

Electoral and Referendum Regulations (Amendments) 1995 No. 21

EXPLANATORY STATEMENT

Statutory Rules 1995 No. 21

Issued by the authority of the Minister for Administrative Services

Commonwealth Electoral Act 1918

Electoral and Referendum Regulations (Amendments)

Section 395 of the *Commonwealth Electoral Act 1918* (the Act) provides that the Governor-General may make regulations for the purposes of this Act. Subsection 392(1) of the Act requires that there shall be substantial compliance with the forms in Schedule 1 of the Act and subsection 392(2) of the Act is the specific authority for making regulations that alter or replace forms in Schedule 1.

The Electoral and Referendum Regulations make provisions for Commonwealth electoral administration.

Form E of Schedule 1 of the Act specifies the form of the Senate ballot paper. The Australian Electoral Commission has updated Form E to allow for the occurrence of more than 26 groups nominating for election to the Senate and to make the instructions on the form more user friendly.

Regulation 39 has been inserted in the Electoral and Referendum Regulations to alter Form E by providing for the occurrence of more than 26 groups on the ballot paper by allowing for a double lettering ie. AA, AB, AC, etc. for sequencing of columns after the letter Z. The new regulation also omits the words "Commonwealth of Australia" and "Ballot Paper" from Form E and substitutes them with the words "Senate Ballot Paper".

Regulation 39 also includes some minor changes to numerical cross references to overcome possible confusion between footnote references at the bottom of Form E and actual numbers on Form E.

The new Form E still indicates which State or Territory the ballot is for, but will now also include the year of the ballot and the Commonwealth Coat of Arms. These last features do not require an amending regulation for their inclusion.

Cross references to "The Schedule" in regulations 38A and 39A were not accurate in that there are three Schedules of the *Commonwealth Electoral Act 1918*. The four occurrences of the words "The Schedule" in these regulations have been omitted by an amending regulation and the words "Schedule 1" have replaced them.

The amendments to the regulations commence on gazettal.