

STATUTORY RULES.

1919. No. 260.

REGULATIONS UNDER THE ELECTORAL ACT 1918-1919, AND
THE REFERENDUM (CONSTITUTION ALTERATION) ACT
1906-1919.

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 *Electoral
Act 1918-1919*, and the *Referendum (Constitution Alteration) Act
1906-1919*, to come into operation forthwith.

Dated this thirty-first day of October, 1919.

R. M. FERGUSON,
Governor-General.

By His Excellency's Command,

P. McM. GLYNN,
Minister of State for Home and Territories.

AMENDMENT OF THE ELECTORAL AND REFERENDUM REGULATIONS.

(Statutory Rules 1919, No. 57, as amended by Statutory Rules 1919,
No. 229.)

1. The Electoral and Referendum Regulations are amended by omit-
ting from regulation 1 the figures "1918" and inserting in their stead
the figures "1919."

2. Regulation 3 of the Electoral and Referendum Regulations is
amended—

(a) by omitting the figures "224" and inserting in their stead
the figures "227"; and

(b) by omitting the proviso thereto.

3. The Electoral and Referendum Regulations are amended by insert-
ing therein after regulation 5 the words "PART II.—Electoral".

4. The Electoral and Referendum Regulations are amended by add-
ing the end of regulation 21 thereof the following sub-regulation:—

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

5. The Electoral and Referendum Regulations are amended by add-
ing, at the end of regulation 36 thereof, the following proviso:—

"Provided that where, in pursuance of section 14A of the *Refer-
endum (Constitution Alteration) Act 1906-1919*, two or more forms
of referendum ballot-paper are on one piece of paper, those forms
of ballot-paper may be of the same colour."

C.17122.—PRICE 1s.

6. The Electoral and Referendum Regulations are amended by omitting Division 2 of Part III. thereof and inserting in its stead the following Division:—

“ Division 2.—Voting by Post.

Form of application for postal vote certificate and postal ballot-paper.

Section 85.

Form of postal vote certificate.

Section 88.

“ 40. The application for a postal vote certificate and a 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 22.

“ 41.—(1.) The postal vote certificate may be in accordance with Form 23.

“ (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 24.

“ (2.) Before issuing any postal ballot-paper for a Senate election, the Divisional Returning Officer 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 full names of all the candidates for that State in alphabetical order according to their surnames; and
- (d) the prescribed number of candidates for which the voter must indicate the order of his preference.

“ 43.—(1.) The postal ballot-paper for a House of Representatives election may be in accordance with Form 25.

“ (2.) Before issuing a postal ballot-paper for a House of Representatives election the Divisional Returning Officer shall, if the particulars are not already printed thereon, fill in (a) the name of the State and the name of the Division for which the voter declares that he is enrolled; and (b) the full names of all the candidates for that Division, in alphabetical order according to their surnames.

“ 43A.—(1.) The postal ballot-paper for a Referendum may be in accordance with Form 25A or 25B as the case requires.

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

“ 44. In a Senate election or a House of Representatives election or a Referendum a voter voting by post shall mark his vote on his postal ballot-paper in the manner indicated in the directions set forth on the ballot-paper.

“ 45. The Returning Officer for each Division shall keep a locked and sealed ballot-box with the words “postal ballot-box” marked thereon, and shall place and keep therein until the scrutiny all envelopes containing postal ballot-papers received up to the close of the poll.”

Form of postal ballot-paper—Senate election.

Section 88.

Form of postal ballot-paper—House of Representatives election.

Section 88.

Form of postal ballot-paper—Referendum.

Manner of marking postal votes.

Section 92.

Ballot-box for postal votes.

7. The Electoral and Referendum Regulations are amended by omitting from regulation 46 the word "Commonwealth" and inserting in its stead the words "State for which he is enrolled".

8. The Electoral and Referendum Regulations are amended by omitting from regulation 49 the words "or if no questions are put to him,".

9. The Electoral and Referendum Regulations are amended by omitting from regulation 55 the words "such particulars as are required relating to the enrolment of the elector" and inserting in their stead the words "the names of the Division and Subdivision for which the elector declares that he is enrolled."

10. The Electoral and Referendum Regulations are amended by omitting regulation 60 thereof and inserting in its stead the following regulation:—

"60. At the further scrutiny, the Divisional Returning Officer shall open the ballot-box referred to in regulation 59 (1) (f), examine the absent voters' ballot-papers contained therein, and shall—

Further
scrutiny.
Section 113.1

(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;

(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."

11. Regulation 61 of the Electoral and Referendum Regulations is amended—

(a) by omitting paragraph (b) of sub-regulation (1.) thereof and inserting in its stead the following paragraph:—

"(b) If 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 his consecutive preferences for so many other candidates as will, with the candidate for whom he votes as his first preference, be equal to twice the number of the candidates to be elected, plus one, or, if there are fewer candidates than that number, the total number of candidates; or"; and

(b) by omitting from paragraph (c) of sub-regulation (1.) thereof the word "marked" and inserting in its stead the word "indicated"; and

(c) by omitting sub-regulation (2.) thereof.

12. The Electoral and Referendum Regulations are amended by omitting regulation 65 thereof and inserting in its stead the following regulation:—

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

Opening of
sealed parcels
of ballot-papers.
Sections 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 cast at the election 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.) When 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.”.

13. The Electoral and Referendum Regulations are amended by inserting in regulation 68 thereof after the words “House of Representatives election” the words “or a Referendum”.

14. The Electoral and Referendum Regulations are amended by inserting therein after regulation 83 the following regulations:—

Compliance with
Forms.

“83A. Strict compliance with the forms in the schedule shall not be required and substantial compliance shall suffice for the purposes of these Regulations.

Indorsement on
Senate Writ.

“83B. The indorsement to be made by a Divisional Returning Officer on the copy of the Writ for a Senate election shall be in accordance with Form 38.

15. The Electoral and Referendum Regulations are amended by omitting therefrom regulation 87.

16. The Electoral and Referendum Regulations are amended by omitting Forms 22, 23 and 24 in the Schedule and inserting in their stead the following forms:—

Form 22.

This application should be made and sent, after 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.

In order that a Postal Ballot-paper may be admitted to the scrutiny the envelope in which it is contained must be received, prior to the close of the poll, by the Divisional Returning Officer for the Division in respect of which the elector claims to vote.

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⁾

I, ⁽²⁾ hereby apply for a name of Division to which 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. application is being sent.

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.

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

I declare—

(1) That I am an elector enrolled on the Electoral Roll for the ⁽³⁾
Subdivision of the Division of ⁽⁴⁾

(3) Here insert name of subdivision for which enrolled.

(2) 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 ten 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.

(4) Here insert name of division for which enrolled.

NOTE.—The elector will strike out any of the above grounds which do not apply to his or her particular case.

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.

I request that a Postal Vote Certificate and the necessary Postal Ballot-paper, or Postal Ballot-papers, to enable me to vote by post in respect of the Division of ⁽¹⁾ in the State of , may be forwarded to me at the following address:—

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

Signature of }
Authorized Witness }
(in own handwriting.)

(Title under which witness acts as Authorized
Witness.)

Signature }
of Elector }

(in own handwriting.)

Address

Dated at

the

day of

19

The following persons are Authorized Witnesses, namely :—

All Commonwealth Divisional Returning Officers, Assistant Returning Officers, and officers of the Public Service of the Commonwealth permanently employed in the office of any Commonwealth Electoral Officer of a State or Divisional Returning Officer; all Commonwealth Electoral Registrars; all Postmasters or Postmistresses or postal officials in charge of post offices; all Police or Stipendiary or Special Magistrates of the Commonwealth or of a State; all Justices of the Peace; all Head Teachers in the employment of a State Education Department; all officers of the Department of Trade and Customs; all members of the Police Force of the Commonwealth or of a State; all Mining Wardens and Mining Wardens' Clerks in the Public Service of a State; all legally qualified Medical Practitioners; all officers in charge of Quarantine Stations; all officers in charge of Lighthouses; all Pilots in the service of the Commonwealth or of a State, or of any local governing body; all Telegraph Line-repairers permanently employed in the Public Service of the Commonwealth, who are in charge of working parties; all Railway Stationmasters and Night Officers in charge who are permanently employed in the Railway Service of the Commonwealth or of a State; all Superintendents of Mercantile Marine and their Deputies while permanently employed in the Public Service of the Commonwealth or of a State; all Naval Commissioned Officers in the service of the Commonwealth while employed on a Ship of War.

No person who is a candidate at any election shall be an authorized witness at that election.

OBLIGATIONS OF AUTHORIZED WITNESSES.

An Authorized Witness shall not witness the signature of any elector to an application for a Postal Vote Certificate and a 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.

Penalty: Fifty pounds, or imprisonment for one month.

An Authorized Witness 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.

The Authorized Witness shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the title under which he acts as an Authorized Witness, and the date.

COMMONWEALTH OF AUSTRALIA.

The Commonwealth Electoral Act.

The Referendum (Constitution Alteration) Act.

No. _____

POSTAL VOTE CERTIFICATE.

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, to be held on Saturday, the _____ day
 of _____ 19____, or all of them, as the case requires.

_____ Divisional Returning Officer

for the Electoral Division of _____

Dated this _____ day of _____ 19____.

Signed by the Voter (in his own handwriting) in my presence—

Signature of Authorized Witness }
(in his own handwriting)Title under which Witness }
acts as Authorized Witness

Address _____

Signature }
of Voter } (in his own handwriting)

Date _____ 19____

AUTHORIZED WITNESSES.—The following persons are Authorized Witnesses, namely:—

All Commonwealth Divisional Returning Officers, Assistant Returning Officers, and Officers of the Public Service of the Commonwealth permanently employed in the office of any Commonwealth Electoral Officer of a State or Divisional Returning Officer; all Commonwealth Electoral Registrars; all Postmasters or Postmistresses or postal officials in charge of Post offices; all Police or Stipendiary or Special Magistrates of the Commonwealth or of a State; all Justices of the Peace; all Head Teachers in the employment of a State Education Department; all Officers of the Department of Trade and Customs; all members of the Police Force of the Commonwealth or of a State; all Mining Wardens and Mining Wardens' Clerks in the Public Service of a State; all legally qualified Medical Practitioners; all Officers in charge of Quarantine Stations; all Officers in charge of Lighthouses; all Pilots in the service of the Commonwealth or of a State, or of any local governing body; all Telegraph line-repairers permanently employed in the Public Service of the Commonwealth, who are in charge of working parties; all Railway Stationmasters and Night Officers in charge who are permanently employed in the Railway Service of the Commonwealth or of a State; all Superintendents of Mercantile Marine and their deputies while permanently employed in the Public Service of the Commonwealth or of a State; all Naval Commissioned Officers in the service of the Commonwealth while employed on a ship of war.

No person who is a candidate at any election shall be an authorized witness at that election.

NOTES.—(1) The attention of the Voter and Authorized Witness is specially directed to the necessity of strictly observing the Instructions indorsed on the back of each postal ballot-paper, and to the fact that this envelope containing the postal ballot-paper or postal ballot-papers (after having been marked by the voter) must be forthwith posted or delivered to the Divisional Returning Officer to whom it is addressed, by the Voter, or by the person to whom it is entrusted by the Voter for the purpose of posting or delivery.

(2) Any person to whom an envelope containing or purporting to contain a postal ballot-paper or postal ballot-papers 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 envelope, shall be guilty of an offence. Penalty: Fifty pounds, or imprisonment for

FORM 24.

REGULATION 42.

[Front of Form.]

The elector should carefully read the directions for his guidance printed on the back of this ballot-paper, and in particular note that he must not mark his vote thereon until after he has first exhibited the ballot-paper (unmarked) to the authorized witness.

COMMONWEALTH OF AUSTRALIA.

State of [here insert name of State].

The Commonwealth Electoral Act.

ELECTION OF [HERE INSERT NUMBER] SENATORS.

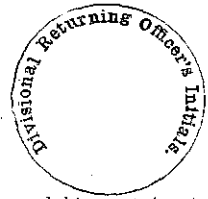
POSTAL BALLOT-PAPER.

Candidates.

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FORM 24—continued.

[Back of Form.]



DIRECTIONS TO ELECTOR AND AUTHORIZED WITNESS.

(a) The elector shall exhibit his unmarked postal ballot-paper and his postal vote certificate to the authorized witness.

(b) The elector shall then and there, in the presence of the authorized witness, sign his name in his own handwriting on the postal vote certificate, in the place provided for the signature of the voter.

(c) The authorized witness shall then and there sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the authorized witness, and shall add the title under which he acts as an authorized witness and the date.

(d) The elector shall then and there, in the presence of the authorized witness, but so that the authorized witness cannot see the vote, mark his vote on this ballot-paper by placing in the squares respectively opposite the names of at least..... candidates the numbers 1, 2, 3, 4, and so on, up to and inclusive of the number..... so as to indicate the order of his preference for such candidates, and, if there are any more candidates, may in addition indicate the order of his preference for as many of them as he pleases by placing in the squares respectively opposite their names other numbers next in numerical order after those already used by him, and shall fold the ballot-paper so that the vote cannot be seen, and hand it so folded to the authorized witness.

(e) The authorized witness shall then and there place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

(f) If the elector's sight is so impaired that he cannot vote without assistance, the authorized witness, if so requested by the elector, shall mark the elector's vote on the ballot-paper in the presence of a witness, direct the witness that he must refrain from disclosing any knowledge of the vote of the elector, and shall then and there, fold the ballot-paper so that the vote cannot be seen, place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

FURTHER DIRECTIONS TO AUTHORIZED WITNESS.

The authorized witness shall not, unless the elector's sight is so impaired that he cannot vote without assistance, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of the preceding Directions, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote, or to assist the elector to vote, or to interfere in any way with the elector in relation to his vote.

Every authorized witness shall—

- (a) comply with the preceding directions in so far as they are to be complied with on his part;
- (b) see that the preceding directions are complied with by every elector voting by post before him, and by every person present when the elector votes; and
- (c) refrain from disclosing any knowledge of the vote of any elector voting by post before him.

Penalty: One hundred pounds, or imprisonment for three months.

DUTY OF PERSONS PRESENT WHEN AN ELECTOR VOTES BY POST.

Any person present when an elector is before an authorized witness for the purpose of voting by post shall—

- (a) obey all directions of the authorized witness;
- (b) refrain from making any communication whatever to the elector in relation to his vote;
- (c) refrain from assisting the elector or in any manner interfering with him in relation to his vote;
- (d) except as provided in paragraph (f) of the Directions to Elector and Authorized Witness, refrain from looking at the elector's vote or from doing anything whereby he might become acquainted with the elector's vote.

Penalty: One hundred pounds, or imprisonment for three months.

C 17122.—2

DUTY OF PERSON TO WHOM AN ENVELOPE CONTAINING A POSTAL BALLOT-PAPER IS ENTRUSTED FOR POSTING OR DELIVERY.

Any person to whom an envelope containing or purporting to contain a 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 envelope, shall be guilty of an offence.

Penalty : Fifty pounds, or imprisonment for one month.

FORM 25.

REGULATION 43.

[Front of Form.]

The elector should carefully read the directions for his guidance printed on the back of this ballot-paper, and in particular note that he must not mark his vote thereon until after he has first exhibited the ballot-paper (unmarked) to the authorized witness.

COMMONWEALTH OF AUSTRALIA.

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

The Commonwealth Electoral Act.

Electoral Division of

ELECTION OF ONE MEMBER OF THE HOUSE OF REPRESENTATIVES.

POSTAL BALLOT-PAPER.

Candidates.

☐
☐
☐
☐
☐
☐
☐

FORM 23--continued.

[Back of Form.]



DIRECTIONS TO ELECTOR AND AUTHORIZED WITNESS.

(a) The elector shall exhibit his unmarked postal ballot-paper and his postal vote certificate to the authorized witness.

(b) The elector shall then and there, in the presence of the authorized witness, sign his name in his own handwriting on the postal vote certificate, in the place provided for the signature of the voter.

(c) The authorized witness shall then and there sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the authorized witness, and shall add the title under which he acts as an authorized witness and the date.

(d) The elector shall then and there, in the presence of the authorized witness, but so that the authorized witness cannot see the vote, mark his vote on this ballot-paper by placing the number 1 in the square opposite the name of the candidate for whom he votes as his first preference; and must give contingent votes for all the remaining candidates by placing the numbers 2, 3, 4 (and so on, as the case requires), in the squares opposite their names, so as to indicate the order of his preference for them, and shall fold the ballot-paper so that the vote cannot be seen, and hand it so folded to the authorized witness.

(e) The authorized witness shall then and there place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

(f) If the elector's sight is so impaired that he cannot vote without assistance, the authorized witness, if so requested by the elector, shall mark the elector's vote on the ballot-paper in the presence of a witness, direct the witness that he must refrain from disclosing any knowledge of the vote of the elector, and shall then and there fold the ballot-paper so that the vote cannot be seen, place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

FURTHER DIRECTIONS TO AUTHORIZED WITNESS.

The authorized witness shall not, unless the elector's sight is so impaired that he cannot vote without assistance, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of the preceding Directions, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote, or to assist the elector to vote, or to interfere in any way with the elector in relation to his vote.

Every authorized witness shall—

- (a) comply with the preceding directions in so far as they are to be complied with on his part;
- (b) see that the preceding directions are complied with by every elector voting by post before him, and by every person present when the elector votes; and
- (c) refrain from disclosing any knowledge of the vote of any elector voting by post before him.

Penalty: One hundred pounds, or imprisonment for three months.

DUTY OF PERSONS PRESENT WHEN AN ELECTOR VOTES BY POST.

Any person present when an elector is before an authorized witness for the purpose of voting by post shall—

- (a) obey all directions of the authorized witness;
- (b) refrain from making any communication whatever to the elector in relation to his vote;
- (c) refrain from assisting the elector or in any manner interfering with him in relation to his vote;
- (d) except as provided in paragraph (f) of the Directions to Elector and Authorized Witness, refrain from looking at the elector's vote or from doing anything whereby he might become acquainted with the elector's vote.

Penalty: One hundred pounds, or imprisonment for three months.

DUTY OF PERSON TO WHOM AN ENVELOPE CONTAINING A POSTAL BALLOT-PAPER IS ENTRUSTED FOR POSTING OR DELIVERY.

Any person to whom an envelope containing or purporting to contain a 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 envelope, shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for one month.

FORM 25A.

Regulation 43A.

[Front of Form.]

The elector should carefully read the directions for his guidance printed on the back of this ballot-paper, and in particular note that HE MUST NOT MARK HIS VOTE THEREON until after he has first exhibited the ballot-paper (unmarked) to the authorized witness.

COMMONWEALTH OF AUSTRALIA.

The Referendum (Constitution Alteration) Act.

State of [here insert name of State].

POSTAL BALLOT-PAPER—SPECIAL FORM.

SUBMISSION TO THE ELECTORS OF A PROPOSED LAW FOR THE ALTERATION OF THE CONSTITUTION.

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.

[Back of Form.]

DIRECTIONS TO ELECTOR AND AUTHORIZED WITNESS.

(a) The elector shall exhibit his unmarked postal ballot-paper and his postal vote certificate to the authorized witness.

(b) The elector shall then and there, in the presence of the authorized witness, sign his name in his own handwriting on the postal vote certificate, in the place provided for the signature of the voter.

(c) The authorized witness shall then and there sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the authorized witness, and shall add the title under which he acts as an authorized witness and the date.

(d) The elector shall then and there, in the presence of the authorized witness, but so that the authorized witness cannot see the vote, indicate his vote on this ballot-paper:—

If HE APPROVES of the proposed law he should MAKE A CROSS in the square opposite the word "YES";

If HE DOES NOT APPROVE of the proposed law he should MAKE A CROSS in the square opposite the word "NO";

and shall fold the ballot-paper so that the vote cannot be seen, and hand it so folded to the authorized witness.

(e) The authorized witness shall then and there place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

(f) If the elector's sight is so impaired that he cannot vote without assistance, the authorized witness, if so requested by the elector, shall mark the elector's vote on the ballot-paper in the presence of a witness, direct the witness that he must refrain from disclosing any knowledge of the vote of the elector, and shall then and there fold the ballot-paper so that the vote cannot be seen, place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

FURTHER DIRECTIONS TO AUTHORIZED WITNESS.

The authorized witness shall not, unless the elector's sight is so impaired that he cannot vote without assistance, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of the preceding Directions, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote, or to assist the elector to vote, or to interfere in any way with the elector in relation to his vote.

Every authorized witness shall—

- (a) comply with the preceding directions in so far as they are to be complied with on his part;
- (b) see that the preceding directions are complied with by every elector voting by post before him, and by every person present when the elector votes; and
- (c) refrain from disclosing any knowledge of the vote of any elector voting by post before him.

Penalty: One hundred pounds, or imprisonment for three months.

DUTY OF PERSONS PRESENT WHEN AN ELECTOR VOTES BY POST.

Any person present when an elector is before an authorized witness for the purpose of voting by post shall—

- (a) obey all directions of the authorized witness;
- (b) refrain from making any communication whatever to the elector in relation to his vote;
- (c) refrain from assisting the elector or in any manner interfering with him in relation to his vote;
- (d) except as provided in paragraph (f) of the Directions to Elector and Authorized Witness, refrain from looking at the elector's vote or from doing anything whereby he might become acquainted with the elector's vote.

Penalty: One hundred pounds, or imprisonment for three months.

DUTY OF PERSON TO WHOM AN ENVELOPE CONTAINING A POSTAL
BALLOT-PAPER IS ENTRUSTED FOR POSTING OR DELIVERY.

Any person to whom an envelope containing or purporting to contain a 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 envelope, shall be guilty of an offence.

Penalty : Fifty pounds, or imprisonment for one month.

Form 25B.

[Front of Form.]

Regulation 43A.

The elector should carefully read the directions for his guidance printed on the back of this ballot-paper, and in particular note that HE MUST NOT MARK HIS VOTE THEREON until after he has first exhibited the ballot-paper (unmarked) to the authorized witness.

COMMONWEALTH OF AUSTRALIA.

The Referendum (Constitution Alteration) Act.

State of [here insert name of State].

POSTAL BALLOT-PAPER—SPECIAL FORM.

SUBMISSION TO THE ELECTORS OF PROPOSED LAWS FOR THE ALTERATION OF THE
CONSTITUTION.

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).

[Back of Form.]



DIRECTIONS TO ELECTOR AND AUTHORIZED WITNESS.

(a) The elector shall exhibit his unmarked postal ballot-paper and his postal vote certificate to the authorized witness.

(b) The elector shall then and there, in the presence of the authorized witness, sign his name in his own handwriting on the postal vote certificate, in the place provided for the signature of the voter.

(c) The authorized witness shall then and there sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the authorized witness, and shall add the title under which he acts as an authorized witness and the date.

(d) The elector shall then and there, in the presence of the authorized witness, but so that the authorized witness cannot see the vote, indicate his vote on this ballot-paper :

IN RELATION TO EACH PROPOSED LAW AS FOLLOWS :—

IF HE APPROVES of the proposed law he should MAKE A CROSS in the square opposite the word "YES" ;

IF HE DOES NOT APPROVE of the proposed law he should MAKE A CROSS in the square opposite the word "NO" ;

and shall fold the ballot-paper so that the vote cannot be seen, and hand it so folded to the authorized witness.

(e) The authorized witness shall then and there place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

(f) If the elector's sight is so impaired that he cannot vote without assistance, the authorized witness, if so requested by the elector, shall mark the elector's vote on the ballot-paper in the presence of a witness, direct the witness that he must refrain from disclosing any knowledge of the vote of the elector, and shall then and there fold the ballot-paper so that the vote cannot be seen, place the ballot-paper in the envelope addressed to the Divisional Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Divisional Returning Officer.

FURTHER DIRECTIONS TO AUTHORIZED WITNESS.

The authorized witness shall not, unless the elector's sight is so impaired that he cannot vote without assistance, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of the preceding Directions, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote, or to assist the elector to vote, or to interfere in any way with the elector in relation to his vote.

Every authorized witness shall—

- (a) comply with the preceding directions in so far as they are to be complied with on his part ;
- (b) see that the preceding directions are complied with by every elector voting by post before him, and by every person present when the elector votes ; and
- (c) refrain from disclosing any knowledge of the vote of any elector voting by post before him.

Penalty : One hundred pounds, or imprisonment for three months.

DUTY OF PERSONS PRESENT WHEN AN ELECTOR VOTES BY POST.

Any person present when an elector is before an authorized witness for the purpose of voting by post shall—

- (a) obey all directions of the authorized witness ;
- (b) refrain from making any communication whatever to the elector in relation to his vote ;
- (c) refrain from assisting the elector or in any manner interfering with him in relation to his vote ;
- (d) except as provided in paragraph (f) of the Directions to Elector and Authorized Witness, refrain from looking at the elector's vote or from doing anything whereby he might become acquainted with the elector's vote.

Penalty : One hundred pounds, or imprisonment for three months.

DUTY OF PERSON TO WHOM AN ENVELOPE CONTAINING A POSTAL BALLOT-PAPER IS ENTRUSTED FOR POSTING OR DELIVERY.

Any person to whom an envelope containing or purporting to contain a 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 envelope, shall be guilty of an offence.

Penalty : Fifty pounds, or imprisonment for one month.

17. Form 26 in the Schedule to the Electoral and Referendum Regulations is amended—

(a) by omitting from the heading thereof the words “State of—”;

(b) by omitting paragraph 2 in the directions, and inserting the following paragraph in its stead:—

“2. The Presiding Officer shall then (subject to the provisions of Regulations 46 to 50 inclusive) initial and hand to the voter—

(a) one ballot-paper (headed ‘Absent Vote’) for the Senate Election for the above-mentioned State;

(b) one ballot-paper (headed ‘Absent Vote’) for the House of Representatives Election for the above-mentioned Division; and

(c) one ballot-paper (headed ‘Absent Vote’) for each Referendum for the above-mentioned State,

held on the date upon which this declaration is made.”; and

(c) by inserting in paragraph 4 of the directions, after the words “presence of the elector” the words “and of such scrutineer or scrutineers (if any) as are present.”.

18. The Electoral and Referendum Regulations are amended by omitting from the heading to Form 28 in the Schedule the words “the name of the State and”.

19. The Electoral and Referendum Regulations are amended by omitting the headnotes to Forms 29 and 30 in the Schedule.

20. The Electoral and Referendum Regulations are amended by omitting Form 27 in the Schedule thereto and inserting in its stead the following form:—

Form 27.

Regulation 51.

ABSENT VOTE.

BALLOT-PAPER.

Commonwealth of Australia.

State of [here insert name of State].

ELECTION OF [here insert number] SENATORS.

Directions.—The elector should retire alone to an unoccupied compartment of the booth, and there, in private, mark his vote on this ballot-paper by placing in the squares respectively opposite the names of at least candidates the numbers 1, 2, 3, 4, and so on, up to and inclusive of the number , so as to indicate the order of his preference for such candidates, and if there are any more candidates may in addition indicate the order of his preference for as many of them as he pleases by placing in the squares respectively opposite their names other numbers next in numerical order after those already used by him, fold the ballot-paper so that the vote cannot be seen and return it to the Presiding Officer before whom he made his declaration. The Presiding Officer will then, in the presence of the elector, without unfolding the ballot-paper, forthwith place it in the envelope bearing the declaration of the elector, securely fasten the envelope, and deposit it in the ballot-box.

CANDIDATES.

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

21. The Electoral and Referendum Regulations are amended by omitting Form 31 in the Schedule thereto and inserting in its stead the following 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.

1. (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 a 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 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 121") for the Senate Election for the abovementioned State;

(b) one ballot-paper (headed "Section 121") for the House of Representatives Election for the abovementioned Division; and

(c) one ballot-paper (headed "Section 121") for each Referendum for the abovementioned 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 Division for which the Voter claims to be entitled to

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 pursuant to sub-section 14 (a) of Section 135 of the *Commonwealth Electoral Act 1918-1919* 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
