

COMMONWEALTH ELECTORAL ACT 1918  
REFERENDUM (CONSTITUTION ALTERATION) ACT 1906  
ELECTORAL AND REFERENDUM REGULATIONS (AMENDMENT)

---

EXPLANATORY STATEMENT

STATUTORY RULES 1983 NO. 153

Issued by the Authority of the Special Minister of State

---

The Electoral and Referendum Regulations make provision for Commonwealth electoral and referendum administration and the purpose of these amending regulations is to make new provision in that regard.

Regulations 27 and 28 prescribe the form of certain notices which must be sent to electors the presence of whose names on an electoral roll has been objected to in accordance with the provisions of Part VIII of the Commonwealth Electoral Act. Regulation 27 prescribes that a notice sent pursuant to an objection on the grounds of an elector's non-residence in a Subdivision may be in accordance with Form 20 of the Schedule, while regulation 28 prescribes that a notice sent pursuant to an objection on grounds other than non-residence in a Subdivision may be in accordance with Form 21 of the Schedule.

Forms 20 and 21 have undergone only minor amendments since they were originally promulgated. In recent years, there have been numerous complaints concerning difficulties experienced by electors in understanding the forms.

The purpose of the amendments is to repeal regulation 28, amend regulation 27 so that it will prescribe the notice to be sent to electors pursuant to objections on any grounds, and replace Forms 20 and 21 with a new Form 20. The new Form 20 is expressed in simpler and less legalistic language than those it replaces and contains alternative paragraphs to be included or deleted as necessary, according to the grounds of objection in each case.

Regulation 76 prescribes that the notice to be sent to an elector who appears to have failed to vote and the form for the reply of the elector, may be in accordance with Forms 40 and 41 of the Schedule respectively.

Both forms have been the subject of numerous complaints concerning difficulties experienced by electors in understanding them.

The purpose of the amendments is to delete Forms 40 and 41 from the Schedule and substitute new forms, expressed in simpler and less legalistic language.

Sub-section 217(4) of the Commonwealth Electoral Act 1918, provides that the regulations may permit use of any repealed form for any prescribed period notwithstanding that a new form has been prescribed. Because despatch of objection notices is a continuing process and because the non-voter follow up action resulting from the March 5 election is not yet complete, it is proposed that the period of six months be prescribed in which both new and old forms have effect.

S.R. 192/81