.

“(5) Ballot papers used for the State vote may be placed in the ballot boxes used for the Commonwealth vote.

“(6) In this regulation:

Commonwealth vote means:

- (a) an election of the Senate; or
- (b) a general election of the House of Representatives; or
- (c) a by-election to elect a member of the House of Representatives; or
- (d) a referendum held under the *Referendum (Machinery Provisions) Act 1984*.

State has the meaning given by section 394 of the Act.

State vote means an election, referendum or vote of the electors of a State or part of a State to be held or taken under a law of the State.”

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on ^h 1998.
2. Statutory Rules 1940 No. 163 as amended by 1949 No. 62; 1954 No. 27; 1961 No. 103; 1966 No. 140; 1973 No. 62; 1974 No. 44; 1980 No. 241; 1981 Nos. 80 and 84; 1983 Nos. 114, 153, 176, 181, 235, 274, and 313; 1984 No. 287; 1987 Nos. 118 and 119; 1988 Nos. 182 and 339; 1989 No. 32; 1990 Nos. 33 and 334; 1992 No. 422; 1993 Nos. 28 and 356; 1995 Nos. 21, 190 and 322; 1997 No. 411; 1998 No. 57.

7 September

^h (disallowed by the Senate on 15 December 1983)