

STATUTORY RULES.

1925. No. 167.

REGULATIONS UNDER THE COMMONWEALTH ELECTORAL ACT 1918-1924 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 *Commonwealth Electoral Act 1918-1924* and the *Referendum (Constitution Alteration) Act 1906-1919*, to come into operation forthwith.

Dated the twenty-third day of September, 1925.

FORSTER,
Governor-General.

By His Excellency's Command,

G. F. PEARCE,
Minister of State for Home and Territories.

AMENDMENT OF ELECTORAL AND REFERENDUM REGULATIONS 1919.

(Statutory Rules 1919, No. 57, as amended to this date.)

1. Regulation 40 of the Electoral and Referendum Regulations is amended by adding at the end thereof the following sub-regulation:—

“(2.) The application shall state the place which will be the place of living of the applicant elector at the time when a postal vote certificate and postal ballot-paper (or postal ballot-papers) would in the ordinary course of post be delivered to him.”.

2. After regulation 43A of the Electoral and Referendum Regulations the following regulation is inserted:—

“43B. 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.

3. Regulation 49 of the Electoral and Referendum Regulations is amended by omitting from sub-regulation (2.) thereof the word and figures “Form 31A” and inserting in their stead the word and figures “Form 31AA”.

4. Regulation 70 of the Electoral and Referendum Regulations is amended by adding at the end of sub-regulation (1.) the figures and words “, 31AA and 31AB respectively”.

5. Form 2 in the Schedule to the Electoral and Referendum Regulations is amended by omitting the words “and a notification relating to qualifications and disqualifications for enrolment”.

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6. Form 2A in the Schedule to the Electoral and Referendum Regulations is amended by omitting the words "and a notification relating to qualifications and disqualifications for enrolment".

7. Form 22 in the Schedule to the Electoral and Referendum Regulations is amended—

(a) by inserting after the second note therein the following paragraph:—

"(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:—

.....
.....
.....

8. Form 31A in the Schedule to the Electoral and Referendum Regulations is repealed and the following Forms inserted in its stead:—

"FORM 31A. Regulation 70 (1.f)

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 91A OF THE COMMONWEALTH ELECTORAL ACT.

I, (a) _____ of (b) _____
(a) Name in full (as appearing on Roll). (b) Address in full (as appearing on Roll).

(c) _____ declare:—

(e) Occupation (as appearing on Roll).

(1) That I am enrolled on the Electoral Roll for the Subdivision of the Electoral Division of _____ in the State of _____

(2) That I claim to vote under the provisions of Section 91A of the Commonwealth Electoral Act.

(3) That I have neither applied for nor received a Postal Vote Certificate or a Postal Ballot-paper in connexion with any Commonwealth Election being held this day.

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 _____ 192 _____
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 91A.") for the Senate Election for the above-mentioned State;

(b) one ballot-paper (headed "Section 91A.") for the House of Representatives Election for the above-mentioned Division; and

(c) one ballot-paper (headed "Section 91A.") 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 Division for which the voter declares that he is enrolled, securely fasten the envelope, and deposit it in the ballot-box.

"FORM 31AA.

Regulation 70 (1.)

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 115 (3.) OF THE COMMONWEALTH ELECTORAL ACT.

I, (a) _____ of (b) _____
 (a) Name in full (as appearing on Roll). (b) Address in full (as appearing on Roll).

(c) _____ declare:—
 (c) Occupation (as appearing on Roll).

(1) That I am enrolled on the Electoral Roll for the Subdivision of the Electoral Division of _____ in the State of _____

(2) That I claim to vote under the provisions of Section 115 (3.) of the Commonwealth Electoral Act.

(3) That from the answers made by me to the questions put to me by the Presiding Officer under Section 115 of the Commonwealth Electoral Act the Presiding Officer has informed me that in his opinion my Claim to Vote should be rejected, but I allege that my Claim to Vote should not be rejected, and I state that the grounds of my allegation are as follow:—*

.....

Personal signature of voter
 Signed before me the _____ day of _____ 192
 at _____ polling place.

Presiding Officer.

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

* Insert grounds upon which the Voter alleges that his claim to Vote should not be rejected.

" 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 115 (3).") for the Senate Election for the above-mentioned State;

(b) one ballot-paper (headed "Section 115 (3).") for the House of Representatives Election for the above-mentioned Division; and

(c) one ballot-paper (headed "Section 115 (3).") 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 Division for which the voter declares that he is enrolled, securely fasten the envelope, and deposit it in the ballot-box.

" FORM 31AB.

Regulation 70 (1.)

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 121A OF THE COMMONWEALTH ELECTORAL ACT.

I, (a) _____ of (b) _____
 (a) Name in full (as appearing on Roll). (b) Address in full (as appearing on Roll).

(c) _____
 (c) Occupation (as appearing on Roll). declare:—

(1) That I am enrolled on the Electoral Roll for the Subdivision of the Electoral Division of _____ in the State of _____

(2) That I claim to vote under the provisions of Section 121A of the Commonwealth Electoral Act.

(3) That I have not voted in connexion with any Commonwealth Election being held this day.

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 _____ 192 _____
 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 121A") for the Senate Election for the above-mentioned State;
- (b) one ballot-paper (headed "Section 121A") for the House of Representatives Election for the above-mentioned Division; and
- (c) one ballot-paper (headed "Section 121A") 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 Division for which the voter declares that he is enrolled, securely fasten the envelope, and deposit it in the ballot-box."