

# **DIVISIONAL OFFICE PROCEDURES Election Manual**

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## **PART 1**

### **Subpart 1 - Planning - Preamble**

Planning for an election is an important task. Although other tasks, such as electoral roll reviews are also important, it is the planning for and conduct of elections which will ensure continued public and political confidence in the competence of the Australian Electoral Commission and its staff.

Planning for elections is an ongoing process - it should start as soon as possible after the last election and be as advanced as possible so DROs can be ready for a sudden by-election or an early federal election.

The first step to be taken in planning is to critically review the performance of the division at the last election. If it is possible to improve the performance in any areas, steps should be taken to do so. It is important that DROs work within the National Polling Place Resources Policy and other guidelines. In addition, DROs should be alert to future events which may impact upon the planning of the next election, eg redistributions, seasonal factors, population changes, policy and procedural changes, availability of polling places.

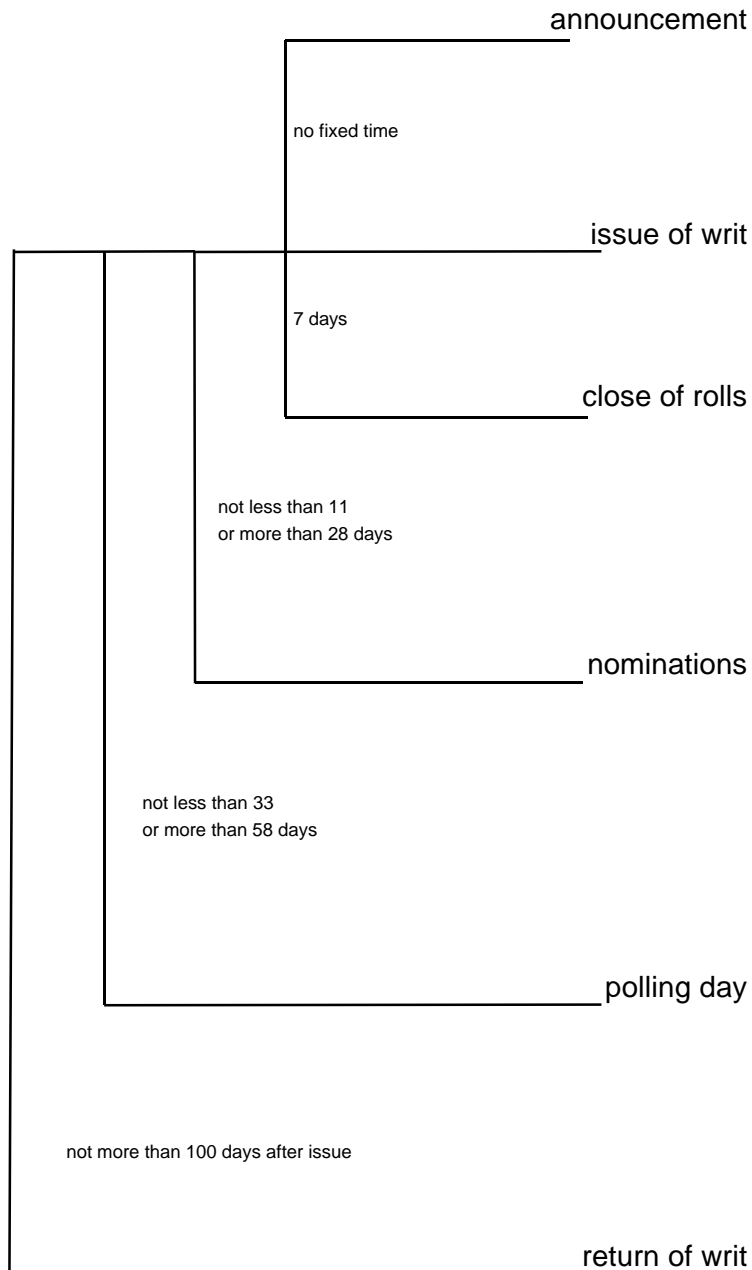
The majority of the tasks in conducting an election are interdependent. To help with a number of time-critical tasks, it will be useful to be aware of the important dates in an election (a basic framework is at Attachment A).

As with other parts of this manual, this Part on planning is not to be consulted in isolation. Part 1 is intended to provide a general outline and be a memory jogger. DROs should use their initiative, experience and knowledge of their division in order to expand on the topics covered in this Part. More detail on specific subjects is given in other parts of this manual.

Throughout this manual, any reference to an election or by-election is also to be read as referring to a referendum.

## Attachment A

### Election timetable outline



**Subpart 2 - Planning - Review of Polling Places (Static)**

**Contents**

1. General
2. Assess the suitability of previous arrangements
3. Selection of static polling places
4. Appointment of static polling places
5. Abolition of static polling places
6. Renaming of static polling places
7. Investigate alternative premises

### 1. General

1.1 It is the DRO's responsibility to gain local geographic and demographic knowledge as soon as possible after starting in a division and ensure that the divisional profile is up to date.

1.2 Subject to availability of resources, there should be regular reviews of polling places. DROs should also assess growth patterns and population movements, eg using enrolment statistics, numbers of potential voters and types of votes which are likely to be cast.

### 2. Assess the suitability of previous arrangements

2.1 The DRO should assess the likely impact of polling figures from past federal, State and local government elections. Other elections may indicate parallel trends.

2.2 Consideration may also be given to creating dual polling places where a polling place is attended by sufficient electors from an adjoining division to justify three or more declaration vote issuing points for the adjoining division.

2.3 Other factors to be taken into consideration include:

- requests from the Member or special interest groups (such requests should never be solicited);
- suitability of premises/alternative premises;
- polling places used by State authorities - investigate and make arrangements to use the same premises wherever suitable;
- costs associated with the use of particular premises;
- effect of recent redistributions (liaise with the neighbouring DROs); and
- relevant information recorded on the OIC's general return (EF027) from the last election.

### 3. Selection of static polling places

3.1 Buildings to be considered for use as a polling place include:

- schools (State and private);
- court-houses;
- halls;

- pre-schools and kindergartens;
- clubs;
- government buildings (including hospitals);
- mission/community buildings; and
- private dwellings (to be used only as a last resort, to preserve the impartiality of the AEC).

3.2 In determining suitability of premises consider things such as:

- access/physically incapacitated access;
- previous OIC's general return if applicable (EF027);
- availability and cost for hire;
- suitability of location;
- size (prepare or obtain a floor plan of the premises);
- availability for setting up before election day;
- lighting/heating/cooling;
- parking;
- toilets;
- tea making facilities;
- refrigerator;
- phone;
- storage (particularly important in country areas);
- key access/collecting arrangements;
- furniture;
- security;
- safety (eg fire safety, access to fuse box); and
- are the premises licensed [s.205 CEA]. Licensed premises may be used as a polling place if the Electoral Commissioner or delegate declares in writing that he or she is satisfied that:



- no alcohol will be available for sale or consumption on that part of the premises to be used for polling;
- the part of the premises to be used for polling will be segregated from areas where alcohol is being sold or consumed; and
- access to the part of the premises to be used for polling does not involve passing through an area where alcohol is being sold or consumed

during the hours of polling on polling day.

#### **4. Appointment of static polling places**

4.1 Consider the necessity for appointing new polling places on the basis of:

- population changes/housing developments; and
- capacity of existing polling places to handle expected number of voters.

4.2 Before recommending the appointment of a new polling place ensure that suitable premises are available. Polling places may not be appointed later than ten days prior to polling day.

4.3 The Member must be notified in writing of any proposed appointments. The Member's response, if any, should be attached to the Proposal Minute. If the Member does not reply, note this on the Proposal Minute.

4.4 The Member does not have the power of veto.

4.5 Use the Polling Place Management System (PPMS) in ELMS for recommending the appointment of polling places (refer to PPMS User Guide). Approved polling places should be added to the AEC Applications polling places and inventory database.

4.6 The DRO must identify the polling place(s) that will be affected by the appointment of the new polling place. The PPMS will then generate a worksheet identifying the numbers of electors in each CCD that cast votes at all polling places identified. From the list of CCDs provided, the DRO must identify the number of votes to transfer to the proposed polling place.

4.7 The PPMS will produce a Proposal Minute which is forwarded to the Area Manager/Director Operations along with supporting documents (maps, statistical tables, Member's response etc) for the AEO's approval. The

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DRO will be notified when a proposal has been gazetted and should ensure that a copy of the gazette notice is received.

### 5. Abolition of static polling places

5.1 Consider abolishing polling places which are no longer required [s.80(1) CEA]. The following points should be considered:

- where less than 100 voters have used the polling place for the last 3 elections (present AEC policy - Part 5, Subpart 1);
- lack of suitable premises;
- population changes;
- distance from other polling places;
- proximity of new and larger polling places;
- changes in electoral boundaries; and
- where the polling place is in a hospital, whether a comparable service could be provided by gazetting it as a special hospital.

5.2 No polling place for a division can be abolished after the issue of the writ for an election. [s.80(2) CEA]

5.3 The Member must be notified in writing of any proposed abolition. The Member's response, if any, should be attached to the Proposal Minute to the AEO. If the Member does not reply, note this on the Minute.

5.4 The Member does not have the power of veto.

5.5 Use the Polling Place Management System (PPMS) in ELMS for recommending the abolition of polling places (refer to PPMS User Guide). Polling places approved for abolition should be deleted from the AEC Applications polling places and inventory database.

5.6 Through PPMS, the DRO must identify the polling place(s) that are likely to be affected by the abolition of the recommended polling place. The PPMS will generate a report detailing the numbers of electors in each CCD that cast votes at the polling place recommended for abolition. From the list of CCDs, the DRO must identify the number of votes to transfer to other polling place(s).

5.7 The PPMS will produce a Proposal Minute which is forwarded to the Area Manager/Director Operations along with supporting documents (maps, statistical tables, Member's response etc) for the AEO's approval. The DRO will be notified when a proposal has been gazetted and should ensure that a copy of the gazette notice is received.

### 6. Renaming of static polling places

6.1 A DRO may change the name of any polling place where the existing name is unsuitable or inappropriate. The following points should be considered:

- a change in name of a suburb or locality;
- where the polling place name can be more easily identified by the voters in that locality; and
- where the polling place name is better described by the State electoral or local government authority.

6.2 The Member must be notified in writing of any proposed change in name of a polling place. The Member's response, if any, should be attached to the Proposal Minute to the AEO. If the Member does not reply, note this on the Minute.

6.3 The Member does not have the power of veto.

6.4 Use the Polling Place Management System (PPMS) in ELMS for recommending a change in name of a polling place (refer to PPMS User Guide). Polling places approved for a change of name should be reflected in the AEC Applications polling places and inventory database.

6.5 The PPMS will produce a Proposal Minute which is forwarded to the Area Manager/Director Operations along with supporting documents (maps, statistical tables, Member's response etc) for the AEO's approval. The DRO will be notified when a proposal has been gazetted and should ensure that a copy of the gazette notice is received.

### 7. Investigate alternative premises

7.1 During the review of polling places, consider alternative premises to cover emergency situations. This is important where the premises are used for community activities, dances, weddings etc. These premises are often booked in advance and may not be available.

**Subpart 3 - Planning - Review of Polling Places  
(Mobile**

**Contents**

1. Review mobile facilities - special hospitals
  2. Review mobile facilities - hospitals that are static polling places
  3. Review mobile facilities - remote divisions
  4. Review mobile facilities - prisons
- Attachment A - Letter to hospitals and prisons

#### 1. Review mobile facilities - special hospitals

1.1 A special hospital is a hospital (or part of a hospital), not being a hospital that is a gazetted static polling place under s.80 CEA, which has been declared by the Electoral Commission as a special hospital for the purpose of taking votes at an election. [s.225(1) CEA]

1.2 A special hospital in this context of the Act can include a private hospital, convalescent home, nursing home, hospice etc.

1.3 Only patients in the special hospital are permitted to vote under these provisions.

1.4 Establish the location of potential special hospitals by making enquiries from local, State and Commonwealth authorities where the records of hospitals, nursing homes and other similar institutions are maintained.

1.5 In assessing the need for special hospitals the following details should be taken into account:

- statistics relating to previous elections; and
- estimated number of patients eligible to vote.

1.6 Contact the hospital administrator to discuss:

- estimate of number of patients eligible to vote;
- areas to visit/not to visit;
- minimising inconvenience to patients;
- an area for taking votes from patients not confined to a bed;
- special requirements of the hospital, eg parking, contact phone number, security, identification;
- times which are most convenient for a mobile polling team to visit the hospital and length of visit; and
- number of electoral visitors required.

All responses should be recorded and filed.

1.7 Prepare Attachment A when approval has been granted. All related correspondence should be filed. Similar records should be maintained for hospitals that do not require mobile polling.

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1.8 Prepare an estimate of the number of teams and staff to be employed.

1.9 Prepare a preliminary timetable within the constraints of the CEA. [s.225(5) CEA]

1.10 Enter details of these preliminary arrangements into PPMS, ELMS - Estimates system and AEC Applications mobile polling database.

1.11 Do not approach the Member regarding these arrangements until they have been finalised.

## **2. Review mobile facilities - hospitals that are static polling places**

2.1 Where a hospital is a gazetted static polling place under s.80 CEA the DRO is to appoint polling officials to visit patients who are unable to attend the static polling place established in the hospital. [s.224(2) CEA]

2.2 The taking of votes by the mobile polling teams in hospitals gazetted as static polling places is restricted to the hours of polling on polling day. [s.224(4) CEA]

2.3 Only patients in the hospital are permitted to vote with the mobile polling team in hospitals gazetted as static polling places. [s.224(2) CEA]

2.4 Unless the hospital administration has agreed to permit voters generally to vote at the static polling place [s.222(2) CEA], the only persons permitted to vote at the static polling place are:

- patients;
- genuine visitors of a patient; and
- persons performing functions or duties at the hospital.

2.5 Hospital administrators should be advised of their rights in relation to mobile polling. Verbal agreements for the general public to vote at a static hospital polling place are acceptable.

2.6 In assessing the need for, and extent of, mobile polling facilities in these hospitals, the following details should be taken into account:

- statistics relating to previous elections;
- could special hospitals replace static polling places; and
- estimated number of patients eligible to vote.

2.7 Make preliminary contact with hospital administrators and discuss:

- areas to visit/not to visit;
- minimising inconvenience to patients; and
- period which is most convenient for a mobile polling team to operate.

2.8 Prepare an estimate of the number of teams and staff to be employed. Update PPMS and enter details of the polling officials to be employed (to visit patients who are unable to attend the static polling place) into the AEC Applications polling places and inventory database under the name of the gazetted static polling place.

2.9 Prepare a preliminary timetable within the constraints of the CEA. [s.224 CEA]

2.10 Prepare Attachment A when approval has been granted. All related correspondence should be filed. Similar records should be maintained for hospitals that do not require mobile polling.

### **3. Review mobile facilities - remote divisions**

3.1 The Electoral Commission may declare by notice in the Gazette that a division is remote. Remote area mobile polling can only be conducted in divisions declared remote. The provision of remote mobile polling facilities should not be considered as a replacement for existing static polling places which record small numbers of votes. [s.227(3) CEA]

3.2 It is AEC policy that remote mobile polling should service isolated communities where the number of voters is more than 10 but less than 100 in any particular location.

3.3 The DRO should provide mobile polling facilities to all communities in the division not serviced by a static polling place. If it is considered unnecessary to provide mobile polling to a remote community, make a submission to State head office.

3.4 In assessing the need for remote mobile polling, the following details should be taken into account:

- statistics relating to previous elections;
- estimated number of voters who would be assisted;
- distances from nearest polling place;



- number of remote communities where voters are unlikely to register as general postal voters;
- effectiveness of previous arrangements;
- availability of transport, ie boat, aircraft, or four wheel drive; and
- number of general postal voters in each community. These people will receive postal vote applications from the divisional office (but not ballot papers), and may not need remote mobile polling - depending on communications and the postal service in that area.

3.5 In making preliminary arrangements the following points should be considered:

- liaise, as appropriate, with the Commission's Aboriginal and Torres Strait Islander Electoral Information Service (ATSIEIS) field staff, Aboriginal Community Electoral Assistants (CEAs) trained by ATSIEIS, relevant organisations such as ATSIC, shire councils, missions, Aboriginal communities etc. Obtain up to date information on population shifts, premises, communications, accommodation, potential problems etc;
- effectiveness of itineraries/premises used on previous occasions;
- effectiveness of advertising used on previous occasions; and
- determine security/transport needs.

#### **4. Review mobile facilities - prisons**

4.1 Mobile polling for prisons may be arranged by the DRO with the prison administration for each State or Territory, or by contacting individual prisons within the division and making arrangements direct. [s.226A(1) CEA]

4.2 Voting is restricted to prisoners.

4.3 In assessing the needs of the prison the following details should be taken into account:

- statistics relating to previous elections, ascertain the number of adult prisoners in remand section and all those convicted for an offence punishable by imprisonment for less than 5 years [s.93(8)(b) CEA];
- special requirements of the prison, eg parking, phone for contact;

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- area for taking votes;
- the times most convenient for taking votes;
- security arrangements required by prison authorities; and
- areas to visit/not to visit.

4.4 Prepare an estimate of the number of teams and staff to be employed.

4.5 Prepare a preliminary timetable bearing in mind the constraints of the CEA [s.226A(5) CEA]. Enter these preliminary arrangements into PPMS and the AEC Applications mobile polling database.

4.6 Prepare Attachment A when approval has been granted. All related correspondence should be filed. Similar records should be maintained for prisons that do not require mobile polling.

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## **Attachment A**

Dear

I refer to our recent discussions regarding mobile polling arrangements for the next federal election. Thank you for your agreement to the visit by the mobile polling team.

I will contact you again to arrange details of the polling visit once the date for the election or referendum is known.

Yours sincerely

Divisional Returning Officer

**Subpart 4 - Planning - Review of Pre-poll Voting  
Centres**

**Contents**

1. Review pre-poll voting facilities

#### 1. Review pre-poll voting facilities

1.1 A pre-poll voting centre caters for the needs of voters in holiday resorts, convention centres, airports and large towns, etc, where the DRO expects large numbers of voters eligible for a pre-poll vote. [PART XVA CEA] DROs can make recommendations concerning the appointment of pre-poll voting centres. Once the DRO's recommendations have been approved, the Electoral Commission will gazette the pre-poll voting centres.

1.2 Pre-poll voting centres are not to operate before the availability of fully printed ballot papers. It is not necessary to await receipt of group ticket posters in order to issue a vote. It is desirable to have pre-poll voting centres set up during the week before polling day, unless special circumstances prevail (eg, tourism areas, central city locations in capital cities).

1.3 It may be necessary to set up a pre-poll voting centre in order to reduce congestion in the divisional office. If premises used for pre-poll voting are not part of the normal divisional office they must be gazetted as pre-poll voting centres. This would apply, for example, to a room down the hall or immediately next door, even if there was an adjoining door between it and the divisional office. Some divisions may consider it necessary to take this action only on polling day, especially if the divisional office has particular security requirements. [s.200D(2) CEA]

1.4 Details concerning pre-poll voting centres will be gazetted by the Electoral Commission and include the locations, days and hours of operation [s.200D(2) CEA]. Do not depart from gazetted times.

1.5 In assessing the need for pre-poll voting facilities to be either established or continued at a town/locality, the following should be taken into account where applicable:

- statistics relating to previous elections;
- estimated number of voters;
- time of year, eg tourist season;
- effectiveness of previous arrangements;
- availability of premises;
- security and transport;
- particular events; and
- known arrangements for Defence Force exercises (DROs should liaise with defence establishments in order to gain advance notice).

1.6 The hours of operation are not confined to those hours observed by divisional offices or polling places, eg 7.00am to 6.30pm is acceptable prior to polling day. Application for a pre-poll vote, however, must be made before the close of poll in the State or Territory for which the elector is enrolled. [s.200D(2)(b) and (6) CEA]

1.7 In making preliminary arrangements for setting up pre-poll voting centres, consider the following points:

- the necessity for advertising - make the necessary submissions to State head office;
- the necessity for special signs;
- preparation of instructions and training for supervisors (pre-poll voting officers) and other staff;
- obtaining accommodation;
- preparation of a floor plan and layout;
- phone requirements;
- investigating the availability of furniture;
- determining security/transport needs; and
- variations due to seasonal factors.

1.8 Prepare an estimate of the number of staff required and a preliminary timetable for pre-poll voting centres. These details can be entered into PPMS and the AEC Applications pre-poll centres database.

1.9 When requested by State head office, advise the details (dates, times, premises, staff etc) of proposed pre-poll voting centres.

1.10 Do not approach the Member regarding these arrangements until they have been gazetted.

**Subpart 5 - Planning - Review of Polling Places and Election  
Casual Staff**

**Contents**

1. General
2. Prepare staffing plan - static polling places
3. Prepare staffing plan - other polling places
4. Prepare staffing plan - divisional office

#### 1. General

1.1 The ELMS - Polling Place Staffing Estimates system has been developed to estimate the number of ordinary votes expected at each static polling place and to estimate the categories and number of staff required (see Part 5). The previous election's declaration vote figures are also provided as a starting point from which DROs may need to make adjustments (see Polling Place Staffing Estimates system User Guide).

1.2 Although ELMS will generate a staffing schedule, DROs need to determine whether any special circumstances require adjustments to the staffing provided by the system. These circumstances may include NESB voters, Aboriginal voters, voters requiring assistance (illiterate, physically incapacitated) and special events that may affect the number of votes at a particular polling place.

1.3 DROs generally will not need to make adjustments to ELMS estimates on the basis of growth. ELMS is linked to RMANS and will use enrolment figures to provide an accurate figure of any enrolment growth.

1.4 Any adjustments to the ELMS estimates need to be approved by the Area Manager/Director Operations.

#### 2. Prepare staffing plan - static polling places

2.1 From the Polling Place Staffing Estimates system, determine if variations are required to the staffing levels generated. If adjustments are required, include your reasons for variations for approval.

2.2 The Polling Place Staffing Estimates system will not estimate the number of declaration votes expected at each polling place. The DRO must manually estimate this by taking into account previous voting figures, proximity to divisional boundary, any special events being held on polling day etc.

2.3 The polling place staff records maintained on AECPAY should be updated taking particular care of the following points:

- check current addresses and dates of birth;
- note any new addresses;
- delete from records any staff who have advised that they are no longer available;
- check through OIC's general returns from last election to determine staff recommended for promotion or against re-employment;



- delete from records any staff who were not recommended for re-employment (ensure that there is sufficient written basis to justify this decision);
- where staff have moved to another division, advise the gaining DRO if you consider that these staff are worthy of re-employment; and
- write to prospective staff to ascertain if they are available for the next election within the year preceding the next scheduled federal election.

2.4 Job applications for election work, but received in non-election periods, should be acknowledged at the time of receipt. In providing acknowledgement, the DRO may advise the applicant to re-apply upon the announcement of a general election or a by-election for that division. All related correspondence should be filed.

### **3. Prepare staffing plan - other polling places**

3.1 Estimate the number of ordinary and declaration votes expected at each pre-poll voting centre, special hospital, remote mobile team and prison mobile.

3.2 The Polling Place Staffing Estimates system will automatically allocate 1 OIC and 1 visitor/team member for each mobile and voting centre. It will not estimate any staff allocations for divisional office postal and pre-poll votes as this work is generally undertaken by casual staff.

3.3 Prepare a staffing plan for pre-poll voting centres, postal voting centres and mobiles. Consider the following points:

- effectiveness of the staffing at last election;
- tasks to be performed;
- performance of staff;
- number of teams required; and
- standard of training/knowledge of available staff.

### **4. Prepare staffing plan - divisional office**

4.1 Prepare a staffing plan for the divisional office. Consider the following points:

- effectiveness of the staffing at the last election;

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- tasks to be performed (including a timetable);
- standard of training/knowledge of available staff;
- maintain a record of applications for employment. A DRO may decide to accept applications only after the announcement of an election;
- write to prospective staff to ascertain if they are available for the next election within the year preceding the next scheduled federal election; and
- determine number of staff required and allocate functions to individual staff, both divisional and casual.

4.2 Job applications for election work, but received in non-election periods, should be acknowledged at the time of receipt. In providing acknowledgement, the DRO may advise the applicant to re-apply upon the announcement of a general election or a by-election for that division. All related correspondence should be filed.

4.3 It is desirable to aim for the employment of a small group of quality staff rather than a larger group. Staff must be trained so that they can perform effectively. Allocate experienced staff to the important and difficult tasks.

4.4 Staff employed previously as electoral roll review officers, OICs, polling officials and work experience trainees are sources of reliable casual assistance staff in a divisional office.

4.5 Update AECPAY staff records of available staff. Consider the following:

- update addresses; and
- advise gaining DROs of any transferred staff who are worthy of re-employment.

4.6 Make a preliminary allocation of tasks to be assigned to each casual assistant whom you intend to employ. The casual assistant tasks in the financial forecast provide detail on the variety of tasks performed.

**Subpart 6 -      Planning - Review of Materials  
Despatch/Return**

**Contents**

1.      Review of election forms
2.      Prepare individual inventories
3.      Prepare master inventory
4.      Cardboard polling place equipment

Attachment A - Allocation of election and referendum forms

Attachment B - Election stationery and equipment allocations

Attachment C - Cardboard polling place equipment

#### 1. Review of election forms

1.1 Generally changes to election forms will be frozen for the year before a federal election. The exception is where legislative changes are made which affect the conduct of the election.

#### 2. Prepare individual inventories

2.1 Inventory information is entered and accessed through the AEC Applications databases. It is important that all polling places, pre-poll voting centres, postal voting centres, mobiles and divisional office requirements are entered in order to obtain an accurate record of stores required by your division.

2.2 When preparing your inventories, the following details should be taken into account:

- allocations for previous elections;
- adequacy of supplies at the last election;
- growth/decline in forecast voter turnout at each polling place due to:
  - seasonal conditions (snow/beach resorts) and/or major events (race meetings, rodeos, rock festivals etc);
  - redistribution of electoral boundaries;
  - urban development/redevelopment etc;
- new polling places;
- abolished polling places;
- polling places changed to dual polling places;
- change of name of polling places;
- changes to adjacent polling places;
- introduction of new policies/procedures; and
- changes in neighbouring divisions (where appropriate).

2.3 As a further guide in determining requirements for polling places, pre-poll voting centres and mobile polling teams, a recommended allocation of election forms and equipment is provided at Attachments A, B and C.

2.4 Prepare a draft plan for the method of despatch of material to OICs and the return of material to the divisional office, bearing in mind the security of election material at all times. This information is entered through the AEC Applications database and forms the basis of a report that can be used by your delivery contractor if applicable.

2.5 The following points need to be considered when determining the method and order of despatch and return:

- how, when and where the material will be despatched/returned (air charter, post, personally by OIC/PPLOs etc);
- effectiveness of previous arrangements;
- geography of division;
- central collection points to reduce excess travel and achieve quickest method of collection/return;
- a contingency plan for emergencies (floods, fires, non-delivery/loss of despatched material by contractors, etc);
- preparation of delivery schedule/advices to OICs;
- preparation of contracts/specifications where necessary; and
- early confirmation of receipt by OICs.

2.6 Consider the security of parcels of material which are sent to OICs. It is important that the parcels are despatched in a secure manner and are delivered to the care of a responsible person (preferably the OIC).

2.7 A signed confirmation of receipt is to be obtained from all OICs prior to polling day either by hand, mail or fax. In remote locations, if a fax is not available, verbal confirmation of delivery should be requested followed by written confirmation. In metropolitan divisions it should be possible for the OICs to pick up their parcels from the divisional office. Keep a despatch record of all parcels handed to polling officials (or their agents). If parcels are despatched in a delivery run, obtain a record of each delivery from the carrier. See Part 16 for full details.

### **3. Prepare master inventory**

3.1 After all polling places, pre-poll voting centres, postal voting centres, mobiles and divisional office requirements have been entered, a master inventory of material for the entire division can be obtained through the AEC Applications database. This information will then form the basis of stores supplied to your division.

### 4. Cardboard polling place equipment

4.1 Commission policy is that polling place equipment displaying the AEC logo may only be used for:

- the conduct of federal elections/referendums/by-elections;
- the conduct of ATSIC elections;
- for educational purposes in institutions; and
- local government elections where approved by the AEO. A “User Pays” principal is adopted in this instance.

**Attachment A**

**ALLOCATION OF ELECTION AND REFERENDUM FORMS**

<b>FORM NO.</b>	<b>FORM TITLE</b>	<b>ALLOCATIONS FOR POLLING PLACE</b>
EF008	CERTIFIED LIST OF VOTERS (COVER)	Issued as per polling place staffing schedule
EF011	PROVISIONAL VOTING NOTICE (ELECTION)	2 statements per 100 ordinary votes estimated
EF012	DECLARATION VOTE ENVELOPE	120 for each declaration vote issuing officer Reserve of 30 per 100 declaration votes estimated
EF013	NO SMOKING SIGN	2 per room
EF014	DECLARATION FOLDER SPINE LABEL	As per EF015
EF015	DECLARATION VOTE COUNTERFOIL FOLDER	1 for each declaration vote issuing officer
EF016	ELECTOR INFORMATION REPORT	1 for each declaration vote issuing officer
EF017	PLACE CARD - ORDINARY VOTES - CHECKLIST FOR ISSUING OFFICERS (REVERSE OF EF018)	1 for each ordinary issuing officer
EF018	PLACE CARD - DECLARATION VOTES - CHECKLIST FOR ISSUING OFFICERS (REVERSE OF EF017)	1 for each declaration vote issuing officer
EF019	ELECTORAL OFFENCES - POLLING PLACE (NOTICE)	1 per entrance
EF019(R)	ELECTORAL OFFENCES - POLLING PLACE (NOTICE) (REFERENDUM)	As per EF019
EF020	PLEASE READ THE INSTRUCTIONS (POSTER)	1 per voting screen if required
EF021	DO NOT LITTER (POSTER)	2 per room
EF022	SPOILT OR DISCARDED BALLOT PAPER ENVELOPE	15 for each ordinary issuing officer 10 for each declaration vote issuing officer Reserve of 10 per 500 ordinary and declaration votes estimated

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FORM NO.	FORM TITLE	ALLOCATIONS FOR POLLING PLACE
EF023	REFERENDUM BALLOT PAPER	As required (taking into account past figures and expected changes)
EF024	RESULT SLIP - HOUSE OF REPRESENTATIVES	As required
EF025	RESULT SLIP - SENATE	As required
EF026	RESULT SLIP - REFERENDUM	As required
EF027	GENERAL RETURN OF OFFICER-IN-CHARGE	1
EF054	LIST OF LOCALITIES & STREETS	1 for each declaration vote issuing officer 1 reserve if more than 500 ordinary or 80 declaration votes estimated
EF061	SENATE BALLOT PAPER	As required (taking into account past figures and expected changes)
EF062	HOUSE OF REPRESENTATIVES BALLOT PAPER	As required (taking into account past figures and expected changes)
EF068	GROUP VOTING TICKET POSTER	1 per voting area or as required
EF071	POLLING OFFICIAL BADGES	As appropriate, 1 per official
EF078	CERTIFIED LIST SPINE LABEL	As per EF008
EF085	POLLING PLACE ATTENDANCE RECORD	1 list
EF085(a)	INSTRUCTIONS FOR THE COMPLETION OF POLLING PLACE ATTENDANCE RECORD	1
EF089(a)	PACKAGING/COUNT CARD - HOUSE OF REPRESENTATIVES	At least 2 cards per candidate/informal
EF089(b)	PACKAGING/COUNT CARDS - SENATE	At least 2 cards per group/candidate/informal
EF089(c)	PACKAGING/COUNT CARD - REFERENDUM	At least 1 set per each referendum question
EF093	COMPLETED ENROLMENT FORM	1 per polling place



# Planning Election Records and Arrangements

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(ENVELOPE)

FORM NO.	FORM TITLE	ALLOCATIONS FOR POLLING PLACE
EF094	VOTER TIME CARD	1 pad per polling place
EF095(a)	RECORD OF VOTER FLOW	1 per polling place
EF097	DECLARATION VOTE PACKAGING CARD	1 set per polling place
EF098	CHECKLIST FOR DECLARATION VOTE ISSUING OFFICERS	1 per declaration issuing point
EF119	POLLING PLACE INVENTORY - ELECTION MATERIAL	1
EF120 1-3	INVENTORY FORM - BALLOT PAPERS	1
EF125	DECLARATION VOTE ISSUING POINT BALLOT PAPER INVENTORY	1 per declaration issuing point
EF132	LIST OF CANDIDATES	1 for each declaration vote issuing officer
LABEL NO. 1	OIC'S RETURN POLLING PLACE ATTENDANCE RECORD (EF085) ACCOUNTS FOR EXPENSES INCURRED BY OIC (IF ANY)	1
LABEL NO. 2	COMPLETED DECLARATION ENVELOPES - SORTED DECLARATION RECORDS FOLDERS (EF015) COMPLETED POSTAL VOTE CERTIFICATES CANCELLED POSTAL VOTE CERTIFICATES	1
LABEL NO. 3	ELECTOR INFORMATION REPORTS (EF016) COMPLETED ENROLMENT FORM ENVELOPE (EF093) COMPLETED SCRUTINEER APPOINTMENT FORMS (EF107)	1
LABEL NO. 4	CERTIFIED LIST(S) REFERENCE ROLL	1
LABEL NO. 5	HOUSE OF REPRESENTATIVES BALLOT PAPERS FORMAL INFORMAL	1 or as required

# **Planning Election Records and Arrangements**

**Part 1 Subpart 8**

UNUSED  
SPOILT AND DISCARDED

# Planning Election Records and Arrangements

Part 1 Subpart 8

FORM NO.	FORM TITLE	ALLOCATIONS FOR POLLING PLACE
LABEL NO. 6	SENATE BALLOT PAPERS FORMAL INFORMAL UNUSED SPOILT AND DISCARDED	1 or as required
LABEL NO. 7	REFERENDUM BALLOT PAPERS FORMAL INFORMAL UNUSED SPOILT AND DISCARDED	1 or as required
LABEL NO.8	POLLING PLACE MANAGEMENT PROCEDURES INSTRUCTIONS FOR POLLING PLACE STAFF POLLING STAFF WORKBOOKS LIST OF LOCALITIES AND STREETS (EF054) LIST OF CANDIDATES (EF132) ALL UNUSED ENVELOPES UNUSED ENROLMENT FORMS (ER016) ALL OTHER POLLING PLACE FORMS AND EQUIPMENT (BADGES, PENS, SIGNS, POSTERS, SEALS ETC)	1

**Attachment B**

**ELECTION STATIONERY AND EQUIPMENT ALLOCATIONS**

<b>ITEM</b>	<b>ALLOCATIONS FOR POLLING PLACE</b>
ELECTORAL ENROLMENT FORM/ENVELOPE	10 for each ordinary issuing officer 20 for each declaration vote issuing officer Reserve of 10 for each 500 ordinary and declaration votes estimated
PEN, BLUE BALL POINT	2 for each declaration vote issuing officer 2 for each OIC
PEN, BLACK ROLLER FOR CERTIFIED LIST	1 for each ordinary issuing officer Reserve of 1 per 1000 votes as required
PENCIL WITH STRING	1 per voting screen Reserve of 1 for every 3 voting screens
PENCIL SHARPENER	1 for each ordinary issuing officer 1 for each declaration vote issuing officer
RUBBER BANDS	20 per 1000 B/P estimated
SCISSORS	1
SECURITY SEAL: PLASTIC FOR BALLOT BOX	2 per ballot box (plus spares for larger polling places)
SIGN: POLLING PLACE (plastic bag) POLLING PLACE (laminated or corflute)	1 or as required
ADHESIVE PACKAGING TAPE	As required
ADHESIVE TAPE - AEC SECURITY PRINTED	1 roll
THIMBLE, RUBBER FINGER	1 for each ordinary issuing officer
BLU TACK	1 strip
PACKAGING MATERIAL	Brown paper, boxes, plastic bags as required
"LOCAL" INSTRUCTIONS FROM DRO (including advice in Part 18)	1 set

**Attachment C**

**CARDBOARD POLLING PLACE EQUIPMENT**

Voting Screen	1 per 100 voters (for ordinary voters) 1 per 90 voters (for declaration voters)
Voting Compartment table top	1 minimum, extras as required
Ballot Box (Large)	Holds approx 4500 1/3 A4 H of R ballot papers Holds approx 2000 small A4 Senate ballot papers (refer to individual State/Territory capacities)
Ballot Box (Small)	1 per declaration issuing point (holds approx 200 declaration envelopes)
Queuing Equipment pack	1 per polling place (at least) where space permits
Litter Bins	2 per polling place (polling places taking less than 1000 votes or with 1 entry/exit point - 1 should suffice)
Tables	As required

## Subpart 7 - Planning - Preparatory Work for Financial Forecasts

# Contents

1. Review costs of previous election

# Planning

## Election Records and Arrangements

### Part 1 Subpart 8

#### 1. Review costs of previous election

1.1 Refer to divisional office working papers, the AEC Applications election finances database and staffing estimates within ELMS to assess the final expenditure and staffing breakup for the previous election (see Part 5).

1.2 Review areas where the financial forecast was inaccurate for the previous election and determine the reasons for this. If costs were excessive, an assessment should be made to determine if costs could be reduced while still maintaining a satisfactory service

**Subpart 8 -        Planning - Election Records and  
Arrangements**

**Contents**

1.        General
2.        Method of recording election arrangements
3.        Retention of records
4.        Use of election journal

Attachment A - Activities and events to be recorded in the journal



### 1. General

1.1 Each division is to develop records of arrangements necessary to conduct the next election.

1.2 A detailed record of arrangements is to be maintained so that the DRO, or any relieving DRO, is constantly aware of the division's level of preparedness for the next election.

1.3 The record of election arrangements from the previous election can form the basis for preparation of arrangement for the next election. Review new information resulting from changes in policy, divisional boundaries and initiatives undertaken by the divisional office (eg appointment and/or abolition of polling places, dual polling places, demographic changes, change of contact officers, changes in transport arrangements etc).

### 2. Method of recording election arrangements

2.1 Election arrangements will be recorded in the AEC Applications and ELMS databases. The records of the previous election must be amended to incorporate changes to information. This will ensure that any new DRO, particularly during an election period, will be able to readily access and understand information required for the conduct of the election.

2.2 The following is a list of core items which must be considered:

- numbers and classification of polling officials engaged at the last election;
- staff records of experience and grading for promotion (eg OIC returns);
- arrangements for distribution and return of election material;
- mobile polling arrangements (in hospitals, prisons, remote areas);
- voting history of, and forecast for, each polling place from ELMS;
- hire of premises - arrangements and costs;
- record of rental, cleaning and lighting;
- newspaper advertising for polling places;
- arrangements for pre-poll voting centres;
- master inventory of all forms and equipment (EF091);

- information on casual staff;
- ballot paper requirements for polling places;
- hire of furniture and equipment;
- financial expenses; and
- volume of enrolment forms processed to close of rolls.

### **3. Retention of records**

3.1 Records relating to the previous election are to be retained until such time as disposal/archival instructions are received. This record of events will include entries in the divisional election journal.

### **4. Use of election journal**

4.1 The following is to be read in conjunction with module 16 of the TOOS manual.

4.2 The DRO's election journal should form part of the division's ER & A record for each election. It should record problems with polling officials, facilities, scrutineers etc, which occur during the election period. It should also record actions taken in response to complaints, challenges, objections, discrepancies in election records etc.

4.3 The journal is also to be used to record details of the sealing and unsealing of ballot boxes and parcels in the divisional office.

4.4 Activities and events to be recorded in the journal are at Attachment A.

**Attachment A**

**ACTIVITIES AND EVENTS TO BE RECORDED IN THE JOURNAL**

Bold type indicates details required of all divisions - other issues will only require documentation if the relevant event occurs in the division concerned.

<b>SUBJECT</b>	<b>REFERENCE</b>
Discrepancies in certified list accounting	8.5.2
Treatment of significant discrepancies in scanning results	8.7.4
Resolution of discrepancies in apparent non-voter numbers	8.7.12
Recording details of information given in support of challenges to candidates' nominations	10.1.2
Recording details of variation of candidate's name on ballot paper	10.1.3
Recording details of rejected nominations	10.1.4
Discrepancies in numbers of ballot papers received by OICs	11..3
Recording date of despatch of PV applications and envelopes to agencies such as post offices, hospitals etc.	14.2.3
Circumstances surrounding the issue of replacement ballot papers	14.3.9, 14.4.6
Use and breakage of ballot box seals used during pre-poll voting	14.4.3
Details of reasons etc for adjournment of polling	19. .2
Particulars of important parcels missing from those returned	21. .7
Discrepancies in numbers of absent declarations returned by OICs/Team Leaders	23.1.2
Discrepancies in numbers of pre-poll declarations returned by OICs	23.3.1
Report of absent declarations missing from those despatched by other Divisions	23.5.3
Report of pre-poll declarations missing from those despatched by other Divisions	23.6.5
<b>Details of seals used for pre-poll and postal voting</b>	23.1.2, 23.4.3, 23.5.1, 23.6.2, 23.7.3, 23.7.4
<b>Discrepancies in postal exchange records</b>	23.7.7
Inability to obtain OIC's signature on EF027	24. .2

# Financial Matters

## Election Financial Forecast

### Part 5 Subpart 2

Details of unresolved discrepancies (missing pages, incomplete returns, conflicting figures) in OICs' returns (EF027)	24. .2
Details of scrutineers touching or interfering with ballot papers	26. .4
Details of scrutineers disrupting a scrutiny	26. .4
<b>Details of seals broken and ballot boxes opened during preliminary scrutinies</b>	28.1.3
<b>Details of seals used during preliminary scrutinies</b>	28.2.8, 28.2.9
<b>Details of seals used during further scrutinies</b>	28.3.7
Details of decision on which of two tied candidates to exclude	33.2.6
Details of confirmed discrepancies emerging in Nos of ballot papers for candidates during distribution of preferences	33.2.10
Record of Nos of HoR ballot papers referred to AEO for decision	34. .12
Details of variations in recount results	34. .13
<b>Resealing of parcels following investigations for multiple voter purposes</b>	42. .3

**Subpart 9 - Planning - General**

**Contents**

1. Training activities
2. Additional premises for divisional office election activities
3. Delivery/pick-up of cardboard equipment
4. Review of polling place details
5. Review address lists
6. Receipt of results
7. Plan for declaration vote scrutinies
8. Prepare letters to OICs
9. Additional planning

### 1. Training activities

1.1 Consistent with guidelines laid down in the National Polling Place Resources Policy, the Election/Referendum Financial Forecast Guidelines, the training of operational staff, the Training of Polling Staff Training Guide and relevant parts of this manual, DROs are to prepare plans for the training of:

- divisional office staff;
- election casuals (see Part 12); and
- polling place staff (see Part 12).

1.2 DROs should ensure that divisional staff are fully aware of their responsibilities and are fully trained in all new policies and procedures. This should be a continuing process.

1.3 Divisional staff should be allocated specific election tasks well in advance of the election and should be encouraged to learn what is required to perform these tasks and to develop the appropriate skills. Where practicable, DROs should ensure that at least 2 staff are proficient in each area, so that the loss of a staff member does not cause the division to lose associated skills entirely.

1.4 Training notes for the training of election assistants should be prepared. Task sheets setting out the steps involved in various tasks should also be prepared. This speeds up and clarifies the work process because it avoids the need for continual direction by supervisors.

### 2. Additional premises for divisional office election activities

2.1 Many divisions will need to look elsewhere for premises in which to carry out one or more of the following tasks:

- TOPS;
- issue of pre-poll votes;
- receipt of material from polling places;
- receive, sort and exchange declaration vote envelopes;
- House of Representatives fresh scrutiny, TCP count;
- House of Representatives distribution of preferences;
- declaration scrutinies;

- House of Representatives recount; and
- Senate fresh scrutinies;

2.2 If other premises are to be used, consideration should be given to the following points:

- gazettal of pre-poll voting facilities;
- economy/cost;
- adequate space;
- adequate lighting;
- ease of access (including fire exits and after hours);
- air-conditioning/heating;
- furniture;
- toilets;
- tea making facilities, refrigerator;
- parking;
- installation of temporary phone or hire of a mobile phone;
- availability of premises for up to 3 weeks for scrutinies (day and night);
- security;
- proximity to divisional office;
- transport to deliver and return material daily;
- electricity supply (ie extension leads, power board connections, etc)
- storage facilities; and
- arrangements for cleaning.

2.3 Prepare a check list of material which will be required at premises other than the divisional office:

- letter opener, result slips, rubber bands, string, plastic bags, labels, calculators, marking pens/pencils, pentel pens, name tags for staff and scrutineers, finger stalls, scissors, knives;

- ballot boxes, ballot box seals;
- timesheets, packing boxes, scrutineer forms and handbooks, envelopes, packaging tape, list of streets and localities, certified list(s), reference roll, stamp and stamp pads, rulers, rubbish bins, staplers;
- Act and Regulations, procedure manual, instructions, check lists for receipt of material from polling places, Senate fresh scrutiny category cards; and
- keys for premises.

2.4 Where it is intended to use premises other than the divisional office, it is important that plans are made for secure and reliable transportation of ballot papers to and from the divisional office. This work should be delegated to a small, select team. For efficient and secure handling, take only enough ballot papers for one day's work to the outside premises. The personnel involved must be given very clear, precise instructions concerning the importance of their duties.

2.5 Ballot papers are to be stored securely. Storage and security arrangements must be approved by State head office.

2.6 Unless circumstances prevent, you should only take out of your office sufficient ballot papers to allow the Senate scrutiny to proceed. If you believe your particular circumstances prevent this you should liaise with your Area Manager/Director Operations to plan for the Senate scrutiny and the security arrangements you will make.

2.7 It is important to maintain contact with the caretaker of these premises in order to be fully aware of local arrangements (keys, phones, cleaning, parking etc).

### **3. Delivery/pick-up of cardboard equipment**

3.1 DROs must prepare a schedule for the delivery and pick-up of cardboard equipment used at polling places (Part 1, Subpart 6). These allocations should be entered into the AEC Applications polling places and inventory database.

3.2 DROs can offer cardboard polling equipment to schools. If delivery and collection is required the following options should be examined:

- co-ordinated arrangements with neighbouring division/s using a single contractor;



- hire of vehicle and 2 casual staff to deliver and pick-up cardboard equipment for own and adjoining division/s using a central storage facility;
- using OICs/PPLOs to pick up and return; and
- country divisions to investigate renting cost effective local storage and arranging delivery to and pick-up from their polling places.

**4. Review of polling place details**

4.1 Update alphabetical list of polling places in the Polling Place Management System (PPMS) in ELMS and the AEC Applications databases. This list should indicate those polling places which are suitable for use by physically incapacitated persons.

4.2 Maintain an up-to-date list of contact officers for each polling place.

**5. Review address lists**

5.1 Revise the list of addresses of post offices, court-houses and police stations.

**6. Receipt of results**

6.1 It is important to assess performance in this area at the last election and to consider improvements. Points to consider are:

- type of election and number of polling places;
- number of staff employed to receive and input results;
- training of staff required to receive and input results;
- number of phones set aside for receipt of figures;
- configuration of phones (eg in rotary sequence or separate numbers); and
- ensure at least 1 phone is available for outward calls.

**7. Plan for declaration vote scrutinies**

7.1 DROs should bear in mind that a preliminary scrutiny is an integral part of a scrutiny of declaration votes.

7.2 From records of previous elections and other sources of information, estimate the number of declaration votes which will be received at the next election.

7.3 Plan a strategy for the conduct of declaration scrutinies. Points to be considered are:

- receipt and checking of all declaration certificates received;
- input of quantities into ELMS;
- number of scrutinies (plan for large scrutinies rather than small - this is the most efficient and economic way to conduct these scrutinies);
- number of declaration certificates at each scrutiny;
- number of staff;
- premises;
- training of staff; and
- preparation of internal divisional instructions for use by election assistants.

## **8. Prepare letters to OICs**

8.1 This document can be placed inside the front cover of the OIC's general return (EF027) and should contain information for the efficient management of the polling place. Topics that need to be covered include:

- local divisional instructions;
- last minute changes to procedures;
- delivery and return of material (including parcelling for return);
- nearest pre-poll voting centre;
- telephoning of results (including phone numbers); and
- revision/further instructions to cover weak points displayed at the previous election.

## **9. Additional planning**

9.1 Other election tasks for which planning should be undertaken are:

- polling places (appointments, abolition, change of name/location);
- staffing estimates/recruitment;
- update polling place details (AEC Applications and ELMS);
- pre-poll/postal voting;

- mobile voting;
- financial forecast;
- cleaning contracts;
- hire of premises (polling/training/scrutiny);
- hire of furniture;
- hire of phones;
- hire of vehicles;
- advertising;
- cardboard equipment;
- material preparation;
- appointment/training of election and polling staff;
- training in AECPAY/ELMS/AEC Applications databases;
- ballot paper requisition;
- close of rolls;
- nominations;
- draw for position on ballot paper;
- certified lists;
- election night;
- receipt of material on polling night/after polling day;
- scrutinies;
- declaration certificates from polling places requiring onforwarding to other divisions. This action is co-ordinated by State head office (see Part 23);
- receipt of declaration certificates from exchange centre;
- declaration scrutinies (see Part 28);
- procedures for declaration of the poll (see Part 37);

# Financial Matters

## Election Financial Forecast

### Part 5 Subpart 2

- receipt and actioning of non-voters/multiple marks lists received from the scanning centre (see Part 8);
- payment of accounts;
- declaration voters who have declared for incorrect division (EF033);
- declaration vote advices (EF034);
- DRO's return in ELMS; and
- election journal.

## **PART 2**

### **Final Preparation of Election Material**

#### **Contents**

1. Prepare individual inventories, allocate material
2. Prepare forms
3. Maintain record of items prepared
4. Prepare labels for despatch of material to OICs
5. Finalise allocation of materials
6. Despatch schedule

**1. Prepare individual inventories, allocate material**

1.1 Prepare individual inventories for each polling place. A database has been established for this purpose in AEC Applications under polling places and inventory.

1.2 In preparing inventories the following should be borne in mind:

- type of election;
- seasonal conditions - snow/beach resorts/school holidays;
- adequacy of supplies at previous election; and
- major events (race meetings, rodeos, rock festivals etc) which may have an effect on material requirements.

1.3 The DRO should inform OICs at training sessions that if they have insufficient material and are unable to obtain additional supplies they may photocopy any election forms, including ballot papers.

**2. Prepare forms**

2.1 It is essential that all election forms that have been superseded are destroyed. In some cases, only master forms will be received and photocopying will be required for the quantity needed. Some forms will be available through AEC Applications for printing.

2.2 All forms and envelopes which have provision for:

- division name;
- polling place name;
- date of election; or
- other relevant information,

must be properly prepared/domiciled (by stamping or overprinting) before issue to OICs of polling places, pre-poll voting centres and mobile teams. Particular attention must be paid to correct preparation of declaration certificates.

2.3 Correct preparation of material (eg stamping dates, name of division, polling place etc) is a vital part of election preparations and is done progressively as material is received. In the case of absent certificates, failure to stamp the name of the polling place could jeopardise the vote if the polling official neglected to witness the voter's signature and also failed to write in the name of the polling place.

2.4 Once prepared, all material is to be allocated to the relevant pigeon hole or other container relating to individual polling places. Alternatively, the material may be allocated to pigeon holes before preparing/domiciling etc, particularly in divisional offices where space is limited. In such cases the material is to be prepared as time permits.

**3. Maintain record of items prepared**

3.1 Maintain a checklist showing the state of preparation and allocation of items for polling places, pre-poll voting centres and mobile teams. An inventory form (one of each type) would be suitable for this purpose. This check list should show whether a particular item has been allocated and whether or not a given form has been prepared.

**4. Prepare labels for despatch of material to OICs**

4.1 Prepare labels showing names and addresses of OICs for delivery of material (see Part 16).

4.2 Indicate on the label the method of despatch - post, courier, contractor or collection.

**5. Finalise allocation of materials**

5.1 DROs of country divisions should ensure that containers of material for isolated polling places are prepared first (as soon as the final items of material are received). Early despatch to isolated polling places is essential.

**6. Despatch schedule**

6.1 Prepare a despatch schedule for contractors/carriers to enable quotes to be received and considered in sufficient time and for use by the successful carriers for the despatch of election material to OICs of all polling places, pre-poll voting centres and mobile teams. This schedule should include such information as:

- date of despatch;
- method of despatch;
- address for delivery;
- name of OIC (or agent);
- preferred day or time of delivery; and
- number of containers.

Some of this information (name of OIC etc) may not be available until recruitment of polling staff is finalised (see Part 16).



## **PART 3**

### **Issue of Writs**

#### **Contents**

1. Description of writs for an election or referendum
2. Electoral Commissioner through the AEO to advise DROs of issue of House of Representatives writ
3. AEO to advise issue of Senate writ
4. AEO to advise issue of referendum writ

**1. Description of writs for an election or referendum**

1.1 The writ is the formal direction to the Electoral Commissioner/Australian Electoral Officer that an election or referendum be held [ss.151, 154 CEA]. It contains the dates for:

- close of the rolls; [s.155 CEA]
- close of nominations (not applicable in a referendum); [s.156 CEA]
- polling day; [s.157 CEA] and
- return of the writ. [s.159 CEA]

1.2 The format of a writ is shown in Forms A, AA and B in the schedule to the Commonwealth Electoral Act, and Form A in the schedule to the Referendum (Machinery Provisions) Act. [s.152(1) CEA]

1.3 See Part 1, Subpart 1, Attachment A for an illustration of the relevant time frames for an election.

1.4 A writ is deemed to be issued at 6 pm on the day of issue. [s.152(2) CEA, s.8(3) R(MP)A]

1.5 Writs for various types of elections are issued as follows:

- House of Representatives, general election - the Governor-General will cause writs to be issued; [s.154(1) CEA, Constitution s.32]
- casual vacancy, House of Representatives (a by-election) - the Speaker of the House (or if there is no Speaker, or the Speaker is absent from the Commonwealth, the Governor-General) will issue the writ; [Constitution s.33]
- Senate election - the Governor-General will issue writs for the election of Senators for the Territories and the Government will request each State to issue a writ for the election of Senators for the States. The power to issue writs for an election of Senators for a State is vested in the State Governor; [ss.151(1), 153(1) CEA] and
- double dissolution elections - the Governor-General in Council will issue the writs for the election of Members of the House of Representatives and for the election of Senators for the Territories and the Government will request each State to issue writs for the election of Senators for the States.

Writs for the election of Senators for the State must be issued within 10 days of the date of the dissolution of the Senate (ie a double dissolution). [Constitution ss.12 & 57]

- Referendums - the Governor-General will issue writs for a referendum. The referendum must be held not less than 2 months or more than 6 months after the proposed law has passed both Houses of Parliament. [ss.7-9 R(MP)A, Constitution s.128]

1.6 Writs for the general election of members of the House of Representatives must be issued within 10 days of the expiry of the House through effluxion of time or within 10 days of the proclamation of a dissolution of the House. [Constitution s.32]

1.7 Writs for the election of Senators for Territories shall be issued within 10 days from the expiry of the House of Representatives or from the proclamation of the dissolution of the House of Representatives. [s.151(2) CEA]

**2. Electoral Commissioner through the AEO to advise DROs of issue of House of Representatives writ**

2.1 At a general election for the House of Representatives, the Electoral Commissioner will receive 8 writs (1 for each State, 1 for the ACT and 1 for the NT). The Electoral Commissioner will advise each AEO of the receipt of the writs and the relevant dates for the holding of the election. [s.154(1) CEA]

2.2 The Electoral Commissioner, through the AEO, will advise each DRO initially by telephone, facsimile or Email and then by written advice, of the issue of the writ for the House of Representatives and the dates set for the close of the rolls, close of nominations, polling day and the return of the writ. [s.154(4)(c)&(d) CEA]

**3. AEO to advise issue of Senate writ**

3.1 In respect of an election for Senators from each State, the State Governor will issue the writ addressed to the AEO for the State. For an election of Senators for the Territories, the Governor-General will issue the writ to the person appointed as AEO for the Territory. [ss.151(1), 153(1) CEA, Constitution s.12]

3.2 The AEO will advise DROs of the issue of the writ for a Senate election and the dates set for the close of the rolls, close of nominations, polling day and the return of the writ. [s.153(2) CEA]

**4. AEO to advise issue of referendum writ**

4.1 At a referendum, the Governor-General will issue the writ to the Electoral Commissioner. [ss.7 & 12 R(MP)A]

4.2 The Electoral Commissioner, through the AEO will advise DROs of the issue of a writ for a referendum and the dates set for the close of the rolls, polling day and the return of the writ. [ss.13 & 14 R(MP)A]

4.3 The AEO will forward to DROs the text of the proposed law(s) and a text of the particular provisions (if any) of the constitution proposed to be altered. [s.14 R(MP)A]

4.4 The text of the proposed law(s) will be displayed in poster form at offices of the Electoral Commission (including divisional offices), in each State and Territory, and at such other places as the Electoral Commissioner directs. [s.14 R(MP)A]

4.5 The Electoral Commissioner will direct that copies of the poster be displayed at polling places.

## **PART 4**

### **Advertising**

#### **Contents**

1. Appointment of an advertising co-ordinator in State head office
2. Extraction of advertising details
3. Divisional coverage
4. Recommendations for additional advertising
5. Monitoring newspapers

**1. Appointment of an advertising co-ordinator in State head office**

1.1 So that all advertising can be co-ordinated, it is highly desirable that one person in State head office be nominated as the officer responsible for all advertising (the advertising co-ordinator). In most States this person would be the Information Officer.

1.2 DROs and State head office staff are to refer any queries to the advertising co-ordinator.

**2. Extraction of advertising details**

2.1 The Polling Place Management System (PPMS) in ELMS will produce a report of all polling places for a nominated region and then provide details of recommended newspapers. DROs can access advertising details in PPMS to confirm details.

**3. Divisional coverage**

3.1 Each DRO should maintain a record of newspapers published in the division (showing area of coverage, circulation, frequency and days of publication). In addition, the DRO should also maintain a record of other media outlets, eg TV and radio stations. This information should be progressively updated in PPMS between elections.

**4. Recommendations for additional advertising**

4.1 Using local knowledge and records of voting patterns from previous elections, DROs should advise the advertising co-ordinator in writing of special divisional advertising requirements in addition to the anticipated State/National advertising campaign. Points to be covered should be:

- additional newspaper(s) in which advertising should be placed (the DRO should nominate the polling places which should be advertised in each newspaper and provide reasons for this advertising);
- advertising changes in location of polling places;
- polling places most suitable for wheelchair access;
- advertising specific polling places located near division boundaries, main roads, tourist resorts, etc;
- advertising location of pre-poll voting centres (and day, dates and times of operation);
- advertising relevant information for voters (eg absent voting, pre-poll voting, polling hours, remote mobile polling and hospital mobile polling); and

- if voters generally are not permitted to vote at a hospital which is a polling place, this fact should be advertised. [s.222(2) CEA]

4.2 The CEA [s.80(3)] specifies that polling places for each division and those polling places in a division which have been abolished since the last election in that division are to be advertised in a newspaper circulating in that division.

4.3 DROs should aim to send additional advertising requirements (with supporting reasons) to State head office as soon as possible after the announcement of the election.

## **5. Monitoring newspapers**

5.1 DROs should monitor local newspapers that carry AEC advertisements. Any errors in the advertisements should be drawn to the attention of the advertising co-ordinator. The advertising co-ordinator should advise all DROs and head office staff, in advance, of all AEC advertisements.

5.2 Divisional staff should also monitor local newspapers for articles that refer to the AEC or its activities. Copies of relevant articles should be forwarded to State head office.

**PART 5**

**Subpart 1 - Financial Matters - National Polling Place  
Resources Policy**

**Contents**

1. Polling places
2. Staffing
3. Staff functions
4. Mobile polling
5. Pre-poll voting centres
6. Estimated votes
7. Multi-lingual staff
8. Spelling of names
9. Staffing schedule
10. Multiple polling places



**1. Polling places**

**1.1 Size and number of polling places**

As there are so many different circumstances, it is difficult to set down fixed rules regarding the size and number of polling places in each division. Each polling place has to be justified individually. In major urban areas, a benchmark figure of 1,000 to 1,200 votes should be considered as the minimum polling place size when appointing new polling places. While no action should be taken on any existing polling place solely because it does not meet this minimum size, polling place amalgamations (see 1.5) may assist in achieving this benchmark. In rural areas, while no voter figure is laid down for the appointment of a polling place, the creation of a polling place serving fewer than 100 electors would be an exceptional case, where accessibility factors were the major considerations.

1.2 Commonality with State polling places is an important consideration. Special local factors such as the intervention of major arterial roads and railways which separate areas in a division also need to be considered.

1.3 The maximum manageable size of a polling place is 4,000 to 5,000 votes. Polling places that exceed this size are too difficult to manage by one OIC and the size leads to other problems. The creation of further polling places to offset the problems associated with very large polling places is a viable alternative and should be considered.

1.4 In rural areas, the provisions of the Commonwealth Electoral Act relating to mobile polling and pre-poll voting are not to be used to the detriment of ordinary voting. Generally no polling place is to be abolished if it meets the 100 vote yardstick. Only those polling places which took fewer than 100 votes (ordinary and declaration) at each of the last three elections will be considered for abolition. There may be special circumstances, however, such as the unsuitability of the previous premises, coupled with the improved mobility of the population in general, which may justify closing a polling place in the 100-150 vote range.

1.5 Circumstances of special need, warranting abolition, occasionally occur in urban divisions. Improvements in efficiency and voter service may be possible when polling places in close proximity are amalgamated - usually due to better premises becoming available. On very rare occasions it may also be necessary to abolish a gazetted polling place due to the lack of suitable premises.

1.6 DROs should endeavour to secure premises that are sufficiently large to hold all voting activity in one room. By careful positioning of ordinary and declaration issuing points and the head of the queue, the standard staffing schedule may be applicable in a multiple room polling place.

1.7 For the creation of a dual polling place, the benchmark is where a polling place caters for sufficient electors from an adjoining division to justify three or more declaration vote issuing points. The building must lend itself to the creation of completely separate areas for voting, allowing no scope for overlap or the inadvertent placing of ballot papers in the wrong ballot box. Polling place names should be unique but, in the case of dual polling places, the simplest way of achieving that result is to give the same name to each pair of dual polling places but adding to each the relevant division's name in brackets, eg Upper Mt Gravatt (Fadden) and Upper Mt Gravatt (Moreton).

### **1.8 Polling place layout and voter flow**

Every effort will be made prior to an electoral event to enable DROs to visit those polling places in their division with which they are not familiar. If a visit to any polling place is not possible, a plan of the building must be obtained either from the building owner/representative or from the OIC at the last election.

1.9 DROs must approve a plan of each polling place in their division (devised either in the divisional office or by the OIC), showing the ideal layout of the polling place to facilitate voter flow. This plan is to be provided to each OIC. Copies of these plans should be filed in the divisional office for future reference.

1.10 It is most important that the DRO ensure that OICs set up polling places according to the DRO's approved plan, as the staffing schedules used are based on adherence to the standard polling place layout.

1.11 PPLOs should be given a copy of the approved layout for each of the polling places under their control. PPLOs should ensure compliance with these layouts on polling day and advise the DRO of significant departure from the plan.

### **1.12 Queuing**

Experience has shown that bank style queuing - ie a single queue at one point, away from the issuing points but well within the polling place building - facilitates voter flow. This style of queuing must be used in all polling places. The staffing schedule provides for a queue controller or an inquiry officer (who is also responsible for queue control) in all, except small, polling places. To ensure the continuous flow of electors, mini queues of two or three should be maintained at each issuing point, so that there is minimal delay while the elector walks from the queuing point to the issuing point.

The national polling place resources policy, polling place staffing and certified list schedules can also be viewed in ELMS under the staffing estimates system.

1.13 Queuing signs, direction signs and modular barricades to assist with queue control and the flow of voters through the polling place are now available and are to be used in all but the very smallest of polling places.

1.14 Queues should be formed well within the polling place building wherever possible in order to provide electors with protection from the elements.

### **1.15 Voting screens**

Polling places are to be supplied with one screen per 100 ordinary voters, and one screen per 90 declaration voters (size of polling place permitting). Cardboard table top screens are also to be allocated to cater for the disabled and any overflow from normal screens during peak periods. It is recommended that one table top voting screen be allocated to each polling place. Additional screens should be issued to polling places which cater for disabled voters and in small country polling places.

### **1.16 Cardboard tables**

Cardboard tables can be ordered on a restricted basis. Only where suitable tables are not already available at a polling place should the DRO request cardboard tables.

### **1.17 Certified lists**

The number of certified lists will be determined by the ELMS - Polling Place Staffing Estimates system and the DRO can order additional certified lists for any polling place if required. Each ordinary issuing point will be supplied with a certified list to be used by any officer issuing votes from that issuing point. Spare lists are only to be used to alleviate queuing problems. In addition, divisions will receive a number of spare certified lists for replacement or emergency use.

1.18 Certified lists are to remain in an unbroken A-Z format throughout polling day. They are not to be broken into alpha splits between issuing points. Under no circumstances is the use of certified lists at declaration vote issuing points permitted. Certified lists are NOT to be used as reference rolls. This does not prevent a declaration issuing officer from being used to issue ordinary votes during peak periods.

### **1.19 Reference rolls**

The optimum polling place management scheme, as outlined in this manual, envisages that provisional votes will be issued immediately, without the need to check and re-check a certified list or reference roll.

1.20 In general, reference rolls are seen as a real obstacle to the speedy, courteous and proper issue of a provisional vote. When reference rolls are used in polling places it is common to observe a queue at the point where the reference roll is located. Such electors are neither voting nor being afforded an efficient service.

1.21 It is acknowledged that there are some circumstances of special need in which reference rolls could assist an OIC. Shared or very large polling places may be among these. Substantial language difficulties could also be a circumstance of special need. Where polling places are located near divisional boundaries a reference roll for the adjoining division only (not the issuing division) could be justified on some occasions.

1.22 Reference rolls should only be issued where such circumstances of special need exist in polling places with six or more ordinary issuing points. Each fully justified request for a reference roll in a polling place is subject to individual head office approval.

1.23 A serious risk with reference rolls in polling places is that they may be used incorrectly to record a vote as has occurred on more than one occasion. Reference rolls cannot be processed by the scanning system.

1.24 Reference rolls will be printed in a non-scannable format (without clock marks and unnumbered). For this reason, reference rolls are to be used solely by the OIC. These reference rolls must also be checked thoroughly by DROs to ensure that no electors' names have been marked on them.

1.25 As with certified lists, on no account must a reference roll or extra certified list ever be located, or used, at any declaration vote issuing point.

#### **1.26 Peak period operation**

Where vote numbers are estimated accurately, and polling place layout and queuing instructions are followed by OICs, the ratio of issuing points and staff to voters (indicated in the attached schedules) should provide an adequate service to electors throughout polling day.

1.27 Where major problems with voter flow have been verified (eg the close proximity of a polling place to a major shopping centre and/or a high proportion of aged voters with limited mobility and/or a majority of non-English speaking electors) justification must be given for the provision of extra staff and/or certified lists. All changes must have Area Manager/ Director Operations approval. This process is part of an "estimates" run in the ELMS - Estimates system, and is to be carried out twice yearly, with the final run on the day after the close of roll at an election. With each "estimates" run, all previously approved changes are automatically deleted. It is therefore vital that the exceptions report listing changes and the staff schedule signed by

the Area Manager/Director Operations are filed away in the divisional office as a source document for future “estimates” runs.

1.28 In very large polling places located in unsuitable premises, there may be a need to request extra ancillary staff to maintain voter flow. More suitable premises should always be sought but, if there is no alternative, the provision of extra staff may be justified.

1.29 If a DRO becomes aware that an exceptional circumstance exists, such as a sporting or social event, which is likely to place extra demands on individual polling places *during part of the day*, the employment of additional polling staff on a part-time basis may be appropriate. Subject to approval by the Area Manager/Director Operations, extra staff may be employed for a half day (ie 6 hours). The 6 hours must be in a continuous period and can be AM or PM as required.

1.30 Part-time staff must not be retained after 6.30pm. They are employed to help facilitate voting, not to assist with the scrutiny.

## **2. Staffing**

### **2.1 Resources**

The resources allocated for each polling place can be rearranged to suit the estimated demands, or a saving from one polling place can be applied to another polling place or to a divisional reserve to meet emergency situations. All variations must be approved by the Area Manager/Director Operations and once approved, amended in the ELMS - Estimates system.

### **2.2 Recruitment**

Reports on how each polling official performs the duties of the position are to be prepared by OICs. DROs should impress on OICs that polling place staff who perform poorly should be rated unsatisfactory, and full details must be recorded. If the performance is not up to the required standard, unsatisfactory polling officials are not to be re-employed.

### **2.3 Training**

All polling officials must be trained according to the TOPS program.

### **2.4 Rotation and relief of staff**

To offset boredom and lack of concentration, ordinary vote issuing officers should be regularly rotated with the ballot box guard. Similarly, inquiry officers, queue controllers and declaration issuing officers - having all received the same training package - should be rotated with each other. This does not prevent the OIC from closing down an under-utilised declaration vote issuing point and creating another ordinary vote issuing point to improve voter flow when declaration staff are not being used to full capacity. The rotation of

ordinary issuing officers and ballot-box guards to positions outside their group, however, can only be considered in an emergency situation.

2.5 In quieter periods, OICs should be encouraged to close down one or more issuing points to provide staff relief. All polling place staff should be afforded the opportunity of short breaks as appropriate during the day.

### **3. Staff functions**

#### **3.1 OICs**

The OIC of a polling place is responsible for all aspects of the conduct of the election at that polling place. There may be occasions, particularly in smaller polling places, when the OIC will be called upon to assist with the issue of ordinary or declaration votes. During peak times there is no reason why OICs cannot assist as queue controllers, direct voters or clear voting screens of “how-to-vote” material as part of their function to ensure that the polling place is operating efficiently.

3.2 Each OIC is provided with a staffing list prior to polling day which advises the details of the staff to be employed. The OIC must contact each staff member by phone, provide briefing on the roles that each polling official will fill and confirm that they are employed until the close of the count or otherwise if part time.

3.3 The OIC must gain maximum use of the certified lists allocated by the DRO.

3.4 At the completion of the House of Representatives scrutiny, the OIC must ensure that a TCP distribution of the preferences of House of Representative candidates is conducted to provide an indicative result of the election. [s.274(2A) CEA]

#### **3.5 2ICs**

In larger polling places a 2IC will be appointed to assist the OIC with polling and scrutiny duties. There will be occasions when the 2IC may have to issue ordinary or declaration votes, act as queue controller or provide relief for staff. 2ICs will be allocated to polling places in accordance with the Polling Place Staffing Schedule at Table 1.

#### **3.6 Ordinary vote issuing officers**

Ordinary vote issuing officers:

- issue ordinary ballot papers to electors;
- mark certified lists correctly;
- ask the three questions;

- initial ballot papers;
- record ballot papers received from the OIC on the cover of the certified list (EF008);
- sign the cover of each certified list used to issue votes;
- assist with the count of ordinary ballot papers after the close of the poll; and
- collect voter time cards.

### **3.7 Ballot box guard**

The ballot box guard:

- guards the ballot boxes for ordinary votes;
- checks that electors do not leave the polling place with ballot papers, but place each separately in the correct ballot box;
- directs electors to the exit; and
- keeps a record of the number of ordinary voters.

### **3.8 Queue controller**

The queue controller:

- is based beside the queuing sign;
- organises electors into a single queue;
- directs electors to ordinary issuing points, ensuring that 2 to 3 electors form a mini queue in front of the issuing officer;
- directs members of a family with the same surname/family name to the one issuing point;
- issues voter time cards;
- ensures absent voters are directed to the declaration issuing point; and
- identifies NESB electors and assists if necessary or refers them to the inquiry officer.

### **3.9 Inquiry officers**

Inquiry officers:

- attend to the needs of electors waiting in the queue. Any questions or problems, eg NESB, which electors have, should be dealt with before they reach the issuing point;
- provide assistance to electors who require help in casting a vote; and
- move around the polling area to help wherever needed.

### **3.10 Declaration issuing officers**

Declaration issuing officers:

- must use the list of localities and streets to determine an elector's correct division from the address for which they claim to be enrolled;
- issue ballot papers;
- check that electors have fully completed the declaration certificate;
- sign each certificate as the issuing officer;
- place the counterfoil in the declaration records folder; and
- issue enrolment forms.

### **3.11 Polling place liaison officers**

PPLOs:

- examine and sign checklists in the OIC's Polling Place Management Procedures Manual;
- suggest improvements to the layout of the polling place (and advise the OIC of the correct procedure, if necessary);
- provide advice to the OIC as required during the hours of polling and during the scrutiny of votes;
- assist with the OIC's planning for the remainder of polling day and for the scrutiny;
- provide the OIC with guidance (where necessary) in the completion of the OIC's general return and the packing of material for delivery to the divisional office;



- provide to the DRO an assessment of the OIC's performance and the operation of each particular polling place; and
- will have on hand a small quantity of election material.

### **3.12 Scrutiny assistants**

Scrutiny assistants:

- unfold and sort ballot papers;
- dismantle voting screens; and
- clear and tidy premises.

### **3.13 Identification badges**

All polling officials must wear appropriate identification in the polling place.

## **4. Mobile polling**

### **4.1 Hospitals that are static polling places with mobiles**

Mobile polling teams within hospitals that are static polling places on polling day are to be allocated staffing at the rate of one issuing officer and one declaration vote issuing officer per team. The issuing officer should be trained and equipped to issue both ordinary and declaration votes.

4.2 The number of votes each mobile team is expected to issue should be carefully estimated using experience and common sense, and giving due regard to the type of hospital, its care regime and the type and number of patients to be visited.

4.3 Each team is to be provided with a certified list on which only the names of those electors whose ordinary votes are issued by that team are to be marked. Electors voting at the static portion of the polling place must be marked on certified lists used only in the static portion of that polling place.

### **4.4 Electoral visitors to special hospitals on polling day**

In order to ensure adherence to previously publicised visit schedules, electoral visitor teams that operate on polling day are not to be drawn from static polling places.

4.5 Separate staffing arrangements must be made for electoral visitor teams operating on polling day.

4.6 Each electoral visitor team must be issued with a separate certified list on which are marked the names of all electors to whom ordinary votes are issued by the team.

#### **4.7 Electoral visitors to special hospitals prior to polling day**

A minimum of two staff is required for special hospital visits - an electoral visitor-in-charge and an electoral visitor assisting. In certain circumstances the degree of assistance required by the voters may necessitate the employment of more than one electoral visitor assisting.

#### **4.8 Remote mobile teams**

In general, one team leader and two team members should be appointed for each team. It may be preferable to establish static polling places at centres requiring more staff.

4.9 Local assistants should be used to assist voters at remote communities. These assistants are employed at an hourly rate.

### **5. Pre-poll voting centres**

5.1 Guidelines to create pre-poll voting centres are set out in Part 1, Subpart 4 of this manual. In addition to the criteria for creation of pre-poll voting centres stated there, AEC policy provides for any town with a population greater than 10,000 to have a pre-poll voting centre.

5.2 In most metropolitan divisions there should be little need for pre-poll voting centres, although some divisions with limited space may need to establish a separate pre-poll centre. These locations must be gazetted, even if they are situated in the room, office, building or shop next door to the divisional office.

5.3 In estimating for pre-poll voting facilities account should be taken of:

- date of election in relation to holiday periods;
- proximity of State boundaries, and holiday resorts; and
- time and dates of operation.

5.4 Pre-poll voting centres should preferably be staffed by at least 2 officers at all times - a pre-poll voting centre OIC and a pre-poll voting officer. There may be situations where, due to the small number of voters anticipated, one person pre-poll voting centres are acceptable, provided that security arrangements are satisfactory and that the gazetted hours of opening allow for adequate meal breaks for staff. In considering the need for any further pre-poll voting officers in a pre-poll voting centre an average issuing rate of 12 pre-poll votes per officer per hour should be used.

### **6. Estimated votes**

6.1 Estimated votes for elections will be calculated in the ELMS - Estimates system. For further information refer to the Estimates User Guide.

## **7. Multi-lingual staff**

7.1 Special effort needs to be concentrated on recruiting multi-lingual staff as OICs, 2ICs and other polling staff, for polling places where substantial numbers of NESB electors are expected. Such multi-lingual staff should not be employed purely as interpreters but must form part of the normal staffing allocated under the schedule. This does not mean that where difficulties are expected, additional staff should not be sought. Multi-lingual posters, pamphlets etc. should be displayed in these polling places. Ethnic associations, resource centres and local councils may be able to help.

7.2 Specially prepared multi-lingual material will be available for use in polling places with a high proportion of NESB voters.

## **8. Spelling of names**

8.1 A frequent source of polling place congestion is polling staff difficulty in understanding, recognising and finding an elector's name. It is suggested that inquiry officers be encouraged to courteously assist electors to privately write their names and addresses as soon as such difficulties become apparent, thus minimising delays at issuing points. Issuing officers should use the same technique when an inquiry officer is not to hand.

8.2 Leaflets helping to identify the spelling of names common in particular NESB groups are available for distribution to inquiry staff, queue controllers and issuing officers when voters from these groups are expected to appear in large numbers.

## **9. Staffing schedule**

9.1 The attached Polling Place Staffing Schedule provides a reasonable workload for all polling place staff at an election. With the flexibility of varying staff to suit local conditions, together with the provisions detailed in section 1.27 to cater for peak periods, electors should receive a satisfactory standard of service at the polling place.

9.2 The schedule has been formulated within the following parameters:

- one polling place manager per polling place;
- 2ICs are allocated to polling places where the estimated number of ordinary votes exceeds 1800 or where the total number of issuing points (ordinary and declaration) is 5 or more;
- ordinary issuing point loading is 600 voters per day;
- declaration issuing point loading is 120 voters per day;

- queue controllers are allocated to polling places where there are more than two ordinary issuing points;
- inquiry officers are allocated to polling places where the number of expected ordinary voters is such that there may be a need to introduce an extra issuing point to alleviate queuing;
- ballot box guards are allocated to polling places where there is more than one ordinary issuing point. A second ballot box guard is also allocated to polling places where the expected number of ordinary votes is 5000 or more;
- in urban areas, one polling place liaison officer may be appointed for each 8 to 12 polling places; and
- scrutiny assistants are allocated so that there is sufficient staff available to count at the rate of no more than 300 votes per person counting ordinary votes. This scale excludes OICs, 2ICs and declaration issuing officers.

In the event of a referendum, or a by-election, the DRO should consider whether polling place staffing should be varied in line with changes in workload. Staff variations will need to be approved by the Area Manager/Director Operations.

# Financial Matters

## Election Financial Forecast

### Part 5 Subpart 2

TABLE 1  
POLLING PLACE STAFFING SCHEDULE

Estimated Ordinary Votes	2IC	Ord Issue Offcrs	Queue Cntrol Offcr	Inquiry Officer	B/Box Guard	Total Poll Staff	Scrtny Asst	Cert List	Spare Cert Lists
1-100		1				1		1	
101-200		1				1		1	
201-300		1				1		1	
301-400		1				1	1	1	
401-500		1				1	1	1	
501-600		1				1	1	1	1
601-700		2			1	3		2	
701-800		2			1	3		2	
801-900		2			1	3		2	1
901-1000		2			1	3	1	2	1
1001-1100		2		1	1	4		2	1
1101-1200		2		1	1	4		2	1
1201-1300		3	1		1	5		3	1
1301-1400		3	1		1	5		3	1
1401-1500		3	1	1	1	6		3	1
1501-1600		3	1	1	1	6		3	1
1601-1700		3	1	1	1	6		3	1
1701-1800		3	1	1	1	6		3	1
1801-1900	1	4	1		1	6	1	4	1
1901-2000	1	4	1		1	7	1	4	1
2001-2100	1	4	1		1	7	1	4	1
2101-2200	1	4	1		1	7	2	4	1
2201-2300	1	4	1		1	7	2	4	1
2301-2400	1	4	1		1	7	2	4	1
2401-2500	1	5	1		1	8	2	5	1
2501-2600	1	5	1		1	8	2	5	1
2601-2700	1	5	1		1	8	2	5	1
2701-2800	1	5	1		1	8	3	5	1
2801-2900	1	5	1		1	8	3	5	1
2901-3000	1	5	1	1	1	9	2	5	2
3001-3100	1	6	1	1	1	10	2	6	2
3101-3200	1	6	1	1	1	10	2	6	2
3201-3300	1	6	1	1	1	10	2	6	2
3301-3400	1	6	1	1	1	10	3	6	2
3401-3500	1	6	1	1	1	10	3	6	2
3501-3600	1	6	1	1	1	10	3	6	2
3601-3700	1	7	1	1	1	11	3	7	2
3701-3800	1	7	1	1	1	11	3	7	2
3801-3900	1	7	1	1	1	11	3	7	2
3901-4000	1	7	1	1	1	11	4	7	2
4001-4100	1	7	1	1	1	11	4	7	2
4101-4200	1	7	1	1	1	11	4	7	2
4201-4300	1	8	1	1	1	12	4	8	2
4301-4400	1	8	1	1	1	12	4	8	2
4401-4500	1	8	1	1	1	12	4	8	2
4501-4600	1	8	1	1	1	12	5	8	2
4601-4700	1	8	1	1	1	12	5	8	2
4701-4800	1	8	1	1	1	12	5	8	2
4801-4900	1	9	1	1	1	13	5	9	2
4901-5000	1	9	1	1	2	14	4	9	2
5001-5100	1	9	1	1	2	14	4	9	2

# Financial Matters

## Election Financial Forecast

## Part 5 Subpart 2

Estimated Ordinary Votes	2IC	Ord Issue Offcrs	Queue Cntrol Offcr	Inquiry Officer	B/Box Guard	Total Poll Staff	Scrtny Asst	Cert List	Spare Cert Lists
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TABLE 1 (Continued)

5101-5200	1	9	1	1	2	14	5	9	2
5201-5300	1	9	1	1	2	14	5	9	2
5301-5400	1	9	1	1	2	14	5	9	2
5401-5500	1	10	1	1	2	15	5	10	2
5501-5600	1	10	1	1	2	15	5	10	2
5601-5700	1	10	1	1	2	15	5	10	2
5701-5800	1	10	1	1	2	15	6	10	2
5801-5900	1	10	1	1	2	15	6	10	2
5901-6000	1	10	1	1	2	15	6	10	2
6001-6100	1	11	1	1	2	16	6	11	2
6101-6200	1	11	1	1	2	16	6	11	2
6201-6300	1	11	1	1	2	16	6	11	2
6301-6400	1	11	1	1	2	16	7	11	2
6401-6500	1	11	1	1	2	16	7	11	2
6501-6600	1	11	1	1	2	16	7	11	2
6601-6700	1	12	1	1	2	17	7	12	2
6701-6800	1	12	1	1	2	17	7	12	2
6801-6900	1	12	1	1	2	17	7	12	2
6901-7000	1	12	1	1	2	17	8	12	2
7001-7100	1	12	1	1	2	17	8	12	2
7101-7200	1	12	1	1	2	17	8	12	2
7201-7300	1	13	1	1	2	18	8	13	2
7301-7400	1	13	1	1	2	18	8	13	2
7401-7500	1	13	1	1	2	18	8	13	2
7501-7600	1	13	1	1	2	18	9	13	2
7601-7700	1	13	1	1	2	18	9	13	2
7701-7800	1	13	1	1	2	18	9	13	2
7801-7900	1	14	1	1	2	19	9	14	2
7901-8000	1	14	1	1	2	19	9	14	2
8001-8100	1	14	1	1	2	19	9	14	2
8101-8200	1	14	1	1	2	19	10	14	2
8201-8300	1	14	1	1	2	19	10	14	2
8301-8400	1	14	1	1	2	19	10	14	2
8401-8500	1	15	1	1	2	20	10	15	2
8501-8600	1	15	1	1	2	20	10	15	2
8601-8700	1	15	1	1	2	20	10	15	2
8701-8800	1	15	1	1	2	20	11	15	2
8801-8900	1	15	1	1	2	20	11	15	2
8901-9000	1	15	1	1	2	20	11	15	2

**TABLE 2**  
**DECLARATION VOTING SCHEDULE**  
**DECLARATION VOTES**

	21 to 25	26 to 30	31 to 35	36 to 40	41 to 45	46 to 50	51 to 55	56 to 60	61 to 65	66 to 70	71 to 75	76 to 80
<b>Ordinary Votes</b>												
0 to 150												
151 to 175												1
176 to 225											1	1
226 to 275										1	1	1
276 to 300									1	1	1	1
301 to 325							1	1	1	1	1	1
326 to 375							1	1	1	1	1	1
376 to 400						1	1	1	1	1	1	1
401 to 450					1	1	1	1	1	1	1	1
451 to 550				1	1	1	1	1	1	1	1	1
551 to 650			1	1	1	1	1	1	1	1	1	1
651 to 775		1	1	1	1	1	1	1	1	1	1	1
776 to 900	1	1	1	1	1	1	1	1	1	1	1	1
901 to 1000	1	1	1	1	1	1	1	1	1	1	1	1

9.3 The declaration vote staffing schedule (Tables 2 and 3) is worked out on a sliding scale. As the number of ordinary votes increase the supervisory responsibilities of the OIC increases. At 80 declaration votes per day the OIC effectively will be issuing votes for 6.6 hours which only leaves 3.4 hours for the supervisory/management role. This is on the assumption that a declaration vote takes 5 minutes to issue.

9.4 As the number of ordinary votes increases beyond 500 the number of staff to be supervised also increases and the supervisory/management role of the OIC becomes more critical for the efficient operation of the polling place.

9.5 In polling places where there are only two staff (OIC and one polling official), it may be more relevant for the polling official to be appointed as the declaration vote issuing officer and the OIC to be responsible for issuing ordinary votes.

**TABLE 3**  
**DECLARATION VOTING SCHEDULE**  
**DECLARATION VOTES**

0 to 80	81 to 120	121 to 240	241 to 360	361 to 480	481 to 600	601 to 720	721 to 840	841 to 960	961 to 1080	1081 to 1200	1201 to 1320	1321 to 1440
See												
Table 2	1	2	3	4	5	6	7	8	9	10	11	12

**10. Multiple polling places**

10.1 In addition to the situations described in this policy, DROs may consider creating a multiple polling place.

10.2 The intention in using multiple polling places is that, where the circumstances permit, a DRO can arrange to issue ordinary votes to electors from another division. Thus, a multiple polling place is a polling place where there is one officer in charge and two or more issuing points, catering for the issue of ordinary votes for different divisions.

10.3 In multiple polling places each issuing point is, in effect, a separate polling place. In these cases, however, the polling place is staffed by only one person, with the OIC being in charge of each polling place. The "home" DRO is responsible for all arrangements in multiple polling places with other DROs only being required to supply certified lists and ballot papers. Each separate polling place in the multiple polling place (in effect, each issuing officer) is responsible for control of ballot papers from each division; House of Representatives and Senate ballot papers for each division are to be counted separately (which means separate ballot boxes for each division's ballot papers).

10.4 DROs should carefully consider the workload for each issuing officer in a multiple polling place. Issuing officers will be required to control voters and ensure that ballot papers are placed in the correct ballot box.

10.5 The number of electors to be dealt with by an issuing officer from each division to be catered for would usually be small (under 400). In some circumstances an issuing officer could issue votes for more than one division (preferably not more than three divisions); this could be arranged where the total number of ballot papers of the divisions controlled by the issuing officer is no more than 400.

10.6 A multiple polling place is applicable in the following circumstances:

- in the central polling place of each capital city (usually the city hall). Instead of catering for the issue of absent votes the DRO may arrange for ordinary votes to be issued for all divisions in the State;
- at tourist destinations. In some polling places at tourist destinations the DRO may be able to identify several divisions where a significant number of (intrastate) electors have received absent votes in past elections. The DRO may arrange for these electors to receive ordinary votes; and
- at polling places near the borders of divisions. Dual polling places may be created in such circumstances, however the minimum number of electors for the "visiting" division is 241.



**Subpart 2 - Financial Matters -  
Election Financial Forecast**

**Contents**

1. Preamble
2. Training of polling staff (TOPS)
3. Polling official payments
4. Casual assistance
5. Establishment staff overtime and allowances
6. Freight
7. Premises
8. Security
9. Temporary telephone services
10. Temporary storage
11. Postage
12. Printing, forms, stationery
13. Other costs

Attachments - Election Financial Forecast Worksheets

**1. Preamble**

The first stage in completing the financial forecast procedures and worksheets in this part of the manual is to critically examine the performance and cost effectiveness of the last arrangements in your division.

In general it is not necessary to work from past practice.

Bearing in mind the need for efficiency, you should look for the best prices you can and also for any cost efficient alternatives.

**2. Training of polling staff (TOPS)**

2.1 All payments relating to TOPS must be estimated in this section.

The following table sets out the categories of staff who are to receive training and the length of training sessions -

<b>STAFFING CATEGORY</b>	<b>FACE-TO-FACE</b>	<b>HOME STUDY</b>	<b>TOTAL</b>
Polling Place OIC	3 hours	2 hours	5 hours
Polling Place 2IC	3 hours	2 hours	5 hours
PPLO	3 hours	2 hours	5 hours
Remote Mobile OIC	5 hours		5 hours
Remote Mobile Assistant	2 hours		2 hours
Electoral Visitor-in-Charge	2 hour	1 hour	3 hours
Electoral Visitor Assisting	2 hour	1 hour	3 hours
Pre Poll Centre OIC	1 hour	1 hour	2 hours
Pre Poll Centre Assistant	1 hour	1 hour	2 hours
Dec Vote Issuing Officer	1 hour		1 hour
Inquiry Officer	1 hour		1 hour
Queue Control Officer	1 hour		1 hour

**2.2 TOPS - polling official training - items 001 to 010**

Estimates for items 001 to 010 can be derived from the ELMS - Estimates system. Staff numbers can be transferred from that system to the relevant item number on the forecast input document. Requests for variations to the staffing schedule are to be included in the staffing system and not in the forecast. Details regarding the use of PPLOs are contained in the national polling place resources policy. It is possible that, in exceptional circumstances, staff may not be able to attend a face to face training session but estimates are to be based on all relevant staff attending the sessions.

**2.3 TOPS - polling official travel expenses - items 013 to 014**

Polling officials who are required to travel in excess of 30km to attend a TOPS session are entitled to either a reimbursement of fares or a payment for kilometres travelled in excess of 30 km if using their own vehicle.

***Complete worksheet 1***

**2.4 TOPS - AEC staff overtime - items 022 to 048**

Overtime for conduct of TOPS sessions is additional to the general overtime allocation for an election and must be estimated in this section.

The DRO and ASO3 will need to familiarise themselves with the TOPS package prior to conducting sessions and 3 hours each should be allowed in the overtime estimate for this purpose.

TOPS sessions may be conducted jointly by the DRO and ASO3 provided each has an effective role to play. The ASO3 should attend at least one session where the DRO is the trainer. The ASO2 should also attend one session.

In country divisions it is more cost effective for permanent staff to travel to regional centres to conduct TOPS sessions rather than attempt to bring polling officials to one central location. If possible, in such cases, all TOPS sessions at the regional centre (OICs, pre-poll, mobiles etc) should be conducted on the same day.

Allow ½ hour preparation and ½ hour clean up for each session (or group of sessions) in addition to the session duration; also allow an additional 5 minutes per static polling place for checking of OIC's workbooks.

Conditions governing receipt of meal allowances are set out in the general conditions of service for APS staff. Note that officers receiving travelling allowance do not qualify for a separate meal allowance.

***Complete worksheet 2***

**2.5 TOPS - AEC staff travel expenses - items 049 to 051**

In country areas it may be necessary for AEC staff to be away overnight to run TOPS sessions. Planning for TOPS sessions in regional centres should ensure that the maximum number of sessions can be held within a 2 day car hire/1 night TA period in each centre (or group of centres).

***Complete worksheet 3***

**2.6 TOPS - premises hire - item 055**

Divisions should ensure that proper facilities are available in premises used for training. Wherever possible, premises with TV and VCR supplied should be used.

***Complete worksheet 4***

**2.7 TOPS - equipment hire - item 056**

Equipment hire should be confined to TV, VCR and OHP equipment. Bulk hiring through State head office may be more cost effective. Items should only be hired if premises used for TOPS sessions are unable to include the equipment in the premises hire.

***Complete worksheet 5***

**2.8 TOPS - local printing - item 058**

Private contractors are only to be used for local printing where State head office, or divisional office photocopiers, are unable to supply the necessary material.

**2.9 TOPS - other costs - item 059**

Itemise any other divisional costs not covered in items 001 to 058. The cost of providing refreshments is to be shown at item 996.

***Complete worksheet 6***

**3. Polling official payments**

**3.1 Static polling place wages - items 101 to 117**

Estimates for items 101 to 117 can be derived from the ELMS - Estimates system. Staff numbers can be transferred from that system to the relevant item number on the forecast input document. Requests for variations to the staffing schedule are to be included in the Estimates system and not in the forecast.

**3.2 Non contractual cleaners - item 119**

For some premises, especially government schools, it is a condition of use that the institution's cleaner be employed to clean up after polling day. The rate of pay for cleaners is determined by the relevant State award and in some cases minimum hours payment may apply. The estimate for cleaners employed directly by the DRO, under contract, should be included at item 864.

***Complete worksheet 7***

### **3.3 OICs extra duties - item 121**

The OIC contract package covers all normal activities associated with an OIC's election duties. Only in exceptional circumstances can payments outside the contract rate be made and any such payments are to be at the rate currently applicable to casual assistants.

Duties that may warrant additional payment include:

- the return of material on the Sunday following polling day (usually country divisions only);
- assistance with the recruitment of staff -
  - 1 - 3 issuing points - up to 1/2 hour
  - 4 - 7 issuing points - up to 1 hour
  - 8 - 15 issuing points - up to 2 hours
  - 16 + issuing points - up to 3 hours;
- telephone calls (eg divisional office, polling staff and premises contact person); and
- other (head office approval required).

#### ***Complete worksheet 8***

### **3.4 Assistance in setting up polling places - item 122**

In some cases OICs may require assistance in setting up polling places and it is expected that the 2IC or another polling place staff member would assist. Payments are to be at the rate currently applicable to casual assistants. Maximum allowances per polling place are:

- 1 - 3 issuing points - up to ½ hour
- 4 - 7 issuing points - up to 1 hour
- 8 - 15 issuing points - up to 1½ hours
- 16 + issuing points - up to 2 hours.

#### ***Complete worksheet 9***

### **3.5 Polling official fares - item 123**

Polling staff are not entitled to fares to and from their work stations except in exceptional circumstances. Where polling staff are required to travel from their assigned polling place to another polling place they would be entitled to payment of any fares incurred. In addition, mainland residents who are required to staff offshore polling places may be entitled to fares and accommodation. Any such fares or accommodation costs estimated for static polling place staff should be shown at item 123.

**3.6 Polling official vehicle costs - item 124**

Polling staff are not entitled to any vehicle costs to and from their work stations. However, payment may be made for:

- travel in excess of 30km for return of material;
- travel from the assigned polling place to another polling place; and
- PPOs for travel between the divisional office and their assigned polling places when using their own vehicle.

***Complete worksheet 10***

**3.7 Remote mobile team wages - items 126 to 128**

Staff numbers for items 126 to 128 can be derived from the ELMS - Estimates system. Details can be transferred from that system to the relevant item number on the forecast input document. Requests for variations to the staffing schedule are to be included in the Estimates system and not in the forecast.

**3.8 Remote mobile travel expenses - items 129 to 130**

Team members (not assistants) are entitled to fares to and from the start/finish point of the mobile run. If a mobile polling team is obliged to continue its run overnight, travelling allowance or camping allowance (as appropriate) should be paid to all team members (not assistants). As a guide travelling allowance is paid if the team stays overnight in paid public accommodation and camping allowance is paid if it camps out or stays overnight in unpaid accommodation.

***Complete worksheet 11***

**3.9 Remote mobile vehicle costs - items 131 to 132**

Options for mobile team transport include:

- mobile team member's private vehicle (paid at the current km rate for polling officials);
- AEC 4 x 4 vehicles especially when ATSIEIS employees are used as team leaders;
- hire of another government department's 4 x 4 vehicles;
- hire of vehicles from private hire firms; and
- boat/plane/helicopter charter.

***Complete worksheet 12***

**3.10 Mobile team wages - items 134 to 136**

Items 134 to 136 cover wages associated with polling in prisons and in hospitals that are not polling places and staff numbers can be derived from the ELMS - Estimates system. Costs of polling staff operating as mobile teams within hospitals that are polling places are covered in items 101 to 124. Assistants (drivers) should only be employed in the rare cases where no team member is able or willing to act as driver for the team.

**3.11 Mobile team travel expenses - item 137**

Whenever necessary, mobile teams should travel in the vehicle of one of the team members. Alternatively, it may be possible to make the divisional office hire vehicle available or, as a last resort, a driver willing to use their own vehicle may be employed. Total kilometres may be derived from the staffing and equipment schedule.

**3.12 Pre-poll voting centre wages - items 139 to 145**

Staff numbers for items 139 to 145 can be derived from the ELMS - Estimates system. Election casuals who issue pre-poll votes in the divisional office are not pre-poll voting officers. They are to be paid as casual staff.

**3.13 Pre-poll voting centre travel expenses - items 147 to 148**

It is expected that the only estimates for items 147 and 148 would be when pre-poll centre staff are required to travel to the divisional office for the pick-up or return of material.

***Complete worksheet 13***

**4. Casual assistance**

**4.1 Processing enrolment forms - items W1 to W5**

This section includes provision for the processing of all enrolment forms received during the election period. DROs should also estimate for processing other enrolment input forms (eg amendments and reinstatements).

Rate: 13 enrolment forms per hour

***Enter estimates at W01 and W02***

An extra allocation of up to 20% of enrolment forms processed may be claimed by country DROs for those forms requiring investigation to determine CCDs etc.

Rate: 13 enrolment forms per hour

***Enter estimate at W03***

Processing of deletions (key entering deaths dups, South Australian transfers etc).

Rate: 20 deletions per hour

***Enter estimate at W04***

Checking enrolment forms through the enrolment system to ensure accuracy of data entry.

Rate: 100 enrolment forms per hour

***Enter estimate at W05***

**4.2 Advice to other divisions - items W06 to W07**

Faxing enrolment forms (and interstate transfers) to other divisions. This item should also include an estimate for receipt and matching.

Rate: 50 enrolment forms per hour

***Enter estimates at W06 and W07***

**4.3 Interim acknowledgments - item W08**

Preparation and despatch.

Rate: 20 acknowledgment forms per hour

***Enter estimate at W08***

**4.4 Staffing - items W09 to W11**

The allocation for staffing includes provision for all duties associated with the recruitment and payment of polling officials and casuals. Estimates should also include staff withdrawals.

Rate: 3 offers of employment per hour

***Enter estimates at W09 to W11***

**4.5 Purchasing - item W12**

The allocation for purchasing includes provision for all duties associated with the preparation of field purchase orders and contracts.

Rate: 3 field purchase orders per hour

***Enter estimate at W12***



**4.6 Preparation of material - items W13 to W15**

To estimate for the preparation of material, DROs should regard mobile teams, and pre-poll centres as polling places. Preparation includes all ballot paper accounting and allocation. A mobile team is considered to be one issuing point, and for pre-poll centres, each issuing officer is considered to be an issuing point. Where a static polling place does not have a declaration vote issuing officer allocated, DROs should still regard the polling place as having a declaration vote issuing point.

Rates: 1 - 3 issuing points 2 hours per polling place/4 - 7 issuing points 4 hours per polling place/8 or more issuing points 6 hours per polling place

***Enter estimates at W13 to W15***

**4.7 Delivery of material - item W16**

DROs should only estimate hours for delivery of material if they use casuals for this task. If all your material is collected by OICs or you use Australia Post and/or carriers you are not to claim hours here. Refer also to item 838.  
Range: 0 - 80 hours

***Enter estimate at W16***

**4.8 Return of material - items W17 to W18**

Return of material is as per delivery.

Range: 0 - 50 hours

***Enter estimate at W17***

Receipt and break-up (for calculation of the number of issuing points see comments under preparation of material).

Rate: 6 issuing points per hour

***Enter estimate at W18***

**4.9 Delivery and return of ballot boxes/screens - item W19**

DROs should only claim hours here if casuals are used for this task.

Range: 0 - 80 hours

***Enter estimate at W19***

**4.10 Certified lists - item W20**

Prepare certified lists for scanning.

Rate: 15 lists per hour

***Enter estimate at W20***

**4.11 Pre-poll and postal vote training - item W21**

All casuals issuing pre-poll and/or postal votes should be trained.

Rate: 1 hour per casual

***Enter estimate at W21***

**4.12 Issue of postal and pre-poll votes - items W22 to W23**

The rate for issuing postal votes includes a provision for processing defective applications.

Rate: 8 applications per hour

***Enter estimate at W22***

Pre-poll votes (divisional office issue only).

Rate: 12 votes per hour

***Enter estimate at W23***

**4.13 Receipt of postal votes - item W24**

The processing of postal votes received includes date stamping, sorting and dating-in applications.

Rate: 60 envelopes per hour

***Enter estimate at W24***

**4.14 General postal voters - item W25**

Processing and issue of postal voting material.

Rate: 30 GPVs per hour

***Enter estimate at W25***

**4.15 Post offices - item W26**

Preparation and despatch of postal voting material to Post Offices.

Rate: 6 Post Offices per hour

***Enter estimate at W26***

**4.16 Polling night - items W27 to W28**

All casuals performing tasks associated with the receipt and transmission of results should be trained.

Rate: ½ hour per casual

***Enter estimate at W27***

Receipt and transmission of results.

Rate: 1 hour per polling place (maximum 60 hours)

***Enter estimate at W28***

**4.17 Declaration certificate exchange - items W29 to W33**

Counting, sorting and checking of absents and provisionals including the completion of s.232(2) certifications. Where a static polling place does not have a declaration vote issuing officer allocated, DROs should still regard the polling place as having a declaration vote issuing point.

Rate: 250 certificates per hour plus (to a maximum 80 hours) - ACT 10 declaration issuing points per hour/TAS 6 declaration issuing points per hour/WA, SA 4 declaration issuing points per hour/QLD 3 declaration issuing points per hour/VIC 2 declaration issuing points per hour/NSW 1½ declaration issuing points per hour

***Enter estimates at W29 and W30***

Pre-polls and postals for other divisions.

Rate: 80 certificates per hour

***Enter estimate at W31***

Divisions who issue a large number of pre-polls and postals for other divisions may claim extra hours with justification.

Range: 0 - 20 hours

***Enter estimate at W32***

Receipt of parcels and check of contents.

Rate: 360 certificates per hour

***Enter estimate at W33***

**4.18 Declaration vote scrutiny training - item W34**

All casuals involved in declaration vote scrutinies should be trained.

Rate: 1 hour per casual

***Enter estimate at W34***

**4.19 Declaration vote scrutinies - items W35 to W38**

Preliminary and further scrutiny of absent, pre-poll, postal and provisional votes.

Rate: 20 certificates per hour

***Enter estimates at W35 to W38***

**4.20 Declaration vote advices - items W39 to W40**

Preparation of EF033s.

Rate: 20 entries per hour

***Enter estimate at W39***

Voters whose declarations were rejected at the preliminary scrutiny or whose votes were partially admitted (enrolled at close of rolls in another division) are to be sent "enrolment and voting advice" letters.

Rate: 15 letters per hour

***Enter estimate at W40***

**4.21 House of Representatives scrutiny training - item W41**

All casuals involved in the House of Representatives scrutiny should be trained.

Rate: ½ hour per casual

***Enter estimate at W41***

**4.22 House of Representatives fresh scrutiny - items W42 to W44**

Count of unused, spoilt and discarded ballot papers.

Rate: 2000 ballot papers per hour plus 6 polling places per hour

***Enter estimate at item W42***

Scrutiny - the allocation for the fresh scrutiny (including TCP) is based on divisions having up to 4 candidates. An extra allocation is made when the number of candidates is greater than 4.

Rate: 750 ballot papers per hour plus 4 hours per candidate in excess of 4

***Enter estimates at W43 and W44***

#### **4.23 Distribution of preferences**

All casuals involved in the distribution of preferences should be trained.

Rate: ½ hour per casual

It is recommended that ten casual assistants be employed to complete the task.

Rate: 3 hours per count (a count being a polling place or a mobile team, plus a mandatory 15 declaration scrutinies) up to 50 counts. Divisions with more than 50 counts are allotted 1 hour per count in excess of 50. Extra hours could be allocated for divisions with an excessive number of candidates (ie more than 10).

#### **4.24 Senate scrutiny**

It is recommended that 1 supervisor be appointed for every 8 checkers with a maximum of 16 checkers working at any one time. This means that while you are restricted to 2 supervisors the actual number of checkers employed depends on whether DROs decide to bring in different teams of checkers at different times, such as evening shifts.

#### **4.25 Senate scrutiny training - items W45 to W46**

All casuals involved in the Senate scrutiny should be trained.

Rate: supervisors 2 hours each/checkers 1 hour each

***Enter estimates at W45 and W46***

#### **4.26 Senate scrutiny supervisors**

Ballot paper control and supervision.

Rate: 60 hours each

Amalgamation of ballot papers.

Range: 16 hours

Clean up and pack material.

Range: 8 hours

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### **Part 8 Subpart 1**

The system will calculate and allocate hours according to information previously entered.

#### **4.27 Senate scrutiny checkers - items W47 to W51**

Count of unused, spoilt and discarded ballot papers.

Rate: 2000 ballot papers per hour plus 6 polling places per hour

1st Check - Formality check of ticket votes.

Rate: 500 ballot papers per hour

Formality check of non-ticket votes.

Rate: 1 - 30 candidates 100 ballot papers per hour/

31 - 45 candidates 80 ballot papers per hour/

more than 45 candidates 60 ballot papers per hour

Formality check of informals.

Rate: 250 ballot papers per hour

Count all ballot papers.

Rate: 2000 ballot papers per hour

Check count all ballot papers.

Rate: 2000 ballot papers per hour

2nd Check - Formality check of ticket votes.

Rate: 750 ballot papers per hour

Formality check of informals.

Rate: 500 ballot papers per hour

Count all ticket votes and informals.

Rate: 2000 ballot papers per hour

Check count non ticket votes after amalgamation.

Rate: 3000 ballot papers per hour

Clean up and pack material.

Range: 8 hours

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***Enter estimates at W47 to W51***

#### **4.28 Non voters and multiple marks - items W52 to W53**

It is expected that the majority of work associated with assessing non voter and multiple mark notice replies will be carried out by permanent staff in the period following an election. Duties that may be performed by election casuals during the election period would include checking entries on multiple mark reports against certified lists and checking divisional records, EF016s and EF033s, against non voter list to ensure electors concerned do not receive non voter notices.

Rate: 45 entries per hour

***Enter estimates at W52 and W53***

Where timetables demand immediate issue of non voter and multiple marks notices, eg an imminent State election, redistribution or by-election, extra hours will be allocated.

#### **4.29 Enquiries - item W54**

Telephone and counter enquiries. This is a flat rate allocation for all divisions.

Range: 250 hours

***Enter estimate at W54***

#### **4.30 Election casual travel expenses - items 326 to 327**

Travel costs for election casuals should be entered at items 326 and 327. Payment is only justified in exceptional circumstances.

***Complete worksheet 14***

### **5. Establishment staff overtime and allowances**

#### **5.1 Overtime - items 701 to 752**

The use of overtime must be limited to the extent necessary to ensure the effective and proper conduct of the election. The allocation of tasks to overtime hours must be based on deadlines and relative priority with tasks not essential to the successful conduct of the election being given lowest priority. Overtime should be shared between permanent officers in the divisional office according to capabilities, knowledge, experience and statutory responsibility.

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The base overtime level is 200 hours (335 for divisions with an ADRO) which is the allocation given to all divisions. The following upper limits on overtime hours to be allocated to any division should be observed:



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- 380 hours double dissolution  
360 hours half senate/house of reps \*  
320 hours house of reps  
300 hours half senate  
275 hours referendum

\* used as limit for periodic forecasts

Divisions may be allocated overtime hours in excess of the above limits but the DRO must provide justification for the exceptional circumstances in the division that will result in the limit being exceeded.

TOPS overtime is not to be included in estimates for items 701 to 730.

Meal allowances should be estimated on the basis of 1 meal allowance for each 3.5 hours of overtime estimated. Where an officer is receiving travel allowance, no separate meal allowance is payable.

#### ***Complete worksheet 15***

##### **5.2 Travel expenses - items 753 to 755**

Staff are to be reimbursed for fares incurred in carrying out their duties but not, in general, for travel to and from their normal workplace. Taxi fares may be approved for travel home at times when safe public transport is not available.

Divisional staff may be entitled to travel allowance when away from their home station but, other than under the TOPS program, there should be little need for divisional staff to forecast being away from their home station during the election period.

The use of an officer's vehicle is an optional cost effective alternative to both hiring a vehicle and for use on short trips where taxi fares would otherwise be payable. The estimate for kilometres travelled should be included at item 755.

#### ***Complete worksheet 16***

##### **5.3 Office vehicle hire - item 756**

This item covers the cost of any vehicle hired by a DRO as a general office vehicle. Vans/trucks hired for specific freight purposes, or vehicles hired for TOPS, should not be included under this item.

Normally vehicles for divisional use should be obtained through DAS as their vehicles are approximately 50% cheaper than private hire firms. Wherever

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possible vehicles hired from private firms should be arranged through head office to take advantage of any bulk booking discounts. The hire period is not to exceed one week unless approved.

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Where vehicles are intended to be hired through private hire firms, vehicle running costs should be estimated at \$25 per day for metropolitan and provincial divisions and \$50 per day for country divisions (to cover fuel and kilometre charges). Where a Commonwealth vehicle is hired and it is not fuelled at DAS depots, you should estimate running costs at \$10 per day for metropolitan and provincial divisions and \$20 per day for country divisions.

#### ***Complete worksheet 17***

### **6. Freight**

#### **6.1 Ballot boxes and voting screens - items 830 to 832**

The distribution of ballot boxes and screens may be carried out by:

- private carrier (contract);
- DAS and their contractors (for material held in DAS stores); and
- casual assistants using a vehicle hired by the DRO.

DROs will need to make an allowance in their estimates where it is necessary to pick up boxes and screens for disposal following polling day. All other alternatives should be investigated.

Private carrier - used only when the other two methods are not feasible or sometimes in combination with one of the other methods. Wherever possible firms with Government contracts should be used and information on these should be sought from head office. In some instances air transport may be necessary for delivery to isolated areas.

DAS - DROs should not enter an estimate against item 831 as this can only be determined by head office.

Hire vehicle - this is the method usually used in metropolitan areas when DAS is not the carrier. Vehicle size may vary according to circumstances. A driver and an assistant should be employed.

Staff members' private vehicles are not to be used for this task.

#### ***Complete worksheet 18***

#### **6.2 Election material - item 838**

Normally, election material is distributed at the briefing and/or training sessions carried out in the week before polling day. In some country areas DROs may need to make other arrangements and distribution by Australia

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Post (estimate at item 942), hire vehicles (estimate at item 844) or carriers may be appropriate.

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The need for prompt return of election material on election night or the following Sunday may preclude the use of firms holding government contracts. It is expected that all metropolitan OICs, and country OICs in close proximity to the divisional office, will return material on election night. This duty is included in the OIC's contract but travel in excess of 30km is payable and should be estimated at item 124.

In country divisions it is generally not possible for all OICs to return material on election night and arrangements should be made for Sunday return, either by OICs (hours and travel costs should be shown at items 121 and 124) or by contractor. In using either method the runs should be planned so that there is no duplication of transport routes.

#### ***Complete worksheet 19***

##### **6.3 Other freight - item 842**

Identify any divisional office freight costs that are not covered elsewhere (eg transport of senate ballot papers to/from outposted scrutiny premises).

#### ***Complete worksheet 20***

##### **6.4 Vehicle hire - item 844**

Specify details of any vehicles hired for freight purposes (eg delivery of material or furniture). Do not include at this item any charges due to delivery of ballot boxes and screens (item 832) or the hire of vehicles for divisional staff use (items 051 and 756).

#### ***Complete worksheet 21***

##### **7. Premises**

##### **7.1 Hire of polling place premises - item 846**

Estimates for the cost of rental for premises to be used as polling places are to be included here (including pre-poll voting centres). The cleaning of polling places, where charged separately, is to be included at either item 119 (non-contract) or item 864 (contract).

#### ***Complete worksheet 22***

##### **7.2 Hire of scrutiny premises - item 847**

House of Representatives scrutinies and declaration vote scrutinies are to be held in the divisional office and only in exceptional circumstances should they be conducted in other premises. In the case of Senate scrutinies the divisional office may not be large enough and the availability of suitable

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## **Review of Materials and Allocation of Certified Lists**

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secure accommodation in close proximity to the divisional office should be determined. The hire period for outside premises, to be used for the Senate scrutiny, should not exceed ten days.

#### ***Complete worksheet 23***

##### **7.3 Hire of other premises - item 853**

There should be little need to hire premises for purposes other than for use as polling places or scrutiny venues. If the DRO considers there is a need, eg storage of election material (not cardboard equipment - see item 923), then details are to be provided.

#### ***Complete worksheet 24***

##### **7.4 Hire of furniture and fittings - item 858**

Additional furniture may be required for the divisional office, polling places and other scrutiny premises, and if cardboard equipment is not suitable DROs may need to hire from private firms.

#### ***Complete worksheet 25***

##### **7.5 Hire of equipment - item 861**

Where there is a need for additional equipment DROs must determine whether the items should be purchased or hired. Estimates for purchase should not be included in the forecast and if ongoing equipment needs can be established the items should be included in head office purchasing programs. Bulk hire agreements may exist and DROs should check with head office before completing this section of the forecast. Hire costs only are to be included as charges for power/utility costs are included at item 865/866.

#### ***Complete worksheet 26***

##### **7.6 Contractual cleaning - item 864**

Include at this item any premises cleaning or rubbish removal services provided by arrangement with private contractors.

#### ***Complete worksheet 27***

##### **7.7 Power charges - item 865**

Power charges for lighting, heating or air conditioning not included in rental costs are to be estimated at this item.

#### ***Complete worksheet 28***

##### **7.8 Other utility charges - item 866**

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Any other utility services required for premises should be estimated here.

***Complete worksheet 29***

# **Certified Lists and Scanning**

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#### **8. Security**

DROs are responsible for assessing the adequacy of security arrangements for ballot papers and other items requiring security in their office (in consultation with head office if necessary). Levels of security generally considered adequate include:

- offices with relayed security alarm;
- strongrooms/safes;
- lock up storerooms;
- B or C type security cabinets; and
- lockable compactus units.

Where additional security is necessary reputable security firms should be used in preference to private individuals. It may be possible for head office to arrange a bulk hire rate and DROs should check on this before preparing their estimates.

##### **8.1 Security for scrutiny premises - item 868**

Where outposted scrutiny premises are used only sufficient ballot papers for each day's work should be transported to the scrutiny premises and these returned to secure storage each night. If ballot papers do remain at the scrutiny premises overnight a security guard/caretaker should be employed when security at those premises is inadequate.

***Complete worksheet 30***

##### **8.2 Security services for other premises - item 871**

Estimates for security at the divisional office, or other locations not covered at item 868, are to be included here.

***Complete worksheet 31***

#### **9. Temporary telephone services**

##### **9.1 Temporary telephones - item 873**

An extra telephone service is to be installed in divisional offices as soon as possible after the announcement of an election. Estimates for this service as well as the phones installed for the receipt of figures on polling night are to be included here.



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Temporary telephones are not normally installed in polling places but if no other convenient means of establishing communication with the divisional office is available, DROs may make arrangements for a temporary service.

Other premises, such as pre-poll voting centres and outposted scrutiny premises, may also require the installation of temporary telephone services.

The cost of calls on temporary services is also to be estimated for here.

#### ***Complete worksheet 32***

##### **9.2 Calls on permanent lines - item 875**

The cost of calls on permanent lines should be estimated using information from previous elections which can be obtained through head office. Estimates should be based on a three month period and entered at item 875.

##### **9.3 Other communication equipment - item 876**

Estimates for all other communication equipment, eg mobile phones, pagers, facsimile machines, are to be included here. Generally all PPLOs will be equipped with a mobile phone for polling weekend and the divisional office may also require a mobile phone for a period of up to two weeks (centred around polling day).

#### ***Complete worksheet 33***

##### **10. Temporary storage**

###### **10.1 Cardboard polling place equipment - item 923**

Include at this item any estimated costs of temporary divisional storage of cardboard polling place equipment during the election period.

##### **11. Postage**

###### **11.1 Postal charges - items 926 to 943**

In the forecast, postal charges have been itemised to accord with the break up of functions in the AEC program budget statement. Total postage (at item 944) will indicate the total amount available to a division for postage for purposes derived from election activity.

#### ***Complete worksheet 34***

##### **12. Printing, forms, stationery**

###### **12.1 Printing - item 958**

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Where DROs consider that the photocopier is not suitable for some election local printing, or that it is more efficient to go to outside printers, then estimates should be provided at this item.

***Complete worksheet 35***

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

#### **12.2 Stores and stationery - item 965**

DROs should estimate for the purchase of stores and stationery to cover emergency situations (maximum \$20). Stores and stationery must be obtained through the head office materials planning officer wherever possible.

#### **13. Other costs**

##### **13.1 Other costs - item 996**

This item should only be used where there is expected expenditure that does not logically fit into any of the preceding categories in the forecast. Refreshments for TOPS sessions and OIC briefings should be included here.

***Complete worksheet 36***

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

**Part 8 Subpart 1**

### **Subpart 3 - Financial Matters - Contracts and Purchasing**

#### **Contents**

1. Contracts - general
2. Commonwealth contracts
3. Determine most suitable supplier
4. Quotations
5. Verbal quotations
6. Written quotations
7. Late written quotations
8. Forms
9. Purchasing - general

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

#### **1. Contracts - general**

1.1 The following list is an indication of the types of goods or services covered by these procedures:

- hire of premises for polling places, pre-poll voting centres, training sessions and divisional office scrutinies;
- cleaning of premises. Cleaning of State owned schools which are used as polling places will be the subject of negotiations between each State head office and the State education department. DROs will be advised of relevant forms, procedures and rates of pay by each State head office;
- hire of additional furniture;
- hire of office equipment (eg typewriters, photocopiers, computers, calculators, TV and video recorders);
- temporary lighting;
- distribution and collection of ballot boxes and voting screens;
- distribution and/or return of election material (eg hire of aeroplanes, helicopters);
- printing of documents and polling place signs and overprinting of forms;
- security arrangements (where not handled by State head office);
- freight charges (where not handled by State head office);
- hire of vehicles;
- installation of temporary telephones; and
- hire of camping/survival equipment (remote mobiles).

#### **2. Commonwealth contracts**

2.1 There is an obligation for all government departments and authorities to use Commonwealth Government contracts when available and suitable, eg courier services and quick print firms. Allowing for the limited time frame during the election period, planning is essential to ensure that the available contracts are used wherever possible. State head office will advise details of all relevant Commonwealth contracts.

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

#### **3. Determine most suitable supplier**

3.1 If no Commonwealth Government contract exists or the time available precludes its use, first estimate the cost of the goods and services required and determine the best supplier to ensure you receive value for money.

3.2 In order to estimate the cost of goods and services, reference should be made to the ER&A record (see Part 1 Subpart 8) and to divisional records from previous elections.

3.3 It may be necessary to obtain either verbal or written quotations to determine the most suitable supplier.

#### **4. Quotations**

4.1 The appropriate quotes must be obtained, and a record kept of the details either on file or attached to the master copy of the purchase order. The quote thresholds for general purchasing are fully explained in the Electoral Commissioner's finance directions on page 5 of Chapter 14. For election purposes the following limits should suffice:

<b>Value</b>	<b>Quotation</b>
Under \$500	one verbal or written
\$500 - \$2000	three verbal or written quotes
\$2000 - \$30000	three written quotes.

#### **5. Verbal quotations**

5.1 Verbal quotations may be sought over the phone or in person. It is important that each firm be given the same information on the goods or services required. If it is considered necessary (eg for provision of temporary lighting, delivery and return of election material), a written statement of the goods/services required should be provided to a potential supplier.

5.2 Details of the goods/services required and the quotes obtained should be entered on a quotation record. This form should also be used when only one contractor has been approached.

5.3 Once the recommended supplier has been selected, the reasons for this decision should be recorded. Usually this will be the lowest quote but, where the lowest is not chosen, an explanation must be provided, eg "more reliable supplier", "cannot deliver on time". Recording the reason is

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

essential, as unsuccessful firms are entitled to ask the reason for their non-selection.

5.4 Inform all those who quoted of the outcome.

#### **6. Written quotations**

6.1 Written quotations should be obtained on a request for quotations form. In addition, a written statement of the goods/services required should be provided to each potential supplier. Detailed information clearly defining specifications should be provided to enable suppliers to give an accurate quotation. The written statement should provide for a closing time for quotations (usually quotes should be open for one week).

6.2 All potential suppliers are to receive the same information.

#### **7. Late written quotations**

7.1 Written quotes received after the closing time may still be accepted provided the supplier is able to produce evidence of the timely despatch of the quote. The type of evidence required is:

- post office date stamp (not a franking machine imprint);
- letter or facsimile advising late arrival; or
- a courier's consignment note.

#### **8. Forms**

8.1 The necessary forms for requesting and recording quotations will be supplied by State head office at the appropriate time.

#### **9. Purchasing - general**

9.1 All purchases of goods and services which cost \$2000 or more must be gazetted in the Purchasing and Disposal Gazette. It is the responsibility of the purchasing officer to ensure the purchase is gazetted. Check with your head office for the procedure.

9.2 Once a decision has been taken to accept a quote/purchase for goods/services from a particular supplier, a purchase order should be completed.

9.3 Books of field purchase orders and other purchasing/payments forms will be supplied by State head office as the need arises. At this time DROs will be given the delegation to sign field purchase orders.

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

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9.4 Purchase of goods/services not listed (and approved) in the division's election financial forecast is not permitted without approval from the Area Manager/Director Operations.

9.5 In cases where the quotation which the DRO intends to accept (usually the lowest quote) is considerably more than the amount estimated (and approved) in the division's election financial forecast, the DRO should request approval for the purchase from his Area Manager/Director Operations. In such cases additional funds may need to be allocated.

9.6 The field purchase order consists of an original and three copies. The original and the first copy are given to the supplier at the same time the order is placed with the supplier. The supplier retains copy 1 and sends in the original (claim for payment - TF12) to the divisional office with his invoice. Copy 2 (receipt advice) is signed by a receiving officer (DRO or ASO3) to indicate that the goods and services were received. Copy 2 is then attached to the original and, with the supplier's invoice, is sent to the State head office for payment (and gazettal, if required). Copy 3 is retained in the book as the divisional office copy.

9.7 Full documentation of each purchase should be recorded in the ER&A record.



# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

Part 8 Subpart 1

### **PART 8**

#### **Subpart 1 - Certified Lists and Scanning - Review of Materials and Allocation of Certified Lists**

##### **Contents**

1. General
2. Review materials
3. Review of certified list allocation
4. Ordinary issuing points
5. Mobile polling teams
6. Reference rolls
7. Numbering of lists

Attachment A - Scanning Timetable

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

#### **1. General**

1.1 The use of uniquely coded certified lists, printed to precise specifications, is essential to the markback of certified lists through scanning. Every list printed for the purpose of marking the names of voters must be accounted for and handled carefully. The lists must not be reproduced, or marked in any way other than that officially authorised. It is emphasised that care must be taken when assessing requirements for and allocating certified lists, as only a limited number of spare copies will be supplied.

1.2 The printing of certified lists is an integral part of the scanning process. From those lists and the marks made on them, multiple and non-voter reports and notices, as well as objection notices, are produced through scanning technology. At Attachment A is an approximate election timetable outlining the certified list printing and scanning process covered in this section.

#### **2. Review materials**

2.1 State head offices, in consultation with DROs as necessary, will review requirements for quantities of:

- special black pens;
- certified list binders;
- certified list covers (EF008); and
- cartons for transporting the lists.

2.2 The special black pens used for marking certified lists must be used only for the election for which they have been supplied. A fresh issue will be provided for each election. The allocation of pens to polling places will be at a rate of about 1.5 pens per ordinary issuing point, which will allow for a suitable reserve, plus a small quantity for office use. It would be expected that unused pens will be returned from polling places in sufficient quantity for use in marking special lists.

2.3 The number of certified list binders required for the division will be equal to the number of certified lists, including any special lists required by the division. These binders should only be used for the purpose for which they are supplied.

2.4 The number of cartons required should be calculated on five certified lists to a carton.

2.5 Spine and EF008 labels will be pre-printed and despatched to divisions with the certified lists along with the list allocation report.

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

#### **3. Review of certified list allocation**

3.1 Certified lists are allocated in the ELMS - Estimates system and the quantities are listed on the polling place staffing schedule.

3.2 Once polling place staff and resource estimates have been approved, DROs are to review the number of certified lists required for the next election. A printout will be produced showing the number of certified lists allocated to each polling place and the sequence number of those lists. This printout is to be reviewed by the DRO, amended as necessary, and returned to State head office for approval.

3.3 Once the DRO's amendments have been approved, a fresh printout showing an amended numbering sequence of lists for each polling place will be sent to each DRO.

3.4 The following should be considered when assessing certified list requirements:

- ordinary issuing points in polling places
  - special hospitals
  - hospitals which are polling places
  - remote mobile teams;
- lists used for reference (special approval required);
- spare lists in polling places as specified in the national polling place resources policy;
- additional lists over and above the automatic allocation of spare lists; and
- guidelines outlined in the national polling place resources policy.

3.5 When reviewing the certified list allocation, DROs may determine that due to special circumstances certified lists are required in addition to the allocation provided for in the national polling place resources policy, eg for an unusually heavy peak period. It should be noted that the national polling place resources policy allows for spare lists in each polling place but this does not preclude additional lists being requested in places of need. Justification and written approval by the Area Manager/Director Operations is necessary before these additional lists can be allocated. It is essential that the circumstances are reviewed at each election to ensure that the extra list(s) are needed.

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

#### **4. Ordinary issuing points**

4.1 Each ordinary issuing point at polling places is to be supplied with one certified list. In addition spare lists are allocated to each polling place, numbers depending on polling place size, to alleviate queuing - refer to the national polling place resources policy.

#### **5. Mobile polling teams**

5.1 One certified list is to be supplied to each mobile polling team operating in special hospitals, hospitals which are polling places or remote areas.

5.2 Certified lists must be used only for the issue of ordinary votes at the polling place or by the mobile polling team to which they have been allocated. It should be noted in particular that certified lists used by mobile polling teams in hospitals which are polling places are to be used only by the mobile team(s) to which they are allocated - they are not to be used by the static part of the polling place.

5.3 As in the case of 5.2 above, certified lists allocated to mobile polling teams operating in special hospitals are to be used only by the mobile teams for issuing ordinary votes at the special hospitals - they too, must not be used to supplement certified lists at a polling place. Similarly, certified lists allocated for the issue of ordinary votes in a static polling place must not be used for issuing votes at special hospitals. DROs therefore should ensure that OICs who will be counting votes issued at special hospitals are aware of the need to keep the team certified lists separate from lists used at the polling place.

5.4 The reason for keeping certified lists used by mobile polling teams separate from the lists used at polling places is so that a list of voters under s.224, 225 and 227 CEA or s.48, 49 and 51 R(MP)A can be compiled (see Part 28, Subpart 2) to enable the subsequent rejection of postal certificates received from any of those voters on the list. [ss.226(6), 227(11) CEA]

#### **6. Reference rolls**

6.1 Reference rolls may be issued only to polling places where there are cases of special need. The national polling place resources policy regarding the use of reference rolls must be observed.

6.2 Any request for the use of reference rolls is to be submitted in writing through the Area Manager/Director Operations to the enrolment section of central office.

# **Certified Lists and Scanning**

## **Review of Materials and Allocation of Certified Lists**

### **Part 8 Subpart 1**

6.3 Lists provided for reference purposes will not be in scannable format and are not to be marked.

6.4 Support from the Area Manager/Director Operations is essential before reference rolls for adjoining divisions will be issued. All reference rolls must be accounted for and each page checked on return from the polling place(s), to ensure no marks were made in them.

### **7. Numbering of lists**

7.1 Each scannable list for use in polling places is uniquely numbered for each division. They must be allocated to polling places by this number strictly in accordance with the final report received from the scanning centre. If for some reason this does not happen, the scanning manager must be advised and the actual list allocation confirmed in writing (see Subpart 5).

7.2 The scanning manager must be notified in writing of any changes when the lists are returned for scanning. Use the list allocation report for this purpose (see Subparts 3, 4 and 5).

# Certified Lists and Scanning

## Review of Materials and Allocation of Certified Lists

### Part 8 Subpart 1

#### Attachment A

#### SCANNING TIMETABLE

Timetable	Divisional Office	HO or CO
<b>Close of Rolls</b>		Printing of certified lists, reference roll, spine and EF008 labels
<b>2 weeks before P.D.</b>	note book roll received	
<b>1 week before P.D.</b>	lists, list allocation report, spine and EF008 labels received in all divisions	
<b>2 Weeks after P.D.</b>	reconciliation report, multi-mark reports and ordinary lists returned to divisions	
<b>3 Weeks after P.D.</b>	special lists 300, 320, 330, 340, 350, 380, 390 as applicable despatched to scanning centre  final reconciliation report, final multi-mark report and special lists received	scanning of special lists  despatch of lists and reports to divisions  data on tape despatched for post election processing
<b>4 Weeks after P.D.</b>	consolidated lists, multi-voter and non-voter reports; on-line culling of non-voter batches commences	data load and processing; printing of reports; despatch reports
<b>5 Weeks after P.D.</b>	multi-voter notices posted  1st non-voter notices received (SA ONLY)	print 1st non-voter notice (SA ONLY)

# Certified Lists and Scanning

## Review of Materials and Allocation of Certified Lists

### Part 8 Subpart 1

on-line culling continues

<b>Timetable</b>	<b>Divisional Office</b>	<b>HO or CO</b>
<b>6 Weeks after P.D.</b>	on-line culling ceases	print 2nd non-voter notice (SA ONLY)  print 1st non-voter notice (SA excepted)
	on-line culling resumes	
<b>7 Weeks after P.D.</b>	post 1st non-voter notices  receive 2nd notices (SA ONLY)	post 1st notices
<b>10 Weeks after P.D.</b>	on-line culling ceases	print 2nd notices (SA excepted)
<b>11 Weeks after P.D.</b>	post 2nd notices	
<b>13 Weeks after P.D.</b>	despatch list 360 (SA ONLY) on-line culling ceases  receive notices and reports (SA ONLY)  on-line culling resumes	scan list 360  print objections
<b>14 Weeks after P.D.</b>		post objections (SA excepted)
<b>15 Weeks after P.D.</b>		print determinations (SA ONLY)
<b>16 Weeks after P.D.</b>	post objections (SA ONLY)	
<b>17 Weeks after P.D.</b>	on-line culling ceases	print determinations deletion reports (SA excepted)
<b>18 Weeks after P.D.</b>	on-line culling resumes	deletions list

**Certified Lists and Scanning  
Divisional Note Book Roll**

**Part 8 Subpart 2**

(SA excepted)

<b>Timetable</b>	<b>Divisional Office</b>	<b>HO or CO</b>
<b>20 Weeks after P.D.</b>	post determinations and despatch list 365 to scanning centre	scan list 365
<b>21 Weeks after P.D.</b>		produce deletion tape
<b>22 Weeks after P.D.</b>		deletions list (SA ONLY)



# **Certified Lists and Scanning Divisional Note Book Roll**

**Part 8 Subpart 2**

## **Subpart 2 -        Certified Lists and Scanning - Divisional Note Book Roll**

### **Contents**

1.        General
2.        Deletions
3.        Additions (reinstatements before polling day)
4.        Reinstatements subsequent to polling day

#### 1. General

1.1 A copy of the divisional roll in reference roll format (not in scannable format) will be supplied to each DRO. That roll, known as the divisional note book roll, is to be updated to form the official record of electors as at polling day.

1.2 Scannable rolls are not to be substituted for use as a note book roll.

#### 2. Deletions

2.1 State head office computer services section will advise DROs of any deletions not effected during the computer processing run as at the close of rolls. All deletions before polling day are to be made by ruling through the elector entry in the note book roll, noting the type of deletion and adding the deleting officer's initials. The types of deletions that may be marked are:

- deaths prior to polling day;
- South Australian transfers;
- duplicate roll entries; and
- non Australian citizens.

2.2 Interstate transfer advices not deleted from the roll and dated on or before the date of the close of rolls are to be processed against the note book roll as in 2.1 above.

2.3 The DRO should correct any mistake in the roll which becomes apparent between the close of rolls and polling day. The entry in the note book roll should be ruled through, and the type of deletion, eg DUP, noted and initials of deleting officer added.

2.4 The names of deceased electors reported up to polling day are to be deleted from the note book roll as in 2.1 above. Newspapers should be scanned for death notices in the period up to polling day.

2.5 Copies of source documents supporting deletion action must be kept in a folder and retained with the note book roll.

2.6 A consolidated list of all deletions, showing electors' names, addresses and types of deletions, as at polling day, may be compiled and kept at the front of the note book roll. These deletions should be highlighted in the special lists to be used for declaration voting. (Names only, do not mark between clock marks).

2.7 Declaration certificates not rejected must be processed against these deletions (compiled as in 2.6 above) at the preliminary scrutiny (see Part 28, Subpart 2).

2.8 All deletions on the consolidated list up to polling day are to be transferred to list No. 350.

### **3. Additions (reinstatements before polling day)**

3.1 State head office computer services section will advise DROs of any additions not effected during computer processing runs as at the close of rolls. An asterisk (\*) is to be placed in the note book roll where the entries should appear, and the details of the electors written in at the foot of the relevant page.

3.2 A consolidated list of reinstatements before polling day is to be compiled and kept at the front of the note book roll.

3.3 All declaration certificates not admitted for further scrutiny are to be checked against the list of reinstatements made before polling day. If a match is found, the declaration certificate should be admitted for further scrutiny and the entry noted by ruling a line through the surname/family name of the voter, and by noting to the left of the entry:

“AV” - for an absent declaration vote;

“PP” - for a pre-poll declaration vote;

“PV” - for a postal declaration vote;

“SV” - for a provisional declaration vote.

### **4. Reinstatements subsequent to polling day**

4.1 Four separate lists of electors, reinstated as a result of either pre-poll, postal, provisional and absent voting (including those electors eligible for reinstatement, but from whom enrolment forms have been received) are to be compiled and attached to the note book roll (see Part 28, Subpart 2).

**Subpart 3 - Certified Lists and Scanning - Receipt of Lists  
from Laser Printer**

**Contents**

1. Printing schedule
2. Packaging of lists
3. Shrink-wrapping not to be removed
4. Check that all lists are received
5. Acknowledgment of receipt of lists and performance of checks
6. Special lists

Attachment A - Acknowledgment of Receipt of Certified Lists

## **1. Printing schedule**

1.1 State head office operations section will determine a divisional priority order for the laser printing of certified lists and a schedule of approximate delivery dates will be issued to divisions.

All lists (including spare and special lists) will be despatched at the same time. You will receive the following:

- list allocation report \*
- spine labels \*
- EF008 labels \*
- certified lists.

\* You may receive these items before you receive the lists.

## **2. Packaging of lists**

2.1 The individually shrink-wrapped list will be packed in A4 cartons with approximately 10 to a box. Each box will be labelled showing the division name, lists contained therein and the carton number in the range.

Example

Bass  
lists 1 to 10  
box 1 of 27.

2.2 Each list will:

- be shrink-wrapped;
- be four-hole drilled;
- have, at the top of the list and inside the shrink-wrapping, a printer's control sheet; and
- have a coloured backing sheet, also four-hole drilled and inside the shrink-wrapping.

## **3. Shrink-wrapping not to be removed**

3.1 The shrink-wrapping should not be removed from certified lists. Certified lists are to be inserted in binders with shrink-wrapping, the top control sheet and backing sheets intact. Therefore, only issuing officers will be removing the shrink-wrapping from the lists (see also Subpart 4).

**4. Check that all lists are received**

4.1 Immediately upon receipt of the lists, and without removing the shrink-wrapping, check that:

- the exact number of lists (including spare and special lists), in accordance with the approved allocation, and the list allocation report, have been received; and
- lists are numbered sequentially commencing with 001 and there are no missing or duplicated numbers.

4.2 When checking the list number use the number printed in the centre at the top. Do not rely on the number hand-written on the control sheet as this can be incorrect.

4.3 Notify the State scanning manager if there are any missing lists or if lists are not numbered sequentially from 001. As the State scanning manager will have applied rigid quality control measures during the printing of certified lists, it is expected that problems arising from the above checks will be rare. Any such advice should be made by phone initially and followed up with a fax. A copy should be sent to the Area Manager/Director Operations in your State or the AEO in the NT.

**5. Acknowledgement of receipt of lists and performance of checks**

5.1 When the above checks have been completed an acknowledgment of receipt of the lists and performance of the checks is to be sent to the State scanning manager (Attachment A).

**6. Special lists**

6.1 The printer's control sheet and the backing sheet are to remain with the roll when placed in the binder.

**Certified Lists and Scanning  
Send Lists Back to Scanning Centre**

**Part 8 Subpart 5**

**Attachment A**

**Acknowledgment of Receipt of Certified Lists**

Division of .....

To: State scanning manager

.....

Receipt is acknowledged of ..... certified lists numbered

..... to ..... and special list numbers 300 320 330 340 350 360  
365 380 390 (scanning manager to cross out where necessary). All list  
numbers have been checked and there are no missing list numbers or  
duplicated list numbers.

.....  
Divisional Returning Officer

Date:

**Subpart 4 -        Certified Lists and Scanning - Preparation,  
                         Training and Despatch**

**Contents**

1.        Materials
2.        Preparation
3.        Training
4.        Despatch of lists to OICs



**1. Materials**

1.1 As per Subpart 3 you will have received:

- pre-printed spine labels;
- EF008 labels;
- a list allocation report; and
- the allocated lists for the division.

You will have received one spine and one EF008 label for every list (including any spare and special lists) appearing on the lists allocation report. Each list allocation report sent by the scanning manager supersedes any previous allocation report.

1.2 You should also have:

- sufficient certified list binders; and
- sufficient EF008 forms.

1.3 The pre-printed spine and EF008 labels will show:

- division name;
- polling place name;
- polling place ID (ppid);
- list number; and
- a blank space for recording the issuing point number.

**2. Preparation**

2.1 Match the spine and EF008 labels with the still shrink-wrapped list by list number using the number printed on the top centre of the list cover.

2.2 Place the still shrink-wrapped list in a certified list binder.

2.3 Place an EF008 form on top of the list in the binder.

2.4 Affix the EF008 label to the EF008.

2.5 Place the spine label in the spine sleeve.

2.6 Double check to ensure that the list number on the list matches the list number on the spine label and the label affixed to the EF008.

2.7 Ensure that all certified lists are received as per the list allocation report. In particular make sure that there are no missing or duplicated lists.

2.8 Report exceptions only to the scanning manager in each state and get your Area Manager/Director Operations or AEO (NT) to follow up if necessary.

2.9 Do not remove the shrink-wrapping from the lists.

### **3. Training**

3.1 In the course of training OICs and election casuals, DROs should ensure that OICs are aware of the following:

- the importance of the account of ballot papers on the cover EF008 - it must be completed. The OIC is to fill in the issuing point detail at the polling place as the lists are allocated to issuing points within the polling place;
- lists are to be handled carefully by staff and not subjected to rough handling, rough turning of pages, or put at risk of food spillages, or pen scratches as staff turn pages while holding the pen, etc;
- lists must be marked with a thick (not heavy) line in accordance with instructions on the cover;
- heavy marking may pass through to the next sheet and cause the scanner to read also the corresponding entry on that sheet;
- checks should be made, especially early in the day or when staff are rotated and are marking lists for the first time, to ensure lists are marked correctly;
- index pages or tabs must not be inserted or attached;
- rulers are not to be used;
- when errors are made the instructions shown on the cover EF008 must be followed; and
- care must be taken always to ensure the correct voter is identified and marked.

**4 Despatch of lists to OICs**

4.1 Special attention should be given by the DRO to the packaging of certified lists, and a final check of the list allocation is to be made to ensure no mix-up of lists or labels, that certified lists are allocated to the correct polling place.

4.2 Lists are to be packed flat, as the vertical packing of lists can cause damage to pages and/or the curling of pages.

4.3 Allocate the reserve spare lists, if required, on the list allocation report that accompanied the list delivery. Draw a cross (X) over the list number and write the list number in at the appropriate polling place (do this neatly - it will save a phone call and a fax later).

4.4 The scanning manager must be notified in writing of any allocation changes when the lists are returned for scanning. Use the list allocation report for this purpose (see Subparts 3, 4, 5 and 6).

**Subpart 5 - Certified Lists and Scanning - Send Lists Back to Scanning Centre**

**Contents**

- 1 Initial check on receipt of parcel label No. 4 from counting centres
2. Detailed check of ordinary certified lists
3. Lists allocated to mobile polling teams
4. Packing of ordinary certified lists
5. Despatch of certified lists
6. Fresh scrutinies and recounts

Attachment A - Advice of Despatch of Certified Lists

**1 Initial check on receipt of parcel label No. 4 from counting centres**

1.1 The checking officer is to ensure a parcel label No. 4 is received from each counting centre.

1.2 Without opening the parcel, the checking officer should confirm that the number of certified lists as indicated on the label agrees with the allocation (including any emergency issues).

**2. Detailed check of ordinary certified lists**

2.1 As each parcel is opened, check that the certified list number as shown on the spine label, cover, and the certified list itself agrees with the approved list allocation, and that all lists are accounted for. Any discrepancy should be noted in the election journal and advised to the scanning manager on the certified list despatch advice (see 5.2 below).

2.2 The following checks are to be performed on each certified list:

- flick through the pages of each list to check that lists appear to be marked correctly, and have not been marked with a pencil or biro, or with very faint lines, etc. If only a few pages are affected the error indicator should be marked on the affected pages - under no circumstances are marks to be overdrawn. If the problem is large, discuss the matter with the scanning manager;
- where a whole list is poorly marked, and after direction from the scanning manager, the DRO may be required to transfer marks to a spare certified list (which should be recorded as being allocated to that polling facility). The problem should be notified to scrutineers who are entitled to witness the process. Should such a problem be discovered in the scanning centre, the list may be returned to the DRO, with a spare, for similar action;
- ensure that no list has had, contrary to instructions, either alphabetical indexed pages or tabs inserted or attached - such lists will not pass through the scanner. Tabs or inserted indices should be carefully removed, without damaging the pages;
- check that the account of ballot papers on the certified list cover (EF008) has been completed. Should any or all of the accounts of ballot papers for a particular polling place not be completed, the

# House of Representatives Nominations

## Receipt of Nominations

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relevant list numbers and the polling place to which they were allocated are to be recorded on the despatch advice (Attachment A);

- note any further list changes on the list allocation report. Draw a cross (X) over the list number and write the list number in at the appropriate polling place. (Do this neatly - it will save a phone call and a fax later); and
- photocopy the list allocation report. Make sure that the copy is readable. Place the copy in an envelope marked ATTENTION SCANNING MANAGER and include it in the despatch of lists to the scanning centre.

### **3. Lists allocated to mobile polling teams**

3.1 Locate the certified lists allocated to mobile polling teams at special hospitals, remote mobile polling teams and mobile polling teams at hospitals which are polling places. The latter lists should have been used only by mobile polling teams issuing votes under s.224 and not by the static part of the polling place (see Subpart 1). [s.226(6) CEA]

3.2 In the certified list for postal votes, use a blue highlighter to highlight the names of any absent, provisional or ordinary voters who voted with a mobile polling team in a special hospital, a hospital which is a polling place or a remote mobile polling team. There is no provision to highlight or compare the names of voters from a prison mobile.) Do not mark between the clock marks or near other unique coding marks. [ss.226(6), 227(11) CEA]

3.3 If there are more than 5 certified lists used for mobile polling teams in hospitals, special hospitals and by remote teams you may forward the lists to the scanning manager for scanning and preparation of a numeric list of voters by roll number. The numeric list can then be used to highlight the names (see 3.2 above).

3.4 All postal vote certificates will be checked against this highlighted list at the preliminary scrutiny of postal votes (see Part 28, Subpart 2).

### **4. Packing of ordinary certified lists**

4.1 Whilst still in their binders, all ordinary certified lists, including spares, are to be PACKED FLAT in the special cartons supplied. These cartons are designed to hold five or six lists. Lists should be packed in numerical order.

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4.2 Where you are packing 5, or less, lists to a carton you should use additional packing material in order to minimise movement of the contents within the carton.

4.3 Where you are packing 6 lists to a carton you should ensure that the lists are not crushed in any way and that the shape of the carton is not changed when closed.

4.4 Spare lists being despatched to the scanning centre should still have their shrink-wrapping intact if they have not been used or issued.

## 5. Despatch of certified lists

5.1 State head offices in consultation with the State scanning manager will have prepared and distributed a schedule showing divisional scanning priority and despatch arrangements.

5.2 A despatch advice must be completed and sent to the scanning manager in a separate envelope clearly marked ATTENTION: SCANNING MANAGER FROM DRO..... The despatch advice is to show details of any changes to the approved certified list allocation including the use of any spares.

5.3 The following are to be included in the envelope containing the despatch advice:

- copies of the OIC's House of Representatives worksheet, from their general returns, arranged in polling place code order; and
- copies of the OIC's result of count of the House of Representatives (where applicable) from the OIC's general returns, arranged in alphabetical order of polling places.

## 6. Fresh scrutinies and recounts

6.1 The scanning centre manager is to be notified of any fresh scrutiny or recount. Once notified they will re-print a copy of the scanning report by polling place for a division or divisions as necessary. The figures from this report and the EF008 are the basis of the reconciliation report produced by the scanning system.

# House of Representatives Nominations Receipt of Nominations

Part 10 Subpart 1

## Attachment A

Division of .....

### ADVICE OF DESPATCH OF CERTIFIED LISTS

To: State Scanning Manager

.....

The following certified lists have been despatched to you

Nos ..... to ..... (allocated to polling facilities)

Nos ..... to ..... (spares - unused)

Copies of the OIC's House of Representatives worksheets and results of count, House of Representatives, (from OIC's general returns) for all polling places are enclosed.

### ACCOUNTS OF BALLOT PAPERS (EF008)

☐ Accounts of ballot papers for each allocated list have been completed satisfactorily

OR

☐ The following list numbers do not have correctly completed accounts of ballot papers.

LIST NO(S)

POLLING PLACE

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....



**House of Representatives Nominations  
Receipt of Nominations**

**Part 10 Subpart 1**

**CHANGES TO LIST ALLOCATIONS**

☐ No changes have been made to the approved allocation of certified lists.

OR

☐ An updated list allocation report showing changes to the approved list allocation is enclosed.

**CHECK OF LISTS**

☐ No notable problems were evident during the check of lists.

OR

☐ The following problems/discrepancies were observed during the check of lists:

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

..... / ... / .....

Divisional Returning Officer

Date

**Subpart 6 - Certified Lists and Scanning - Special Lists**

**Contents**

1. Type and numbering of lists
2. Receipt of special lists
3. Marking of special lists
4. Absent, postal, pre-poll and provisional lists
5. Deletions list no. 350
6. Objections list no. 360 (SA only)
7. Retention list no. 365 (SA only)
8. Reconciliation statements
9. Despatch of special lists to scanning centre

Attachment A - Special List - Reconciliation Statement for ...

Attachment B - Special List - Reconciliation Statement for ...

Attachment C - Scanning Timetable - Special Lists

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### 1. Type and numbering of lists

1.1 The following special lists will be automatically allocated to divisions:

- list number 300 - absent declaration certificates
- list number 320 - postal declaration certificates
- list number 330 - pre-poll declaration certificates
- list number 340 - provisional declaration certificates
- list number 350 - deletions
- list number 360 - objections on the grounds of non-residence (SA only)
- list number 365 - objections/retention (SA only)
- list number 380 - valid reasons (SA only)
- list number 390 - referendum pamphlets returned undelivered.

DROs will be advised if the allocation of additional special lists is considered necessary.

#### 2. Receipt of special lists

2.1 Special lists will have been delivered to you along with the ordinary lists. Any discrepancies between lists delivered and the list allocation report that accompanied the lists should have been reported to the scanning manager and resolved.

#### 3. Marking of special lists

3.1 These lists are to be marked with the special black pen in the same manner as with ordinary certified lists. On no account should the space between the clock marks be marked with any other implement.

#### 4. Absent, postal, pre-poll and provisional lists

4.1 DROs must ensure that all admitted absent, postal, pre-poll and provisional declaration certificates are marked on the certified list specifically supplied for the relevant type of vote. Extreme caution and thorough supervision are essential to ensure that declaration votes are not marked in the wrong list. If the wrong list is marked, contact the State scanning manager immediately.

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

4.2 A record must be kept of any declaration votes admitted after the special lists have been despatched for scanning. This record is to be processed against the non-voter listings, when received, and noted accordingly.

#### **5. Deletions list no. 350**

5.1 All deletions recorded in the note book roll up to polling day are to be marked in the deletions certified list no. 350. These deletions should already have been consolidated in a list at the front of the note book roll (see Subpart 2) and the number of deletions on that list must agree with the number of marks made in list no. 350. All divisions must mark up list 350 and forward it to the scanning centre for scanning.

#### **6. Objections list no. 360 (SA only)**

6.1 Objections as a result of non-voting, whether through information supplied by the voter or through notices returned undelivered, are to be marked on this list.

6.2 If the DRO has been advised in writing of the new address of the elector, notices should be sent to that address.

#### **7. Retention list no. 365 (SA only)**

7.1 After the statutory period of 20 days for the reply to the objection and before the date of despatch of list no. 365, all names marked on list 360, but to be retained on the roll, are to be marked in this list.

7.2 Manually prepare and post notices of retention of name on the electoral roll for those electors who have replied to the objection and whose names are to be retained on the roll. Where electors have advised that they are living at another address in the same subdivision, amendment cards should be raised if no enrolment cards have been received (see also Subpart 7).

#### **8. Reconciliation statements**

8.1 Reconciliation statements of absent, postal, pre-poll and provisional votes admitted must be completed (Attachment A). These statements are to be placed inside the relevant binders on top of the lists (list nos. 300, 320, 330, 340).

8.2 Cover statements are to be prepared also for list numbers 350, 360 and 365 (Attachment B). The number to be shown on the cover statement for the deletions certified list (no. 350) is the number of deletions in the note

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

book roll. A physical count must be made of the markings in list nos. 360 and 365.

#### **9. Despatch of special lists to scanning centre**

9.1 A possible timetable for scanning of special lists is at Attachment C. This timetable is a programme guide only and DROs are to follow the despatch arrangements determined by State head office operations, in consultation with the scanning manager.

9.2 The head office operations section is to advise DROs when to forward the special lists to the scanning centre.

# House of Representatives Nominations

## Receipt of Nominations

Part 10 Subpart 1

### Attachment A

Division of .....

#### SPECIAL LIST

#### RECONCILIATION STATEMENT

#### FOR

☐ absent  
(list 300)

☐ postal  
(list 320)

☐ pre-poll  
(list 330)

☐ provisional  
(list 340)

*(Tick one box only)*

H of R ballot papers counted  
(this type of declaration vote only)

-----

**Plus** H of R ballot papers missing from  
declaration certificates

-----

Sub Total -----

**Less:** Electors on note book roll ie Additions  
(before polling day) who are marked as having  
this type of declaration vote admitted

-----

**Less:** electors reinstated at preliminary  
scrutiny of this type of declaration vote

-----

**Scanning Total:** electors whose names  
appear on the certified list and whose  
declaration vote was admitted at preliminary  
scrutiny

=====

At a referendum or Senate election only, the number of electors who are  
enrolled in other divisions in the State/Territory and whose declaration vote  
was admitted for that reason, must be deleted also to arrive at a scanning  
total.

This statement is to be completed and placed in the front of the relevant  
scanning list before its despatch to the scanning centre.

.....

...../...../.....

# House of Representatives Nominations Receipt of Nominations

Part 10 Subpart 1

Divisional Returning Officer

Date

**House of Representatives Nominations  
Receipt of Nominations**

**Part 10 Subpart 1**

**Attachment B**

Division of .....

**SPECIAL LIST  
RECONCILIATION STATEMENT  
FOR**

(TICK ONE BOX ONLY)

• **DELETIONS LIST 350**

No. of deletions in Note Book Roll = ..... ☐

• **OBJECTIONS ON THE GROUNDS OF NON-RESIDENCE -  
LIST 360 (SA only)**

No. of markings as per physical count = ..... ☐

• **OBJECTIONS/RETENTION - LIST 365 (SA only)**

No. of markings as per physical count = ..... ☐

A separate statement is to be completed for each type of list and placed in the front of the list before its despatch to the scanning centre.

..... / ..... / .....  
Divisional Returning Officer Date



# House of Representatives Nominations Receipt of Nominations

Part 10 Subpart 1

Attachment C

## SCANNING TIMETABLE - SPECIAL LISTS

List No.	Category	Scanned (weeks after polling day)
300	absent declaration certificates	Week 3
320	postal declaration certificates	Week 3
330	pre-poll declaration certificates	Week 3
340	provisional declaration certificates	Week 3
350	deletion	Week 3
380	reasons accepted (SA only)	Week 3
360	objections on the grounds of non-residence (SA only)	Week 14
365	objections/retention (SA only)	Week 20
390	referendum pamphlets returned undelivered	Week 3

**Subpart 7 -        Certified Lists and Scanning - Receipt of  
Scanned Material from Centre**

**Contents**

1.        Scanning of lists at scanning centre
2.        Return of certified lists from scanning centre
3.        Scanning reports
4.        Scanning reconciliation report
5.        List allocation report
6.        Interim multiple marks report
7.        Consolidated list of electors marked as having voted
8.        Apparent multiple marks and personation report
9.        Apparent non-voter report
10.       Non-voters notices
11.       Second non-voters notices
12.       Verification of number of non-voters notices
13.       Review of scanning - planning for next election

Attachment A - Reconciliation of Scanning Marks

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### 1. Scanning of lists at scanning centre

1.1 After each certified list is scanned and all data entry relating to that list has been completed, the scanning cell supervisor will compare the number of marks scanned to the figure for ballot papers issued to voters in the account of ballot papers on the EF008, and to the latest ballot papers counted figure for each polling place (eg fresh scrutiny tally sheets).

1.2 Discrepancies will, where possible, be resolved at the scanning centre. Where they cannot be resolved it will be the DRO's responsibility to investigate and ensure, as far as practicable, that non-voters notices are not sent to voters.

1.3 As certified lists are processed through the scanner, pages that are error marked, damaged, mutilated or unable to be read are rejected by the scanner and must then be processed by manual data entry. These pages are brought to the front of the list and are placed on top of a coloured divider.

#### 2. Return of certified lists from scanning centre

2.1 The DRO should check that all lists are returned. Any discrepancy should be notified immediately to the scanning centre manager. Certified lists are to be stored under security in the divisional office but will need to be accessible for investigations relating to non-voting and multiple marking.

#### 3. Scanning reports

3.1 The following reports will be produced by the scanning centre:

- scanning reconciliation report;
- list allocation report; and
- interim multiple marks report.

3.2 Additional reports are produced from the post election processing system. They are:

- consolidated list of electors marked as having voted;
- apparent multiple marks and personation report;
- apparent non-voter report; and
- objection action report.

#### **4. Scanning reconciliation report**

4.1 This report reconciles the marks scanned to ballot papers issued as indicated on the EF008 (account of ballot papers) and fresh scrutiny tally sheets. Any major discrepancies in columns H, I and J will be highlighted by the scanning centre manager, and in some cases these will have been resolved at the scanning centre.

4.2 A difference in columns H or I of more than five or one per cent (1%), whichever is the greater, is considered significant. The majority of these discrepancies should be identified during the multiple marks report checks. If any discrepancies are still significant following the multiple mark report checks, further investigation will be necessary. If this requires a call back of marks, contact the scanning manager who will be able to provide a report showing the roll numbers scanned on a particular list. The steps taken to resolve differences should be noted in the election journal. In some cases, resolution may not be possible until responses to apparent non voter notices are received.

4.3 The reconciliation summary (on the second last page) produces the difference between electors on the roll and marks scanned. As the marks scanned include multiple marks, this figure does not represent the number of non-voters. The actual number of non-voters can be calculated by adding, to the difference, the number of multiple marks read (ie marks in excess of one for each voter, remembering some voters have been read as marked on more than two rolls).

#### **5. List allocation report**

5.1 This report shows the DRO's final allocation of lists, after all emergency issues of lists and other changes, at the time of scanning. It should be carefully checked for accuracy and any error found immediately reported to the scanning manager, who will revise and re-issue a corrected report.

#### **6. Interim multiple marks report**

6.1 This report is produced after the scanning of ordinary lists to enable the early identification of multiple marks and start of investigations. The report identifies voters by roll numbers only. Any evidence of possible serious improprieties should be reported to State operations immediately and investigations started. Special attention should be paid to the report where the result of an election is close (see also Part 42).

6.2 Initial investigations will be undertaken at the scanning centre to edit out phantom marks. The interim list may not be issued to the divisions.

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### **7. Consolidated list of electors marked as having voted**

7.1 This report is produced in the same format as the scannable certified lists. Between the arrowheads against each voter's name is printed the list number upon which they have been marked as having voted. By reference to the allocation of that list, it is possible to know at which polling facility and/or issuing point each elector voted. Apparent non-voters have no marks between the arrowheads. Electors marked on list 380 (valid reasons, SA only) also appear on this list.

7.2 Electors marked on list 350 (deaths, deletions etc) appear on this list.

7.3 Apparent multiple marks appear on this list marked with M between the arrowheads. Such voters also appear on the apparent multiple marks and personation report (see 8.1 below) which details the specific lists upon which they appear to have been marked.

7.4 This report is especially useful during the processing of replies to apparent non-voter and multiple mark notices. Possible roll duplications, non-voter/multiple mark matches due to polling official error and incorrectly marked voters may be more readily identified.

#### **8. Apparent multiple marks and personation report**

8.1 After the scanning of all lists, voting marks as reported on the apparent multiple marks and personation report must be checked against the relevant lists.

#### **9. Apparent non-voter report**

9.1 This report lists all voters whose names have not been scanned as having voted. The report should be stored in a binder and all non-voter information noted on the report (see Part 41).

#### **10. Non-voters notices**

10.1 A common date throughout Australia will be used, where practicable, for posting notices. DROs will need to cull notices according to notations made in the apparent non-voter report (see Part 41). State operations section will advise DROs of arrangements regarding the culling and posting of notices.

#### **11. Second non-voters notices**

11.1 A common date throughout Australia will be used, where practicable, for posting the 2nd notices. The 2nd notices will be posted as soon as possible after 21 days from the posting of the 1st notices.

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### **12. Verification of number of non-voters notices**

12.1 Using the reports from the scanning centre and any other information available, the DRO must verify that the number of non-voters notices produced closely matches that expected. A reconciliation form is at Attachment A. If the reconciliation produces a difference of more than 50, the DRO should investigate the possible causes and document the outcome in the election journal.

#### **13. Review of scanning - planning for next election**

13.1 DROs should use information in the scanning reports to advantage when planning for the following election. It may be possible, for instance, to isolate problems with individual staff or the reports may identify problems in general which require a reassessment of recruitment, training and/or allocation of polling duties. Similarly, the reports will facilitate improvements in the scanning process.

# House of Representatives Nominations Receipt of Nominations

Part 10 Subpart 1

## Attachment A

### RECONCILIATION OF SCANNING MARKS

---

1.	Total House of Representatives votes counted	-----
2.	Less: voters on note book roll additions	-----
3.	Less: reinstatements at declaration vote scrutinies	-----
4.	Plus: ballot papers missing from declaration certificates	-----
5.	<b>Total A - Voters on certified lists</b>	=====

---

6.	Total voter marks read - ordinary and declaration lists (column A of reconciliation report)	-----
7.	Plus: marks not read but identified in D.O.	-----
8.	Less: non-marks, eg dots, smudges etc. (included in A2 of MV5 return)	-----
9.	<b>Total B - legitimate marks identified</b>	=====
10.	<b>DIFFERENCE: TOTAL A MINUS TOTAL B</b>	=====

---

In a referendum or Senate election only, figure No. 1 above does not include votes counted for electors enrolled in another division in that State/Territory.

The difference represents the total of voters not marked, voter marks not read and any non-marks not identified. It should be noted that other factors such as missing ballot papers in polling places and accuracy of ballot paper counts can affect this figure.

**PART 9**

**Antarctic Electors - Polling Procedures**

**Contents**

1. Confirm Antarctic electors on official roll
2. Action by State head office
3. Forward election advice from AEO Tasmania to Antarctic Returning Officer
4. Forward polling advice from Antarctic Returning Officer to AEO Tasmania
5. Action taken by AEO Tasmania on receipt of polling advice
6. Receive certificates in divisional office from AEO Tasmania
7. Preliminary scrutiny
8. Further scrutiny



# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### 1. Confirm Antarctic electors on official roll

1.1 Part 10, Subpart 2 of GEM requires that a DRO maintain a register of Antarctic electors for their division.

#### 1.2 All States except SA

- As soon as possible after the day the register closes (ie close of nominations), each DRO must send confirmation (Email/fax) to their State head office that all Antarctic electors have been input into RMANS. [s.250(2)&(3) CEA]
- Special provisions apply when a referendum is held on its own (see Part 43, Subpart 1). [s.74(2) R(MP)A]

#### 1.3 South Australia only

- As soon as possible after the register closes, the DRO must Email/fax State head office a list of Antarctic electors registered for the division. Preliminary advice may be requested as at the close of rolls.

1.4 A nil return is required, where applicable.

#### 2. Action by State head office

2.1 Each State head office (other than SA) will confirm with the AEO Tasmania (the liaison officer between the State AEOs and the Antarctic Returning Officers), that the RMANS list of Antarctic electors is correct. The AEO SA will send a list of SA Antarctic electors to the AEO Tasmania. The AEO Tasmania will arrange to print a list of Antarctic electors for all States except SA. [s.250(1)(b), (2)(b) CEA]

#### 3. Forward election advice from AEO Tasmania to Antarctic Returning Officer

3.1 As soon as possible after printing the list of Antarctic electors and receiving the list from SA, the AEO Tasmania will arrange to transmit the following details to the Antarctic Returning Officer at whose station the relevant electors are based:

- facsimiles of, or directions for the preparation of, the relevant ballot paper(s);
- the name, enrolled address and the division of each elector; and

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## Receipt of Nominations

### Part 10 Subpart 1

- full instructions regarding the arrangements for the recording of electors votes and the method of transmission of results after polling day to his/her office. [s.250(1), (2) CEA]

Only those electors registered to vote as Antarctic electors are entitled to vote in Antarctica. [s.254, 256 CEA]

3.2 The AEO Tasmania and the Antarctic Returning Officer shall prepare a statement in writing of the information transmitted. [s.250(3) CEA]

#### **4. Forward polling advice from Antarctic Returning Officer to AEO Tasmania**

4.1 At the close of the poll the Antarctic Returning Officer, in the presence of the assistant Antarctic Returning Officer, shall transmit to the AEO Tasmania (the designated AEO) particulars of each elector who has voted together with particulars of the marking of each ballot paper. [s.259 CEA]

4.2 The Antarctic Returning Officer shall prepare a statement in writing of the information transmitted. [s.259(c) CEA]

#### **5. Action taken by AEO Tasmania on receipt of polling advice**

5.1 The AEO Tasmania on receipt of the polling advice from the Antarctic Returning Officer shall prepare a statement in writing of the information transmitted. [s.260(3)(a) CEA]

5.2 The AEO Tasmania obtains from DRO Denison the exact quantity of ballot papers required. Form EF124 can be used to account for the issue by the DRO and receipt by the AEO Tasmania.

5.3 The AEO Tasmania shall then initial on the back and complete postal ballot papers in strict accordance with voting details received from the Antarctic Returning Officer. The ballot paper(s) for each elector are placed and sealed in a pre-poll declaration envelope, containing full details of elector's name and address, and despatched to the division concerned. The AEO Tasmania then enters details of declaration certificates despatched in ELMS. [s.260(1) & (3) CEA]

5.4 The AEO Tasmania should add the notation (in red) "Antarctic elector - section 260" and sign the certificate in the signature of elector box of each pre-poll declaration certificate before despatch. [s.260(3)(b) CEA]

5.5 The AEO Tasmania will, as soon as possible after polling day, provide to each relevant AEO:

- details of those Antarctic electors no longer stationed in Antarctica;

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

- details of those registered Antarctic electors who did not vote; and
- a list of those electors stationed in Antarctica who are not registered.

5.6 The information provided in 5.5 above is to be used for non-voting and de-registration purposes by the relevant DRO.

#### **6. Receive certificates in divisional office from AEO Tasmania**

6.1 On receipt of a pre-poll declaration certificate containing the vote of an Antarctic elector, stamp the date and time of receipt on the declaration certificate. Check for correct completion.

6.2 Check the certificates received with the quantity despatched on the parcel label, then enter into ELMS - Post Election system as pre-poll declaration certificates received from the State of Antarctic, division of Antarctic. Follow-up any discrepancies with the AEO Tasmania. Place the declaration certificates in a locked and sealed ballot box pending a pre-poll declaration certificate scrutiny.

#### **7. Preliminary scrutiny**

7.1 At the pre-poll preliminary scrutiny ensure that the pre-poll declaration certificate, endorsed in red "Antarctic elector - section 260" has been completed for a person who is registered as an Antarctic elector for your division.

7.2 Sort declaration certificates into alphabetical order and mark the pre-poll voters certified list (see Part 28, Subpart 2).

7.3 Scrutineers should be invited to observe the steps outlined in 7.1 and 7.2 above.

#### **8. Further scrutiny**

8.1 Amalgamate the declaration certificates of Antarctic electors with other pre-poll declaration certificates accepted for further scrutiny. Proceed with further scrutiny for pre-poll votes as detailed in Part 28, bearing in mind that you are dealing with declaration certificates pertaining to electors enrolled for your division only.

**PART 10**

**Subpart 1 - House of Representatives Nominations -  
Receipt of Nominations**

**Contents**

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Attachment A - List of Banks

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### 1. Check local newspapers for prospective candidates

1.1 Monitor local newspapers for articles on preselection of prospective candidates for the House of Representatives.

1.2 Forward copies of relevant newspaper articles to the State head office contact officer (funding and disclosure).

#### 2. Nominations

2.1 A DRO is not entitled to question or challenge the **qualifications** of any prospective candidate. [ss.163, 172 CEA]

2.2 The citizenship qualifications for a Member of the House of Representatives differ from the citizenship qualifications relating to enrolment. This is because the qualification listed in s.93(1)(b)(ii) CEA does not apply as qualification for nomination as a Member of the House of Representatives. That is, a British subject, even though enrolled as at 25 January 1984 is not qualified to nominate as a candidate. The candidate must be an Australian citizen and must provide details of Australian citizenship, in order for the nomination to be valid. [s.170(1)(c) CEA].

2.3 If a prospective candidate requests advice from a DRO regarding the qualifications for nomination, the DRO should restrict such advice to a quotation of the relevant section(s) of the Commonwealth Electoral Act. If a prospective candidate requests an interpretation of any of the qualification provisions of the Act, he or she should be advised to seek legal advice.

2.4 A DRO does not have the right to reject a nomination on the grounds that the DRO believes (or has received information claiming) that a prospective candidate is not eligible to nominate. [s.172 CEA]

2.5 DROs should refer any challenges to the nomination of a candidate (either by another candidate or a third party) to State head office immediately. The person issuing the challenge should be advised to write to the DRO. DROs must record the details of any information given by the person issuing the challenge and the advice given by the DRO in the election journal.

2.6 Qualifications - a candidate must be: [s.163 CEA]

- at least 18 years of age;
- an Australian citizen; and

# House of Representatives Nominations

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### Part 10 Subpart 1

- an elector entitled to vote at the election of Members of the House of Representatives; or
- a person qualified to become such an elector.

2.7 Nominations must be made at any time after the date of issue of the writ and before the hour of nomination. The hour of nomination is 12 noon on the date fixed for the close of nominations. [ss.156, 167(2), 175 CEA]

2.8 A nomination is made at the time it is lodged with (or received by) the DRO in the divisional office. The date that the candidate signs or despatches the form of nomination is immaterial.

- Example 1 - a nomination is not valid if it is lodged with or received by the DRO in the divisional office before the date of issue of the writ. [ss.167(2), 170(2)(a) CEA]
- Example 2 - a nomination dated before the issue of the writ is a valid nomination if it is lodged with or received by the DRO in the divisional office after the date of issue of the writ (and before the hour of nomination).
- Example 3 - a nomination form posted before the close of nominations, but received after the close of nominations, must be rejected.

2.9 Faxed nominations must be date and time stamped for receipt, regardless of the date and time recorded by the fax machine.

2.10 The day fixed for the close of nominations may be a Saturday, Sunday or a Public Holiday. In such cases the DRO's office must remain open until 12 noon in order for the DRO to receive nominations and, immediately after 12 noon, to publicly declare the nomination(s) and (if necessary) determine the order of names on the ballot paper (see 11.1 of this Subpart and Part 10, Subpart 2). [ss.167(1), 176, 213(1) CEA]

2.11 The DRO must ensure that the office clock and the fax machine are set to the correct time on the morning of the day that nominations close. The DRO or a permanent staff member must telephone for a time-check to ensure that nominations close at 12 noon sharp. [s.175 CEA]

2.12 If, just before 12 noon on the day nominations close, there is more than one person in the divisional office waiting to lodge a nomination, the DRO must collect the deposits and completed nomination forms from those waiting. These nominations, although collected before 12 noon, will not be accepted by the DRO unless they comply with all the necessary requirements (the checking of the forms can be done after 12 noon if time does not allow

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

for it to be done before). The DRO must not accept a nomination after 12 noon whether or not the person was in the office before 12 noon.

2.13 A nomination form may be sent by fax. It cannot be accepted, however, until the deposit has been paid. Therefore, if a nomination form has been received by fax before 12 noon on the close of nominations it cannot be accepted unless the deposit is also received before 12 noon. A faxed copy of a cheque is not to be accepted as a deposit.

2.14 Nominations must be made to the DRO and can be lodged in person, by messenger, by fax or posted to the DRO for the division for which the election is to be held. [s.167(2) CEA]

2.15 In order to nominate, a candidate may use form EF060 "Nomination of a Member of the House of Representatives". All nominations are confidential and must be held under security in the divisional office until the hour of nomination. It is not mandatory to use a form EF060. [Forms D & DA, Schedule 1, CEA]

2.16 Where a division operates a private post box, this box must be cleared to enable any nomination forms and deposits to be in the DRO's hands before 12 noon on the day of nomination. [s.170(2)(a)(iii) CEA]

### 3. Check nominations as received

3.1 Check that the nomination form is signed:

- by a registered officer (or deputy registered officer) of a registered political party; [s.166(1)(b)(ii) CEA]

or

- by 6 electors enrolled for the division in respect of which the candidate is nominating. [s.166(1)(b)(i) CEA]

3.2 The DRO will be supplied with a list of registered political parties as well as the relevant registered officers and deputy registered officers. The DRO must check any nomination form signed by a registered officer against this list.

3.3 The relevant DROs will be sent a fax of any bulk nominations received by the AEO. Should a nomination of a candidate by a registered party be received, where the registered party has already lodged a bulk nomination with the AEO, contact the AEO immediately, even if that candidate was not included in the bulk nomination. Once a bulk nomination has been lodged with the AEO by a registered party, any further nomination by that party may invalidate the nominations of candidates included in the bulk nomination.

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3.4 The CEA does not preclude a nominator who is either the registered officer/deputy registered officer from also being the nominated candidate.

3.5 In the event that a candidate nominates using Part B (6 electors) you should check to see if the candidate is one of the nominators. A candidate cannot be one of the six nominators. [s.166(1)(b)(i) CEA]

3.6 Check that the nomination specifies the surname/family name and one or more of the given names under which the candidate is enrolled. In the case of unenrolled candidates it must be the name under which the candidate is entitled to be enrolled. [s.166(2) CEA]

3.7 The given names of a candidate may be specified by an initial or a commonly accepted variation of that name. [s.166(2)&(3) CEA]

3.8 Check that the candidate has completed and signed the consent and declaration as required. [s.170 & 171 CEA]

3.9 It is not mandatory for a candidate to use a form EF060 as a form of nomination. Any form of nomination (which includes the information specified in form EF060) is acceptable. The candidate's declaration and consent can be made on the form of nomination (form EF060) or on any other paper, including a photocopy or fax of a nomination, whether accompanying the nomination paper or not. A form EF060, fully completed except for a candidate's signature, which is supported by a facsimile or other paper from the candidate stating the candidate's consent and declaration, is an acceptable form of nomination. [s.392(1) CEA]

3.10 Check that the candidate has indicated the form in which his or her name is to be printed on the ballot paper.

3.11 The format in which a candidate requests his or her name to be printed on the ballot paper is subject to certain conditions:

- the candidate's surname/family name may not be varied; and
- the candidate may request a commonly accepted variation of his or her christian or given name or names (eg Elizabeth may appear as Beth or Liz, Robert as Bob, Edward as Ted or Ned etc). A candidate is not permitted to have a name appear on the ballot paper in a form which is not a commonly accepted variation of the christian or given name or names, eg a Colin George Clark is not permitted to appear on the ballot paper as CLARK, Dick even though commonly known as Dick. [s.166(2), (3) & (4) CEA]

3.12 If the DRO is satisfied that the form in which the candidate has requested the name appear on the ballot paper is not acceptable, the DRO should advise the candidate accordingly and request the candidate to



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## Receipt of Nominations

### Part 10 Subpart 1

provide a form of name which is a commonly accepted variation of the name. If the candidate declines, the DRO must advise the candidate that the name will appear on the ballot paper in the form in which it was provided in the nomination section on the nomination form.

3.13 Record the full details of these instances in the election journal.

3.14 If a candidate declines to alter an unacceptable form of name, the DRO should ensure that State head office is advised of the correct form of name which is to appear on the ballot paper.

3.15 It is possible that 2 or more persons with the same or similar name will nominate as House of Representatives candidates for the same division, and that this may cause confusion: [s.212 CEA]

- if the candidates have the same surname/family name, it is likely that the candidates can be distinguished by their christian or given names; or
- if the candidates' christian or given names are identical, or the candidates indicate on the nomination forms that they wish their names to appear on the ballot paper in a form which will not distinguish them (eg John Smith and James Smith both wish to appear as Smith, J), the DRO should discuss with the AEO (or AAEO) possible methods of distinguishing the candidates on the ballot paper.

3.16 The DRO should consider the possibility of adding the candidates' occupations, addresses, gender (if appropriate) or ages, in that order as a method of distinguishing them.

3.17 Alteration of the form in which a candidate's name is to appear on the ballot paper is not permitted (eg if two candidates have requested to appear on the ballot paper as Smith, J the DRO is not permitted to vary the form of their names to Smith, John and Smith, James).

3.18 The DRO is not to consult with the candidates in regard to distinguishing two candidates with similar names. It should be borne in mind that, if the candidates are endorsed by a political party, their party affiliation will appear on the ballot paper. This, however, must not be used as the sole method of distinguishing candidates on the ballot paper.

3.19 The question of confusion resulting from similarity of candidates' names must be resolved before the draw for positions on the ballot paper is conducted. Each candidate must be clearly distinguished on the form used for determination of order of candidates' names on the ballot paper (see Subpart 2).

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### Part 10 Subpart 1

3.20 Check whether the nomination form indicates the candidate's party affiliation (if applicable), and if so, that the candidate has selected either the registered name or the registered abbreviation to appear on the ballot paper.

3.21 Care should be taken to ensure the particulars of the registered officer or deputy registered officer agree with the party details indicated in the register of political parties. A copy of the register of political parties will be issued by State head office.

3.22 A request to show a candidate's party affiliation may be made by the registered officer (or deputy registered officer) of a registered political party to the AEO for a State or Territory. Where this occurs the State head office will advise the DRO accordingly. [s.169(3) CEA]

3.23 Where a candidate appears to be endorsed by a registered political party and nominated by six electors but does not have a party affiliation noted on the nomination form, the DRO should contact State head office for advice. Any discrepancies should be followed up by the DRO with the State head office.

3.24 Check that an unendorsed candidate has indicated whether or not the word "Independent" should appear against their name on the ballot paper. This can be done either by letter to the relevant DRO or by filling in the appropriate section of the nomination form. [s.169A CEA]

3.25 Any problems regarding the acceptance of a nomination should be discussed with State head office before the nomination is accepted. Even if the nomination was received immediately before the hour of nomination, the DRO must check the nomination thoroughly and discuss any problems with the State head office. This may mean that the final acceptance or rejection of the nomination takes place after 12 noon.

- If an enrolled candidate attempts to nominate in a name other than the name in which enrolled, they should be advised that the nomination cannot be accepted using that name.
- If a candidate attempts to nominate using a name which the DRO considers to be frivolous or obscene, the DRO should check the person's enrolment. If the person is enrolled under that name the nomination should be accepted. If the person is not enrolled the DRO should ask the person for some substantiation for the use of the proposed name (eg a change of name under deed poll, a drivers licence, bank account, rates notice, phone account etc would be acceptable evidence of the person's use of that name). If the DRO is not satisfied that the name is one for which the person is entitled to be enrolled, the person should be told that the nomination cannot be accepted in that name. [s.172 CEA]

# House of Representatives Nominations

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### Part 10 Subpart 1

3.26 Check the remainder of the nomination form for completeness, including place of residence and occupation of the candidate. [CEA 170]

3.27 Where a candidate is an incumbent member of the House of Representatives, and that candidate is enrolled under subsection 99(4) of the CEA, the candidate may set out the address recorded in that enrolment rather than his or her place of residence. [s.166[(A) CEA]

3.28 Some common problems you will need to watch are:

- the title “registered officer” or “deputy registered officer”, is deleted as applicable;
- whether “registered abbreviation” or “registered party” to be shown on ballot paper is ticked as applicable;
- the correct party name is used eg National Party (Queensland) instead of just National Party;
- the question regarding silent enrolment is answered, (not mandatory);
- the question regarding the word independent is answered, (not mandatory); and
- the YES box for the statement regarding section 44 of the Constitution is ticked instead of the NO box.

#### 4. Accept or reject nominations

4.1 A nomination shall be accepted, even though it contains a formal defect or error, if the officer to whom the nomination is made is satisfied that the provisions of sections 166, 167, 170 and 171 of the CEA have been substantially complied with. Facsimile and photocopy nominations are acceptable. Substantial compliance means that a nomination form must contain: [s.172(2) CEA]

- a signed consent and declaration (or be accompanied by a facsimile, photocopy or other notice containing or including the candidate’s consent and declaration);
- the names, and signatures of 6 nominators enrolled for the division of nomination, OR the signature of a registered officer or deputy registered officer of a registered political party; [s.166 CEA]
- the reason by which the candidate is an Australian citizen, (ie date and place of birth in Australia, date of Australian citizenship or other reason); and



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## Receipt of Nominations

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- the form in which the candidate's name is to appear on the ballot paper.
- 4.2 The nomination, accompanied by \$250 in cash or bankers cheque (a credit union, building society, personal or business cheque or a money order is not acceptable) must be made to the DRO for the division for which the election is to be held after the issue of the writ and before the hour of nomination. [s.170 CEA]
- 4.3 A deposit for a Senate nomination must be made to the relevant AEO and cannot be accepted by any other person on the AEO's behalf.
- 4.4 Nomination or advice of consent and declaration by lettergram is not acceptable as signatures are required.
- 4.5 If a person nominates claiming citizenship by other means, the DRO should ask the following questions to help clarify the citizenship of the nominee:
- when the person first entered Australia and what the person entered as, ie as a permanent or temporary resident;
  - where and when parents were born;
  - does the nominee have a passport/s, issued by what country;
  - how, when and where the person acquired Australian Citizenship;
  - does the person have a certificate evidencing possession of Australian citizenship issued by DIEA; and
  - does the person possess any foreign citizenship/s. If so, what citizenship/s and how, when and where was this acquired.
- 4.6 The answers to these questions will need to be forwarded to State head office together with the nominee's full name, date and place of birth. Head office will then pass the inquiry on to Government and Legal Section, Central Office, which will liaise directly with DIEA in order to assist in establishing the nominee's claim to citizenship.
- 4.7 Until the basic answers to the above questions are tested by DIEA, no authoritative opinion can be given to the nominee whether the nomination is accepted. It is absolutely essential that in this sensitive area consistency in acceptance throughout Australia is maintained.
- 4.8 When a DRO intends to reject a candidate's nomination, the following steps must be taken: [s.172 CEA]
- advise the candidate or representative (by phone, fax or lettergram if the nomination was received through the mail) that the nomination cannot be accepted and will be rejected. The reasons must be given (eg less than 6 nominators and not nominated by the registered officer or deputy registered officer of a registered political party, reason for citizenship not shown, not accompanied by \$250 in cash or bankers' cheque);

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- photocopy the nomination form, record the reasons for the rejection on the photocopy, and return the original form to the candidate or representative;
- remind the candidate (or representative) of the date and time for the close of nominations. A new or amended nomination may be accepted only if that nomination form and deposit are received before the hour of nomination. If a new or amended nomination form is not received by the hour of nomination, a refund (if any) of the candidate's deposit should be arranged; and
- record the details in the election journal.

4.9 Whenever it is necessary for a DRO to reject a nomination, the DRO should arrange for another officer of the Commission (preferably the deputy DRO) to be present while the DRO is advising the candidate of the reasons for the rejection.

## **5. Receive candidate's deposit**

5.1 At the time of delivery of the nomination paper the person nominated, or some person on the candidate's behalf, must deposit with the DRO the sum of \$250 in cash or a bankers' cheque. A credit union, building society, personal or business cheque, or a money order, is not acceptable.

- A "Bankers Cheque" means a cheque drawn by a bank upon itself.
- A list of approved banks is at Attachment A.

5.2 The issue of receipts and remittance of deposits is to be completed in accordance with financial instructions in the Electoral Commissioner's Finance Directions.

5.3 When a candidate (or representative) personally lodges a nomination, the receipt for the candidate's deposit should not be issued until the nomination is accepted.

5.4 The procedures to be followed when a nomination is personally lodged by a candidate (or representative) during the temporary absence of the DRO are described at 13.1 below.

5.5 If a nomination is received through the mail, a receipt for the candidate's deposit must be issued whether or not the nomination is accepted. If the nomination is not accepted, the receipt should be sent with the notice of rejection of the nomination.

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### **6. Bulk nominations to AEO**

6.1 The registered officer of a registered party may lodge the nomination of all the endorsed candidates for that party in a particular State/Territory, with the AEO for that State/Territory. [s.167(3) CEA]

6.2 Where such a nomination is lodged, the AEO will send a facsimile of the nomination to all DROs in the State/Territory, and an advice with the facsimile that a deposit of \$250 for each candidate nominated has been received and deposited in the AEC's bank account.

6.3 A bulk nomination by a registered party must be for all the endorsed candidates in the particular State/Territory. If a nomination is received from a candidate who is endorsed by a registered party which has lodged a bulk nomination with the AEO, the AEO must be consulted immediately as such a nomination may have a bearing on the validity of the bulk nomination.

#### **7. Notify State head office as each nomination is received**

7.1 After accepting a nomination, record the date and time of receipt and a consecutive nomination number in the office use section of the nomination form. Fax a copy of the nomination form to State head office. On receipt of the fax, State head office should check the nomination in accordance with their responsibilities outlined in the Nominations User Guide.

7.2 Details of nominations received by the DRO, and advised as being received by the AEO, are to be entered in the ELMS - Nominations system as soon as possible after receipt or notification of the nomination.

7.3 Do not release information on candidates before the hour of nomination.

7.4 All nominations entered in the ELMS - Nominations system are to be proof read by the DRO and another staff member.

#### **8. Information, literature to be issued to candidates**

8.1 Issue to each candidate or representative, if available or as stocks become available:

- candidate's handbook;
- scrutineer's handbooks;
- scrutineer's appointment/undertaking forms;
- list of polling places for the division;

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

- itineraries and timetables for mobile polling and pre-poll voting centres;
- advice of the number of issuing points/polling officials to be employed at each polling place; and
- one reference roll of electors. [s.91c CEA]

8.2 Any material given to one candidate must be offered to all other candidates.

8.3 Candidates may purchase division maps, lists of localities and streets (EF054) and public issues of the division roll.

## 9. Withdrawal of nominations

9.1 A candidate may withdraw a consent to nominate with the DRO at any time before the hour of nomination. The candidate's notice of withdrawal may be lodged on a form EF003 (withdrawal of consent to nomination) or equivalent, or on a letter signed personally by the candidate. The signature on the form EF003 (or letter) should be checked with the nomination form to ensure the authenticity of the withdrawal. [s.177 CEA]

9.2 Advise State head office by phone of the withdrawal and confirm by faxing the candidate's notice of withdrawal together with a request for a refund of the candidate's deposit. The candidate's record must also be deleted from the ELMS - Nominations system.

## 10. Advise State head office of the death of a candidate

10.1 If a nominated candidate dies before the hour of nomination, the nomination date for that division is extended by one day. Advise the AEO by phone and follow this up by faxing written confirmation which will incorporate a request to refund the deposit. The candidate's record must also be deleted from the ELMS - Nominations system. [s.156(2) CEA]

10.2 If a nominated House of Representatives candidate dies after the hour of nomination, and before polling day, the election for the House of Representatives for that division is deemed to have failed. Arrange with the AEO for all candidates' deposits to be refunded. [s.180(2) CEA]

10.3 Where the election has failed in consequence of the death of a candidate after the declaration of the nominations and before polling day, a new writ shall forthwith be issued and the supplementary election shall be held upon the roll which was prepared for the purpose of the election which failed. Should this situation occur the DRO must immediately contact State head office. [s.181(1) CEA]



# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

10.4 Under the provisions of the Commonwealth Electoral Act dealing with the election timetable (ss.155, 156, 157 and 159), an election which is conducted following an election which has failed due to the death of a candidate cannot be held on the same day as the original election. Such a new election would be conducted in a similar manner to a by-election (see Part 43, Subpart 3) with the exception that the original certified list would be used for the new election, although the following changes may be made:

- deaths removed; and
- adjustments relating to enrolment forms received up to the close of rolls for the original election.

10.5 In the circumstances outlined above, a Senate election and/or referendum (if one was being held) would still be conducted in a division where the House of Representatives election is deemed to have failed. Numbers of polling place staff should be reviewed, according to national policy for such situations. OICs and polling staff should be advised of the change in circumstances and a new or amended financial forecast prepared in consultation with the Area Manager/Director Operations. If postal or pre-poll or mobile ballot papers had been issued before the death of a candidate, the House of Representatives ballot papers would not be counted.

10.6 The certified lists prepared for the original election would still be used for a Senate election and/or referendum to be conducted on the original election day.

## 11. Publicly declare nominations

11.1 In preparation for the public disclosure of nominations, the DRO should check if any candidate has enrolled as a “silent” elector, in which case a photocopy of the nomination is to be made with no address details shown that can be used at the public disclosure of nominations.

11.2 At 12 noon, it is essential to announce to anyone present that nominations have closed and no further nominations will be accepted. Where a nomination is being received by fax, the complete nomination must be in the hands of the DRO by the close of nominations. It is not sufficient that the fax has started printing or is in the fax memory (whether or not the fax is out of order or out of paper).

11.3 After 12 noon on nomination day the DRO must produce all accepted nomination forms and declare the names and addresses of all candidates nominated. Any person present may inspect the nomination forms. If only one nomination is received the DRO shall declare that candidate duly elected. [s.176(2), 179 CEA]

# House of Representatives Nominations

## Receipt of Nominations

### Part 10 Subpart 1

#### **12. Retain all nomination forms**

12.1 After nominations have been declared, all nomination forms must be stored in a secure location in the divisional office.

12.2 Nomination forms are made public at the hour of nomination and remain public documents. Copies may be provided free of charge if workload permits (at the discretion of the appropriate AEO or DRO).

12.3 Requests for confirmation of the name and address only of a nominator for a candidate may be granted by the officer receiving the request, but no further information of a personal nature should be provided.

#### **13. Receipt of nominations by the deputy DRO**

13.1 In the temporary absence of the DRO or acting DRO, the deputy DRO (or another permanent member of the divisional staff) may receive a nomination in the divisional office. A DRO is unlikely to be absent for long periods during the time that nominations are being received - otherwise the appointment of a replacement DRO, who can accept or reject nominations, will be made.

13.2 The receiving officer (deputy DRO or other permanent staff member) should check for substantial compliance. If the conditions of substantial compliance are not met the receiving officer should advise the candidate or representative that the nomination form would be rejected by the DRO. If the candidate or representative wishes to amend the nomination, the receiving officer should permit this. If the candidate or representative needs to remove the nomination form from the office, the receiving officer should retain a photocopy of the nomination in its original form. In cases where the nomination form and the accompanying deposit are lodged with the receiving officer, a receipt for the deposit should be issued.

13.3 The candidate (or representative) should be advised that the DRO will consider the nomination form and will advise the candidate if the nomination is to be accepted or rejected. The candidate is to be advised that the receipt for the deposit is for that purpose only and is not to be taken as an indication of acceptance of the nomination.

13.4 Upon returning to the office, the DRO should consider the nomination and advise the candidate if the nomination is to be accepted or rejected.

13.5 It is essential that each DRO ensures that all divisional office staff are fully trained in these procedures.

#### **14. Funding and disclosure**

# **Recruitment, Appointment and Training of Polling Officials and Election Casuals**

**Part 12**

14.1 Information on funding and disclosure is only to be provided by the State head office contact officer (funding and disclosure).

# Recruitment, Appointment and Training of Polling Officials and Election Casuals

Part 12

## List of Banks in Australia as at 30 June 1995

## Attachment A

### Banks Authorised under the Banking Act 1959

	Adelaide Bank Limited
ADV	Advance Bank Australia Limited
	Arab Bank Australia Limited
ANZ	Australia and New Zealand Banking Group Limited
BAL	Bank of America Australia Limited
BML	Bank of Melbourne Limited
BQL	Bank of Queensland Limited
BOS	Bank of Singapore (Australia) Limited
BOT	Bank of Tokyo Australia Limited
BTA	Bankers Trust Australia Limited
CBL	Challenge Bank Limited
CTI	Citibank Limited
CBA	Commonwealth Bank of Australia
	Commonwealth Development Bank of Australia
HBA	Hongkong Bank of Australia Limited
IBJ	IBJ Australia Bank Limited
	ING Mercantile Mutual Bank Limited
LBL	Lloyds Bank NZA Limited
MBL	Macquarie Bank Limited
MET	Metway Bank Limited
MBA	Mitsubishi Bank of Australia Limited
NAB	National Australia Bank Limited
NWA	NatWest Markets Australia Limited
PIB	Primary Industry Bank of Australia Limited
STG	St George Bank Limited
	St George Partnership Banking Limited
	Standard Chartered Bank Australia Limited
	State Bank of New South Wales Limited
	The Chase Manhattan Bank Australia Limited
T&C	Town and Country Bank Limited
TBT	Trust Bank
WBC	Westpac Banking Corporation

### Branches of Foreign Banks

	Bank of America NT & SA
BOC	Bank of China
BNZ	Bank of New Zealand
BNP	Banque Nationale De Paris
BBA	Barclays Bank PLC
	Credit Suisse
DBA	Deutsche Bank AG
	Midland Bank PLC
	Morgan Guaranty Trust Company of New York
	NBD Bank
	Overseas Union Bank Limited
	State Street Bank and Trust Company
	The Dai-Ichi Kangyo Bank Limited
	The First National Bank of Chicago
	United Overseas Bank Limited

### State Banks

# **Recruitment, Appointment and Training of Polling Officials and Election Casuals**

**Part 12**

SBS

Bank of South Australia Limited  
Bank of Western Australia Ltd

## **Subpart 2 - House of Representatives Nominations - Ballot Paper Draw**

### **Contents**

1. Prepare for the draw to determine the order of names on the ballot paper
  2. Determine the initial order of candidates' names
  3. Conduct draw no. 1
  4. Conduct draw no. 2
  5. ELMS - Nominations system
  6. Advise State head office of order of names on ballot paper
- Attachment A - House of Representatives draw for positions on the ballot paper

## **1. Prepare for the draw to determine the order of names on the ballot paper**

1.1 The draw to determine the order of names on the House of Representatives ballot paper takes place immediately following the public declaration of nominations by the DRO at the hour of nomination. [s.213 CEA]

The following personnel must be available for the draw:

- DRO; and
- two people, one of whom must be employed by the Commonwealth or a State or by an authority of the Commonwealth or State. You should use Australian Electoral Commission staff if possible. [s.213(1)(a)(v) & (ix), (3) CEA]

1.2 Ensure the following equipment is available:

- one standard issue spherical container;
- one set of numbered balls;
- one blindfold;
- one notice/whiteboard and set of markers; and
- form EF002 determination of order on ballot paper.

1.3 Explain to the persons present the procedures set out in the Commonwealth Electoral Act which you are required to follow (Attachment A) to establish the order in which the candidates' names are to appear on the ballot paper. Further explanations will be necessary during the draw for positions. [s.213 CEA]

## **2. Determine the initial order of candidates' names**

2.1 The DRO lists the names of the candidates in the order of receipt on the whiteboard and on the form EF002 (determination of order on ballot paper). The DRO should announce to persons present at the draw the method to be used. [s.213(1)(a)(i) CEA]

## **3. Conduct draw no. 1**

3.1 Explain to those present that this draw (No. 1) is to allocate a number to each candidate. (Attachment A)

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3.2 Ensure that the Commonwealth or State employee selected to withdraw the balls from the container is blindfolded.

3.3 Place consecutively numbered (from no. 1 onwards) balls equal to the number of candidates nominated in the container.

3.4 The DRO will then rotate the container and invite any other person present who wishes to rotate the container to do likewise.

3.5 The container is opened by the DRO or an assistant.

3.6 The blindfolded person withdraws one ball from the container and hands that ball to the other person assisting who will call out the number.

3.7 The DRO or assistant will write the number called against the first listed candidate on the board and also on form EF002. Continue the process described in 3.6 above until all candidates have been allocated their initial number.

3.8 The blindfolded officer may remove the blindfold at the completion of the draw.

## **4. Conduct draw no. 2**

4.1 Explain to those present that this draw (No. 2) constitutes a draw to determine the order of candidates on the ballot paper. (Attachment A)

4.2 Ensure that the Commonwealth or State employee selected to withdraw the balls from the container is again blindfolded. Return the balls to the container.

4.3 The DRO will then rotate the container and invite any other person present who wishes to rotate the container to do likewise.

4.4 The container is opened by the DRO or an assistant.

4.5 The blindfolded person withdraws one ball from the container and hands that ball to the other person assisting who will call out the number. The DRO or assistant will write the number called onto the board and also on form EF002. Against this number the DRO or assistant will write the name of the candidate who was allocated the same number at the first draw.

4.6 Continue the process until all numbers (and the corresponding names of candidates) have been listed on the board and form EF002.

4.7 The order in which the names are set out in this final list is the order in which the names of the candidates will appear on the ballot paper.



## **5. ELMS - Nominations system**

5.1 The DRO is to enter the results of the draw in the ELMS - Nominations system immediately after the draw so that ballot paper printing may be scheduled.

## **6. Advise State head office of order of names on ballot paper**

6.1 As soon as possible after the completion of the draw, fax form EF002 (determination of order on ballot paper) to State head office.

6.2 After nominations have been declared and the draw for positions on the ballot paper has been completed, attach a copy of the result of the draw to the nomination forms and place them on file under security. A copy of the form highlighting the result of the second draw may also be given to the candidates or their representatives or any other interested parties (eg media representatives).

## Attachment A

### House of Representatives draw for positions on the ballot paper

On **\*(date)** a writ was issued by the Governor-General instructing the Electoral Commissioner to call for nominations for the election of a member for the Division of **\*(your division)**

Under the provisions of section 176 of the Commonwealth Electoral Act, I am now required publicly to produce all the nomination papers which I have received for House of Representatives candidates and to declare the names and residences of all candidates nominated.

I have received nominations from **\*(number)** candidates.

The **\*(number)** names and residences of those candidates are:

.....

.....

.....

.....

.....

.....

I am now required to determine the order of the candidates on the ballot paper. This will be done in accordance with section 213 of the Commonwealth Electoral Act by a method of randomisation.

I will now determine the order of the candidates on the ballot paper. Let me explain how I will do it.

First I will list on the notice board, under the heading "Random Number Allocation", the names of the candidates for the election shown in the order in which their nominations were lodged with me.

Two draws will now be conducted. The first draw does not determine the candidate's position on the ballot paper but merely allocates a number to each candidate.

At the second draw, the ballot paper order for each candidate will be determined in accordance with the sequence that the numbers are drawn, with each number representing the candidate for whom that number was allocated at the first draw.

## DRAW 1

Now to the first draw. As there are **\*(total number)** candidates, I will place balls numbered from 1 to **\*(total)** in the container.

Section 213 of the Commonwealth Electoral Act requires that a person, employed by the Commonwealth or a State or by an authority of the Commonwealth or a State, be blindfolded to draw out the numbered balls. **\*(name of blindfolded person)** will perform this duty.

The Act now requires me to rotate the container and invite any other person present who wishes to rotate the container to do likewise.

Now **\*(name of blindfolded person)** will take the first ball out of the container and pass the ball to **\*(name of other person)** who will call out the number and I will write it next to the first candidate. This process of withdrawing each of the balls will continue until all balls have been withdrawn. The container is not required to be rotated after each ball is removed.

## DRAW 2

I have just conducted the random number allocation, each number shown alongside the candidate is now deemed to represent that particular candidate.

I will now conduct the ballot draw. The first number drawn will represent the candidate who will appear first on the ballot paper while the second number drawn will represent the candidate who will appear next on the ballot paper and so on. As they are drawn, we will display them on the board and this is how they will appear on the ballot paper.

I will now put the balls numbered 1 to **\*(total)** back into the container and rotate the container and I invite any other person present who wishes to rotate the container to do likewise.

Now **\*(name of blindfolded person)** will take the first ball out of the container and pass the ball to **\*(name of other person)** who will call out the number and I will write it on the list. This process of withdrawing each of the balls will continue until all balls have been withdrawn. The container is not required to be rotated after each ball is removed. I will now write the name of each candidate with the corresponding number from the first draw on the list beside that number.

This completes the draw for candidate positions.

Thank you.

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**\*fill in the required details**



## **PART 11**

### **Receipt of Ballot Papers - Initial Accounting**

#### **Contents**

1. Receipt of ballot papers in divisional offices
2. Security of ballot papers in divisional offices
3. OICs - certification of number of ballot papers received
4. Security of ballot papers whilst in the custody of OICs

## 1. Receipt of ballot papers in divisional offices

1.1 All ballot papers issued to DROs will be accompanied by an advice note from State head office detailing the number of bundles and types of ballot papers contained within the parcels/cartons. The different types of ballot papers are ordinary for own division (including those for pre-poll voting), ordinary for other divisions (for absent and pre-poll voting) and postal (for own division and for other divisions).

1.2 The details of ballot papers forwarded to divisions are entered into the ELMS - Pre-election system by State head office.

1.3 The DRO is to conduct a full count of the following ballot papers:

- all postal ballot papers (House of Representatives, Senate and Referendum) for own and other divisions;
- all ordinary House of Representatives and Referendum ballot papers for own and other divisions; and
- the supply of ordinary Senate ballot papers reserved for issue of pre-poll votes. For the remaining ordinary Senate ballot papers it is only necessary to count the number of bundles received. Ensure that the number of bundles received PLUS the supply of ordinary ballot papers fully counted agrees with the original requisition.

1.4 Where ballot papers are supplied shrink-wrapped or as pads with numbered butts, DROs may assume that each pack/pad contains the number of ballot papers as advised.

1.5 The DRO ensures that all ballot papers are secured in their respective labelled bundles and checks for errors and omissions on the ballot papers by flicking through them.

1.6 The DRO then acknowledges receipt of the ballot papers. This receipt must state that:

- a full count of all postal ballot papers has been conducted;
- a full count of all ordinary House of Representatives and Referendum ballot papers has been conducted;
- a full count of ordinary Senate ballot papers reserved for issue of pre-poll votes has been conducted; and
- a bulk count only of ordinary Senate ballot papers has been conducted.

1.7 The particulars of the ballot papers received are then entered into ELMS - Pre-election system following the procedures set out in the user guide. The receipt of ballot papers directly from, and the despatch of ballot papers directly to, another division are also entered into ELMS.

# Recruitment, Appointment and Training of Polling Officials and Election Casuals

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1.8 The DRO retains a copy of all receipts on file.

### **2. Security of ballot papers in divisional offices**

2.1 From the time of receipt from State head office, until despatch to OICs, the DRO must ensure that the ballot papers are retained in secure storage or are in the charge of a responsible officer.

### **3. OICs - certification of number of ballot papers received**

3.1 Before polling day each OIC (of a polling place, mobile team or pre-poll voting centre) must complete a thorough check count of all ballot papers received. The OIC indicates on the ballot paper inventory form (EF120) the actual number of each type of ballot paper (House of Representatives, Senate and Referendum) received, by division (for House of Representatives), and record these figures in the OIC's general return.

3.2 Any discrepancy in numbers of ballot papers must be resolved. Details of unresolved discrepancies are to be recorded by the DRO in the election journal.

3.3 Any adjustments to ELMS must be done in the relevant post-election screen from the OIC's count.

3.4 If it is necessary for the DRO to provide additional ballot papers to an OIC, or for one OIC to transfer ballot papers to another OIC, the despatch must be accompanied by a suitably endorsed cover note for supply/receipt of ballot papers (EF122). The cover note is to be attached to the appropriate page of the OIC's general return (the original by the issuing OIC and the copy by the receiving OIC).

### **4. Security of ballot papers whilst in the custody of OICs**

4.1 The DRO must instruct each OIC at the training session to take all necessary precautions to maintain the security of ballot papers while in the OIC's possession.



**PART 12**

**Recruitment, Appointment and Training of Polling Officials  
and Election Casuals**

**Contents**

1. Delegation to appoint staff
2. Recruitment of polling officials and election casuals
3. Completion of undertakings by staff engaged for the election
4. Emergency appointment of polling officials
5. Training of polling staff (TOPS)
6. Payment of polling officials and election casuals
7. Performance appraisal of PPLOs, OICs, mobile team leaders and electoral visitors in charge

Attachment A - EEO policy

Attachment B - Advertisement of vacancies for election casuals and polling officials

Attachment C (1) - Letter to suitable applicant (between elections)

Attachment C (2) - Letter to suitable applicant (prior to elections)

Attachment C (3) - Letter to unsuitable applicant

## 1. Delegation to appoint staff

1.1 Each DRO is authorised to appoint the following categories of staff for the purposes of an election in their division:

- an Assistant Returning Officer;
- a presiding officer;
- a deputy presiding officer;
- an assistant presiding officer;
- a substitute presiding officer;
- an electoral visitor-in-charge;
- an electoral visitor assisting;
- a mobile polling team leader;
- a mobile polling team member;
- a pre-poll voting officer-in-charge;
- a pre-poll voting officer.

## 2. Recruitment of polling officials and election casuals

2.1 Once the divisional staffing estimates in ELMS is approved, the DRO may proceed with the recruitment of polling officials.

2.2 Polling officials and election casuals are to be selected on merit. It is AEC policy to re-engage experienced polling officials and election casuals whose past services have been satisfactory.

2.3 The Australian Electoral Commission is an equal opportunity employer. In any recruitment action DROs must have regard for the AEC's EEO policy (see Attachment A) and the provisions of the:

- *Racial Discrimination Act 1975* - provides legislative protection against discrimination on the basis of race, colour, national and ethnic origin;
- *Sex Discrimination Act 1984* - provides legislative protection against discrimination on the grounds of sex, marital status and pregnancy; and the
- *Human Rights Commission Act 1981* - provides appeal rights for disabled persons.

2.4 Persons employed on a casual basis for a definite period of time, at the end of which the employer/employee relationship ceases (eg as polling officials), are employed only for the duration of that election, referendum etc. The decision not to re-employ such persons is therefore not "termination" and does not fall within the terms of the Industrial Relations Act.

2.5 Any person who is, and is seen to be, active in political or electoral affairs, and intends to publicly carry on this activity, may compromise the strict political neutrality of the AEC and cannot be considered. If a person is refused employment on these grounds, they

# Recruitment, Appointment and Training of Polling Officials and Election Casuals

## Part 12

should be advised of the reason and given a copy of the AEC's political affiliation policy statement.

2.6 DROs should consider the method by which polling officials are employed - eg OICs may be approached to recruit their own staff, or the divisional office may carry out this function. The recruitment of polling officials by OICs is likely to be the favoured approach in country divisions. In those divisions where OICs recruit their own staff, the procedures in this Part must be adhered to when new staff are recruited.

2.7 Relatives of AEC staff may be employed under section 35 of the Commonwealth Electoral Act if:

- in a merit competition, they are clearly selected on the ground of merit;

OR

- there are no other applicants, and they are rated as suitable against the selection criteria;

AND

- the Area Manager/Director Operations, after sighting all relevant applicants' assessments, endorses the employment.

Any staff member whose relative is an applicant for a position should not be involved in the assessment of applicants for that position, but should be replaced by a representative from area management or neighbouring divisions.

2.8 A file of all applicants for employment as election casuals/polling officials shall be maintained in each divisional office.

2.9 The file can be maintained by:

- deleting from the file people who have moved and will obviously no longer be available;
- deleting from the file people who advise they are no longer interested; and
- adding to the file experienced staff who will be available.

2.10 Opportunities for employment to fill vacancies for election casuals and polling officials should be advertised. Any advertising will be arranged by State head office. The text for an advertisement is at Attachment B.

2.11 New applicants must apply on the form "Application for Employment as Election Casual or Polling Official". (EF077).

# **Recruitment, Appointment and Training of Polling Officials and Election Casuals**

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2.12 The Commonwealth Employment Service should be informed by divisional offices of the division's recruitment action and requested to direct interested people to the relevant divisional office to acquire application forms.

2.13 Only those applicants who meet the criteria should be considered for employment. Any applicant not meeting the essential criteria is to be considered unsuitable for employment as an election casual or polling official.

2.14 Interviews should, where time permits and where practical, be conducted in the divisional office. In other situations the DRO or OIC may conduct a telephone interview. Questions must be appropriate to the criteria and no general questions should be asked of one applicant that are not asked of another. The interview assessment form (EF079) must be completed for each applicant interviewed.

2.15 Suitable applicants should be ranked against the criteria. Employment should then be offered in accordance with the applicant's order of merit.

2.16 Reasons for non-selection must be noted in the space provided on the interview assessment form. The selection process may be subject to scrutiny from outside the AEC and reasons for non-selection may be requested.

2.17 When time permits, all applicants must be advised of the outcome of their application (Attachments C(1), (2) and (3) refer). All applications and interview assessment forms must be filed and stored in the divisional office.

2.18 Persons selected for employment as an OIC, 2IC, PPLO, declaration vote issuing officer, queue controller, inquiry officer, remote mobile team leader, remote mobile team member, electoral visitor-in-charge, electoral visitor assisting, pre-poll voting officer-in-charge or pre-poll voting officer will be required to undergo training, for which they will be paid.

2.19 The despatch of Offer of Employment forms must take place as soon as practicable after the issue of the writ.

# Recruitment, Appointment and Training of Polling Officials and Election Casuals

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The following material should be despatched with the Offer of Employment:

- EF080(a) Instructions for the completion and return of Offer of Employment
- EF080(1) Payment details
- EF083 Application for Exemption from Taxation Payments  
Taxation Employment Declaration Form  
A.G.E.S.T. Membership Form
- EF084 Terms of Employment for election staff
- EF084(a) Taxation information
- EF084(b) Superannuation information
- EF084(1) Remuneration for Election Staff
- EF084(2) Remuneration for package rate staff
- Reply paid envelope

2.20 Payment to election casuals/polling officials shall be at the rates approved by the AEC and as advised on Form EF084(1).

### **3. Completion of undertakings by staff engaged for the election**

3.1 DROs must ensure that all staff complete and return the Acceptance of Offer and Undertaking before commencing duty. [s.202A CEA]

3.2 In circumstances where it is not possible for the Acceptance of Offer and Undertaking to be returned by a polling official prior to polling day (eg a late appointment), the official may hand the form to the OIC on polling day and the OIC will return all such forms to the divisional office in Parcel Label No. 1 (see Part 21). DROs should follow up all cases of outstanding Acceptance of Offer and Undertaking forms immediately after the election.

3.3 The employee should not be allowed to commence duty until an Acceptance of Offer and Undertaking has been signed and is in the hands of the OIC or the DRO. DROs should provide an emergency "staffing pack" to the OIC or PPLO so that spare forms will be available for the emergency appointment of polling staff on election day.

3.4 All divisional office staff (permanent, temporary and casual) are to complete undertakings (EF035) at election time. [s.202A CEA]

## 4. Emergency appointment of polling officials

### 4.1 OICs

An OIC may appoint another person to carry out the duties of OIC in his/her temporary absence.

4.2 Only one substitute OIC is permitted, at any given time, in a polling place.

4.3 In certain emergency situations the person appointed as a substitute OIC may not necessarily be a polling official (the “original” OIC would initially appoint the person as a polling official and would then appoint the person as a substitute OIC). This appointment must subsequently be ratified by the DRO. [ss.203(3), 204 CEA]

### 4.4 Other polling officials

In an emergency on polling day (eg shortage of staff or unexpected pressure of work) an OIC may appoint any person to act as a polling official or scrutiny assistant. Wherever possible, it would be appropriate for the OIC to discuss the situation with the DRO before making any appointments.

4.5 On receipt of a completed Offer of Employment (or the rejection of an offer) details should be entered into AECPAY.

## 5. Training of polling staff (TOPS)

5.1 A major task for divisions during an election is the training of polling staff. The importance of timely, adequate and effective training for polling officials cannot be over-emphasised.

5.2 The TOPS package is divided into the following target group categories:

- PPLOs, OICs and 2ICs of static polling places;
- declaration issuing officers, queue controllers and inquiry officers at static polling places;
- polling staff at static polling places, including ordinary issuing officers and ballot box guards;
- remote mobile team leaders, and remote mobile polling team members;
- electoral visitors-in-charge and electoral visitors at special hospitals and prisons; and
- pre-poll voting staff.

5.3 Polling place liaison officers

# Recruitment, Appointment and Training of Polling Officials and Election Casuals

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PPLOs must attend the 3 hour OICs' and 2ICs' face-to-face training session in addition to attending a 2 hour briefing session on their role and responsibility on polling day. They should also complete the OIC's home training package. PPLOs will receive a 5 hour payment package to cover 2 hours for the home workbook completion and 3 hours for the training session. Payment for a 2 hour briefing session and up to 30km of travel is included in their wages package.

### 5.4 OICs and 2ICs of polling places

Wherever geographically possible, polling place OICs and 2ICs must receive face-to-face training. Only in isolated country areas should home study by OICs be considered an acceptable alternative in addition to the home workbook and video. Even in these circumstances all OICs must be actively encouraged to attend face-to-face sessions. OICs and 2ICs will receive a 5 hour payment package to cover 2 hours for completing the home workbook, 3 hours for the training session and up to 30 km of travel. No payment will be made for time spent travelling to/from training sessions. In country divisions, it may be better for permanent staff to travel to some regional centres to conduct training sessions rather than attempt to bring polling officials to one central location.

5.5 The DRO and deputy DRO may be present at each training session if each is involved in the training presentation. In rural divisions the training load might be shared between the DRO and deputy DRO (ie the DRO and the deputy DRO could conduct sessions in different towns).

5.6 Because of the participatory style of the training session, DROs are encouraged to conduct it away from the divisional office in a fully equipped venue such as a school. OICs, 2ICs and PPLOs should be sent their Polling Place Management Procedures manual together with their home workbook and a copy of the training video before the face-to-face session. These workbooks must be collected at the training session and reviewed before polling day by divisional staff. If any OICs, 2ICs or PPLOs fail to complete their workbooks, the 2 hour payment for this component must not be made.

Material provided for home training:

- Polling Place Management Procedures manual;
- home workbook for senior polling staff; and
- VHS tape covering tasks to be completed:
  - before polling commences;

# Recruitment, Appointment and Training of Polling Officials and Election Casuals

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- during polling - 8.00am to 6.00pm; and
- after polling ceases.

Material provided for face-to-face session:

- presenter's guide including overhead transparencies (for use by trainer); and
- session workbook for senior polling staff (for distribution at the session).

## 5.7 Declaration issuing staff at static polling places

Declaration issuing officers, queue controllers and inquiry officers will receive 1 hour's face-to-face training.

Polling Place Procedures - declaration vote issuing officers/queue controllers/inquiry officers manual, and a video on declaration vote issue, should be sent to declaration issuing staff at least 1 week before the training session.

If declaration issuing staff fail to attend training the 1 hour payment must not be made.

Material provided:

- Polling Place Procedures manual - declaration issuing officers/queue controllers/inquiry officers; and
- VHS video tape on declaration vote issue.

Material provided for face-to-face session:

- presenter's guide including overhead transparencies (for use by trainer); and
- session workbook for senior polling staff (for distribution at the session).

## 5.8 All other polling staff at static polling places

All other polling staff at static polling places will receive a home training package. No separate payment will be made for completion of the home workbook.

The Polling Place Procedures - ordinary vote issuing officers/ballot box guards manual and home workbook should be sent to these staff at least 2 weeks before polling day. These workbooks contain a series of exercises on



# **Mobile Polling - Special Hospitals**

## **(Hospitals that are not Polling Places)**

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polling place procedures with the answers provided at the back. Staff should be instructed to complete the exercises before looking at the answers. Polling officials must return the completed workbooks to the OIC of their polling place on polling day.

Material provided:

- Polling Place Procedures manual - ordinary vote issuing officers/ballot box guards; and
- home workbook for ordinary vote issuing officers/ballot box guards.

#### **5.9 Remote mobile team leaders polling in Aboriginal communities**

These team leaders will receive a video and attend a 5 hour face-to-face training session.

A structured training guide and a video on remote mobile polling procedures has been produced for use in conducting this training.

The Remote Mobile Polling Procedures - Team Leader manual and video should be forwarded to team leaders well before the session.

Team leaders will be paid on the basis of five hours for attending the remote mobile session.

Material provided:

- presenter's manual and handout book for session on remote mobile polling;
- Remote Mobile Polling Procedures - Team Leader manual; and
- VHS video tape on remote mobile polling.

Remote mobile polling team leaders may also receive materials for the OIC's training session.

#### **5.10 Remote mobile polling team members polling in Aboriginal communities**

These team members will receive a 2 hour face-to-face training session.

The Remote Mobile Polling Procedures - Team Member manual, plus the video, should be forwarded to team members well before the session.

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## **Part 13 Subpart 1**

Material provided:

- presenter's manual plus workbook for face-to-face session;
- Remote Mobile Polling manual;
- VHS video tape on remote mobile polling; and
- home workbook.

### **5.11 Other mobile polling staff - electoral visitors**

These team leaders and members will receive a 1 hour face-to-face training session on electoral visitor matters conducted by the DRO or deputy DRO. These sessions can be conducted in the divisional office. Where only a small number of electoral visitors are involved, it may well be possible to organise sessions during normal business hours, especially in metropolitan divisions.

Electoral visitors must also attend the 1 hour declaration vote issue training session. DROs may run this session in conjunction with the electoral visitor session or alternately ask the electoral visitors to attend a scheduled declaration vote issuing session at another time.

In addition to the face-to-face sessions, electoral visitors are required to complete the home workbook. This workbook should be sent to electoral visitors at least 2 weeks before starting mobile polling. A payment of 1 hour will be made for this home training. If the home workbook is not completed, this 1 hour payment must not be made.

Material provided:

- presenter's guide for electoral visitors;
- Mobile Polling Procedures - electoral visitors; and
- home workbook for electoral visitors.

### **5.12 Pre-poll voting staff**

All pre-poll voting staff will receive a 1 hour face-to-face training session conducted by the DRO or deputy DRO. These sessions can be conducted in the divisional office. Where only a small number of pre-poll voting staff are involved, it may well be possible to organise sessions during normal business hours, especially in metropolitan divisions.

In addition to the face-to-face session, pre-poll voting staff will be required to complete the home workbook before attending the training session. A payment of 1 hour will be made for completion. If the home workbook is not completed, this 1 hour payment must not be made.

Material provided:

# Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)

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- presenter's guide for pre-poll staff;
- Pre-poll Voting Procedures manual; and
- home workbook for pre-poll voting staff.

### **6. Payment of polling officials and election casuals**

6.1 All polling officials and election casuals must be paid through the AECPAY system. Refer to the AECPAY Manual for directions and head office circulars for local arrangements.

### **7. Performance appraisal of PPLOs, OICs, mobile team leaders and electoral visitors in charge**

7.1 DROs should generally assess the work performed by these categories of employees and should provide feedback on their work performance.

#### 7.2 Performance appraisal of PPLOs

Some indicators which could be used to assess the performance of a PPLO are:

- ability to assist an OIC;
- ability to handle a difficult situation;
- quality of the comments made on their PPLO's report; and
- whether or not they performed their duties and functions as described by the DRO.

#### 7.3 Performance appraisal of OICs

Some indicators which could be used to assess the performance of an OIC are:

- ability to manage and assess staff under their supervision;
- ability to deal with scrutineers;
- ability to provide a good voter service;
- quality and condition of the certified lists;
- accuracy of the reconciliation of ballot papers on the EF008;
- report made by PPLOs on the polling place;
- whether the declaration folder counterfoils were fully sorted;
- whether any absent votes were issued for the wrong division;

# **Mobile Polling - Special Hospitals**

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- receipt of figures on polling night - time of receipt and accuracy of figures;
- completion and accuracy of their return; and
- return of material - correctly labelled and parcelled.

#### **7.4 Performance appraisal of remote mobile team leaders**

Some indicators which could be used to assess the performance of a remote mobile team leader are:

- ability to manage and assess staff under their supervision;
- ability to keep to the itinerary;
- ability to deal with scrutineers;
- ability to provide a good voter service;
- quality and condition of the certified lists;
- accuracy of the reconciliation of ballot papers on the EF008;
- whether the declaration folder counterfoils were fully sorted;
- whether any absent votes were issued for the wrong division;
- completion and accuracy of their return; and
- return of material - correctly labelled and parcelled.

#### **7.5 Performance appraisal of electoral visitors-in-charge**

Some indicators which could be used to assess the performance of an electoral visitor-in-charge are:

- ability to manage and assess staff under their supervision;
- ability to keep to the itinerary;
- ability to deal with scrutineers;
- ability to provide a good voter service;
- quality and condition of the certified lists;
- accuracy of the reconciliation of ballot papers on the EF008;
- whether the declaration folder counterfoils were fully sorted;

## **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

### **Part 13 Subpart 1**

- whether any absent votes were issued for the wrong Division;
- completion and accuracy of their return; and
- return of material - correctly labelled and parcelled.

# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

## **Part 13 Subpart 1**

### **Attachment A**

#### **EEO Policy**

Equality in employment opportunities is government policy and a sound management practice. The Australian Electoral Commission has an equal employment opportunity (EEO) program in place, as required by section 22B of the Public Service Act, to ensure that all current and potential staff are treated fairly, equitably, and free of any unjustified discrimination in their employment. Our EEO program applies to all permanent, temporary and casual staff. Responsibility for the effective implementation of EEO lies with every staff member.

EEO requires that people be judged according to their skills, abilities and experience. In particular, it seeks to ensure that four groups identified as facing particular disadvantage in the workplace are able to seek opportunities on fair terms with others. The four groups identified are: women, people of non-English speaking background, Aboriginal and Torres Strait Islanders and people with disabilities.

EEO includes not discriminating against applicants for permanent, temporary or casual employment for any reason other than a genuine inability to perform the duties of the position in question, as set out in the duty statement and selection criteria. EEO principles also need to be considered in the broader range of management practices, such as staff development and training, providing a safe and accessible workplace, and involving staff in decision making and information sharing.

All staff have the right to a harassment free workplace and to be treated with courtesy and sensitivity to their rights, duties and aspirations. The Electoral Commissioner has made it clear that no form of harassment will be tolerated in the AEC.

Areas of discrimination covered by legislation applying to the Australian Public Service (APS) are race, colour, ethnic origin, social origin, religion, sex, sexual preference, marital status, pregnancy, age or physical or mental disability.

The following legislation provides the basis for EEO in the APS:

**Public Service Act 1922;**

**Public Service Reform Act 1984**

**Racial Discrimination Act 1975;**

**Sex Discrimination Act 1984;**

**Disability Discrimination Act 1992; and**

**Human Rights and Equal Opportunity Commission Act 1986.**

# Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)

Part 13 Subpart 1

Attachment B

## AUSTRALIAN ELECTORAL COMMISSION

DIVISION OF \_\_\_\_\_

### ELECTION CASUALS AND POLLING OFFICIALS

The Australian Electoral Commission is looking for people who are interested in working at future Commonwealth elections.

**Polling officials** are employed for polling day only. Polling officials may be required to work from 7.00 am until the completion of the count.

**Election casuals** are employed in the divisional office to assist with various tasks. Hours of employment vary, and election casuals may be expected to work long hours at short notice in some circumstances.

Applicants should:

- be enrolled Commonwealth electors (if eligible);
- be responsible;
- be able to work under pressure;
- possess clerical skills; and
- not be politically active.

Any person who is, and is seen to be, active in political or electoral affairs, and intends to publicly carry on this activity, may compromise the strict political neutrality of the Australian Electoral Commission and cannot be considered.

In some areas it may be an advantage if the applicant can communicate with people of non-English speaking background or Aboriginal people.

Applicants must apply on the official application form. For further information, including rates of pay, please contact your nearest Australian Electoral Commission office.

Completed application forms must be returned by ..... / ..... / ..... , to the:

Divisional Returning Officer

\_\_\_\_\_  
\_\_\_\_\_

THE AEC IS AN EQUAL OPPORTUNITY EMPLOYER

# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

**Part 13 Subpart 1**

**Attachment C(1)**

(Successful)

Dear

Thank you for your application for employment.

You have been assessed as a suitable applicant and I will contact you again if a position becomes available.

If you are no longer interested in a position please let me know.

Yours sincerely

Divisional Returning Officer



# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

**Part 13 Subpart 1**

**Attachment C(2)**

(Successful - election announced)

Dear

Thank you for your application for employment.

You have been assessed as a suitable applicant. Please complete the enclosed agreement forms and return them by .

If you are no longer interested in a position please let me know immediately.

Yours sincerely

Divisional Returning Officer

# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

**Part 13 Subpart 1**

**Attachment C(3)**

(Unsuccessful)

Dear

Your application for employment has been unsuccessful.

Thank you for your interest in applying for employment with the Australian Electoral Commission.

Yours sincerely

Divisional Returning Officer

# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

Part 13 Subpart 1

## **PART 13**

### **Subpart 1 - Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

#### **Contents**

1. Discuss declaration of proposed special hospitals with hospital management
2. Estimate votes to be taken at each special hospital
3. Recommend to AEO hospitals to be declared
4. Determine staff required
5. Plan mobile team runs for large hospitals
6. Prepare material
7. Recruit staff
8. Contact hospitals regarding literature, arrangements and offences
9. Train staff
10. Supply of equipment to mobile teams
11. Advise candidates of mobile polling arrangements and number of scrutineers permitted
12. Display notice of special hospital itineraries in office
13. Assistance to certain voters
14. Assistance to certain declaration voters
15. Marksman
16. Security of ballot box
17. Completion of returns
18. Return of material
19. Scrutiny of ballot papers from mobile polling

Attachment A - Sample letter to administrator of special hospital

## **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

**Part 13 Subpart 1**

Attachment B - Sample letter to candidates

Attachment C - Electoral information on mobile polling

# **Mobile Polling - Special Hospitals**

## **(Hospitals that are not Polling Places)**

### **Part 13 Subpart 1**

#### **1. Discuss declaration of proposed special hospitals with hospital management**

1.1 The whole or specified part of a hospital which is not a polling place may be declared a special hospital to allow arrangements for an electoral visitor to take the votes of patients who cannot attend a polling place (ie to issue ordinary and declaration votes, and to accept postal vote certificates from voters). The hospital management must be consulted before any recommendation is made. [s.225(1) CEA]

1.2 Votes may be taken from patients in special hospitals between 8 am and 6 pm on any of the five days before polling day and on polling day.

#### **2. Estimate votes to be taken at each special hospital**

2.1 Ascertain the number of potential voters. Using these figures, together with previous election figures, estimate the number of votes (ordinary and declaration).

2.2 The DRO should estimate the time which will be spent in taking votes from various categories of patients (eg some patients may take longer than normal to cast a vote - perhaps up to 15 minutes each should be allowed in these cases). The DRO should ask the hospital authorities to assist in estimating the numbers of patients in the various categories. The DRO should also consider the layout of the hospital, which will have a bearing on the time taken to travel through the hospital.

2.3 Present AEC policy is to provide facilities at all hospitals/nursing homes where there are potential voters. This policy should be regarded as flexible to the extent that all prevailing circumstances should be considered by the DRO when making a recommendation. (see Part 1, Subpart 3)

2.4 The DRO must enter each special hospital into ELMS - PPMS.

#### **3. Recommend to AEO hospitals to be declared**

3.1 Area Manager/Director Operations will initiate gazettal for all special hospitals within the State. [s.225(1) CEA]

#### **4. Determine staff required**

4.1 Once approval for the creation of special hospitals has been received from State head office, determine the staff needed from the estimated number of votes and enter into the ELMS - Estimates system. [s.225(2) CEA]

# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

## **Part 13 Subpart 1**

### **5. Plan mobile team runs for large hospitals**

5.1 In consultation with the hospital management prepare a timetable of visits to ensure all voters can be issued with ballot papers within the time allowed. Prepare a plan of all hospitals and allocate sections or wards of the hospitals to teams. Several teams may operate at the same time in larger hospitals. Enter staffing details in the AEC Applications mobile polling database.. [s.225(4) & (5) CEA]

### **6. Prepare material**

6.1 Prepare the required mobile polling material and allocate the ballot boxes and equipment boxes designed for mobile polling. Inventory forms should be used to record the quantities of all ballot papers and materials supplied.

### **7. Recruit staff**

7.1 Each mobile team must be staffed by at least two polling officials at all times. One should be an ordinary issuing officer and the other will issue declaration votes. After the announcement of the election, recruit necessary staff. [s.225(4) CEA]

### **8. Contact hospitals regarding literature, arrangements and offences**

8.1 As soon as possible after the announcement of the election advise the hospital management in writing that the CEA provides that literature relating to an election or political parties (eg how-to-vote cards) may be supplied to the general office of a hospital by parties for distribution on request of a patient. At the same time advise the mobile polling arrangements. The hospital management must also be advised to display a notice (EF019a) setting out electoral offences at designated special hospitals. The letter included at Attachment A is to be used for this purpose. [s.226(2) & (5), CEA]

8.2 Scrutineers are permitted to carry how-to-vote cards whilst accompanying a mobile team, but are not permitted to openly display such material, or hand directly to a voter. This material may be supplied by the electoral visitor at the request of the voter.

8.3 The Voting Information pamphlet (EF126) advising patients of their right to apply for a postal vote, should also be supplied to the general office of an establishment where mobile polling is being conducted. Quantities supplied should at least be equal to the number of patients at each establishment. These pamphlets are to be included with the letter at Attachment A.

8.4 The Electoral Information on Mobile Polling pamphlet at Attachment C is for information of staff at special hospitals and copies of this information are to be included with the letter at Attachment A and sent to each establishment.

8.5 An electoral visitor who visits a patient may carry literature, including how-to-vote cards. This material shall be supplied at the request of the patient. [s.226(2A) CEA]

# **Mobile Polling - Special Hospitals**

## **(Hospitals that are not Polling Places)**

### **Part 13 Subpart 1**

8.6 Advise the hospital management that the CEA provides that a person who is the proprietor of, or an employee of the proprietor of, a hospital or nursing home must not do anything to influence the vote of a patient in, or resident at, the hospital or nursing home. This offence carries a penalty of \$1000 or imprisonment for 6 months or both. [s.325A(1) CEA]

#### **9. Train staff**

9.1 Train electoral visitors giving special emphasis to:

- a special hospital being regarded as a polling place during the time that votes are being taken from patients in the hospital; [s.225(6) CEA];
- liaison with hospital staff;
- the role of scrutineers;
- assistance to voters;
- how to vote literature;
- procedures in regard to the display and sealing of ballot boxes (see 16.1 below); and
- travelling arrangements.

#### **10. Supply of equipment to mobile teams**

10.1 Deliver all material to electoral visitors. Delivery may be made during their training session.

#### **11. Advise candidates of mobile polling arrangements and number of scrutineers permitted**

11.1 At least one week prior to commencement of mobile polling, candidates should be advised in writing of mobile polling arrangements. Attachment B should be used for this purpose. This advice should inform candidates that:

- literature, including how-to-vote cards, may be supplied to the general office of a hospital for distribution on the request of a patient;
- the same literature may be supplied to the divisional office. This material will be carried by the mobile polling team for distribution on the request of a patient;
- party workers, scrutineers, or candidates representatives are not permitted to hand out how-to-vote material at special hospitals where mobile polling is being conducted;
- candidates are permitted to be represented by one scrutineer for each mobile team; and
- scrutineers must wear a badge, supplied by the AEC, that identifies the person as a scrutineer.

## **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)      Part 13 Subpart 1**

11.2      If it is necessary to vary the timetable, the DRO must advise all relevant House of Representatives candidates and any Senate candidate who has asked to be advised of mobile polling timetables. [s.226(7C) CEA].

### **12.      Display notice of special hospital itineraries in office**

12.1      A public notice setting out the details of the hospitals, dates and times (ie the starting and finishing times for voting) to be visited by each mobile polling team is to be prominently exhibited in the divisional office at least 7 days before the first day on which votes are to be taken at a special hospital.

12.2      A copy of this public notice must also be publicly displayed in a prominent position within the special hospital. As far as possible these itineraries must be adhered to. If for any reason the itinerary cannot be adhered to the DRO shall take reasonable steps to give public notice of the revised timetable.

12.3      Failure to adhere to the original itinerary will not invalidate the result of the election. [s.226(7A), (7C) & (8) CEA]

12.4      A visit to a patient in a hospital shall not be made if such a visit is forbidden, on medical grounds, by a registered medical practitioner. [s.226(1) CEA]



# **Mobile Polling - Special Hospitals (Hospitals that are not Polling Places)**

## **Part 13 Subpart 1**

### **13. Assistance to certain voters**

13.1 The electoral visitor must advise each voter that they are entitled to assistance to vote if their sight is so impaired or that they are so physically handicapped or illiterate as to be unable to vote without assistance. [s.234(1A) CEA]

13.2 If a voter satisfies the electoral visitor that their sight is so impaired or that they are so physically handicapped or illiterate as to be unable to vote without assistance, the voter may appoint any person to assist. [s.234 CEA]

13.3 The electoral visitor should ask the voter requiring assistance whom they wish to appoint.

13.4 If the voter appoints a person (who may be an electoral visitor), scrutineers are not entitled to be present whilst the ballot paper(s) are being completed. [s.234(1) CEA]

13.5 If the voter fails to appoint another person, the electoral visitor provides the assistance in the presence of such scrutineers who may be present. If there are no scrutineers present, then the ballot paper should be marked in the presence of the polling official or another person if the voter so desires. [s.234(2) CEA]

13.6 In the case where the electoral visitor provides assistance to the voter, scrutineers who are present are entitled to listen to instructions given by the voter to the electoral visitor, and to observe the marking of the ballot paper.

13.7 In the interests of assisting the patients (who in special hospitals are most likely to be aged and/or frail) the scrutineers may come to an agreement that only the scrutineer from the candidate for whom the patient wishes to vote would be present. Such an arrangement may prove less distressing to patients.

13.8 If a voter requires assistance from the electoral visitor, the voter may give instructions by giving to the electoral visitor a written statement (which may be or include a how-to-vote card) detailing the manner in which the ballot paper is to be marked. [s.234(3) CEA]

### **14. Assistance to certain declaration voters**

14.1 Where assistance is given to certain voters who are claiming a declaration vote, the electoral visitor is to take the following steps: [s.234(4) CEA]

- fill in the declaration certificate with the necessary details; [s.234(4) CEA]
- read the details and the declaration to the voter and confirm that they are correct;

# Mobile Polling

## Hospitals that are Polling Places

### Part 13 Subpart 2

- have the voter sign the declaration certificate, or if the voter is unable to sign, follow procedures as in 15.1;
- sign in the space provided for the issuing officer;
- have the declaration witnessed by a scrutineer present (or if there is no scrutineer present, by another polling official). The witness should sign under the space provided for the voter's signature, and should add the title "scrutineer" or "polling official" as appropriate;
- remove the counterfoil, check that it is legible and place it in the declaration records folder; and
- issue ballot papers, ensure that the ballot papers are marked (by a person nominated by the elector or by the electoral visitor) [s234(1) & (2) CEA] and inserted by that person into the declaration certificate.

#### 15. Marksman

15.1 Voters unable to sign their names may make a mark, eg a cross (x), as signatures. In such cases the voter must make a mark in the presence of the issuing officer, acting as a witness. The issuing officer must identify the fact that the voter made the mark by:

- adding the words "this mark" or "her mark" above the voter's mark; and
- printing under the voter's mark, the voter's christian or given names to the left of the mark and the voter's surname/family name to the right of the mark.

The issuing officer must then sign as witness on the declaration certificate, adding the word "witness" next to the signature.

15.2 A person who holds a power-of-attorney for a voter is not permitted to sign any electoral form for that voter. [s.336(2) CEA]

#### 16. Security of ballot box

16.1 Security of the ballot box and ballot papers must be maintained at all times. A ballot box must be displayed open and empty on the first occasion it is brought into use. At the completion of polling at each special hospital (or when the box is filled) the ballot box should have an additional lock and seal placed across the ballot paper slide. This additional lock and seal are to be removed in the presence of scrutineers on the occasion that the box is next used, ie at the next special hospital. [ss.220(a), 225(7) CEA]

16.2 Overnight storage of locked and sealed ballot boxes should be arranged in the divisional office or other secure premises, eg a police station.

# **Mobile Polling**

## **Hospitals that are Polling Places**

### **Part 13 Subpart 2**

16.3 It is imperative that team leaders ensure the physical security of all ballot papers (used and unused) and the certified list(s). These items should be stored in a locked container outside the hours of polling and during transport.

16.4 A ballot box should not be considered a security container in itself and therefore should not be left unattended. Team leaders may be able to make arrangements with such establishments as the office of the DRO, or banks, post offices and police stations which possess ideal security facilities. If such facilities are not available or if their use would prove impractical, the best alternate means should be sought.

#### **17. Completion of returns**

17.1 The electoral visitor OIC must progressively complete the general return for the mobile polling team at the conclusion of the visit to each special hospital. The DRO will require information from these returns for input to ELMS and to calculate payment to team members.

#### **18. Return of material**

18.1 After completion of mobile polling, the electoral visitor shall return to the DRO the locked and sealed ballot box(es) and the completed return, together with all other used and unused material. [s.225(8) CEA]

#### **19. Scrutiny of ballot papers from mobile polling**

19.1 The DRO will arrange to count and record all ballot papers pertaining to mobile polling in special hospitals after the close of the poll at 6pm on polling day:

- any person conducting these scrutinies must be appointed as an ARO.

19.2 The counting and recording of such ballot papers in either the divisional office or a polling place must be conducted on a team basis, ie ballot papers from other teams are not to be included and each team is to be treated as a counting centre.

19.3 The results for the count of each team's ballot papers is to be recorded and advised separately and the ballot papers for each team are to be bundled separately.

19.4 At the completion of the scrutiny of each team's ballot papers, the ballot papers must be parcelled, labelled, sealed and where appropriate, transported from the polling place to the DRO and placed under security in the divisional office.

19.5 These ballot papers are required to be rechecked under Part 32.

# Mobile Polling Hospitals that are Polling Places

## Part 13 Subpart 2

### Attachment A

Dear (Director of Nursing)

I refer to our recent discussions regarding polling arrangements for your hospital/nursing home for the election to be held on ...../...../..... Thank you for your co-operation with these arrangements.

The electoral visitors will conduct polling on ..... between .....  
and .....

The electoral visitors will contact the administration on arrival at your establishment. They will carry official identification cards.

The Australian Electoral Commission provides a polling service to hospitals and nursing homes so that voting will be a simple and convenient process for patients. The electoral visitors team is able to take the vote of every patient who is enrolled in this State. The only patients who will need to make a written application for a postal vote are those who are enrolled interstate, or whose personal circumstances prevent their use of the visitor service. A small quantity of postal vote applications and return envelopes is enclosed. Completed applications should be forwarded to this divisional office, as the team cannot issue postal votes.

Enclosed are supplies of two electoral information pamphlets. The Voting Information pamphlet (EF126) is to be distributed to all patients, and the Electoral Information on Mobile Polling pamphlet (EF127) is for circulation to the staff of your establishment.

During polling, should a patient become distressed, the team will immediately discontinue taking the vote and endeavour to return at a later time if appropriate. Similarly, the team will observe any advice from your staff that a visit to a patient is not possible on medical grounds.

Literature relating to the election, such as "how-to-vote" cards from candidates, may be supplied to your general office and distributed to patients on their request. Electoral visitor team members who visit patients may carry literature, including how-to-vote cards, which will be supplied at the request of the patient.

# Mobile Polling

## Hospitals that are Polling Places

### Part 13 Subpart 2

The attached notice (EF019a) must be displayed from today until the close of polling. The notice sets out the penalty for a person who canvasses at the hospital/nursing home during the period set out in the notice. The penalty for an employee or proprietor of the hospital or nursing home who does anything to influence the vote of a patient is \$1000 or 6 months imprisonment, or both.

If you require any further information regarding the team's visit or other matters please contact me on .....

Yours sincerely

Divisional Returning Officer for  
the Division of .....  
(date)

# Mobile Polling Hospitals that are Polling Places

## Part 13 Subpart 2

### Attachment B

Dear (name of candidate)

Mobile polling teams will be conducting mobile polling at the places and times listed in the attachment.

Please note that your representatives are not permitted to hand out how-to-vote material at special hospitals where mobile polling is being conducted. You may provide literature, including how-to-vote cards, to the general office of a hospital where mobile polling is to be conducted. This literature will be distributed to a patient on request.

The same material may be supplied to the divisional office. This material will then be carried by the mobile polling teams for distribution on request of a voter.

You may appoint one scrutineer as your representative for each mobile team. These scrutineers may carry how-to-vote cards but are not permitted to openly display or hand such material directly to the voter. This material may be supplied at the request of a voter by the electoral visitor

All scrutineers must wear a badge which identifies them as a scrutineer. The badges will be supplied by the mobile polling team.

If you intend appointing a scrutineer to represent you during mobile polling at a prison you must give me the name(s) of the scrutineer(s) as soon as possible. Any scrutineer attending a prison must meet the mobile team outside the prison before polling commences.

If it is necessary to vary a timetable I will endeavour to advise you of the details.

Yours sincerely

Divisional Returning Officer for  
the Division of.....

(date)

# **Mobile Polling Hospitals that are Polling Places**

## **Part 13 Subpart 2**

### **Attachment C**

#### **Electoral Information on Mobile Polling**

There are several people involved in providing a mobile polling service in hospitals and nursing homes.

A description of the duties of each of these people is as follows:

##### **1. Divisional Returning Officer (DRO)**

The Divisional Returning Officer (DRO) is responsible for the appointment of the electoral visitors' team and makes detailed arrangements with each establishment to be visited. The DRO liaises with the appropriate management to ensure that hospitals, nursing homes, special accommodations and prisons are able to provide adequate voting facilities.

##### **2. Electoral Visitor Team**

The electoral visitor team generally consists of two members, the electoral visitor-in-charge- (OIC) and an assistant. They are responsible for issuing ballot papers to voters, assisting voters as required, ensuring that the voter places the completed ballot paper in the ballot box and that the ballot box is always guarded. They must also ensure secrecy provisions are enforced and that the published timetable of their itinerary is maintained.

The electoral visitor team must respect the special needs of voters and the routines of the establishments visited.

##### **3. Candidates**

Candidates are not allowed to take part in any way in the conduct of an election. They cannot be scrutineers and they cannot enter a polling area except to record their own vote and this could only happen in a hospital if they were patients.

##### **4. Party Workers**

Party workers may not enter the polling area, unless nominated as an assistant by a voter who needs help to complete the ballot paper. They must then remove any political badges before entering the polling area.

##### **5. Scrutineers**

One scrutineer per candidate may be appointed by a candidate to accompany the mobile team.

Scrutineers may observe all voting procedures except the elector actually voting, unless required by the elector to assist. They may be nominated by a disabled or non-literate voter to help with the completion of a ballot paper.

# **Mobile Polling**

## **Hospitals that are Polling Places**

### **Part 13 Subpart 2**

Scrutineers may not interfere with, or attempt to influence, any voter or disclose any knowledge gained concerning the vote of any person. Neither may they wear a badge or emblem of a political party.

Australian Electoral Commission

*(EF127)*



**PART 13** (Continued)

**Subpart 2 - Mobile Polling - Hospitals that are Polling Places**

**Contents**

1. Determine which hospitals will need polling facilities in addition to a normal polling place
2. Estimate votes to be taken
3. Determine staff required
4. Plan mobile team runs for large hospitals
5. Prepare material
6. Recruit staff
7. Contact hospitals regarding literature, arrangements and offences
8. Train staff
9. Advise candidates of mobile arrangements and number of scrutineers permitted
10. Display notice in divisional office
11. Assistance to certain voters
12. Assistance to certain declaration voters
13. Marksman
14. Security of ballot box
15. Return of material to OIC
16. Scrutiny of ballot papers from mobile polling

Attachment A - Sample letter to administrator of hospital

# Mobile Polling

## Hospitals that are Polling Places

### Part 13 Subpart 2

#### 1. Determine which hospitals will need polling facilities in addition to a normal polling place

1.1 In hospitals which are polling places, mobile polling is conducted only on polling day, and only within the hours of 8 am to 6 pm, to take the votes of patients who cannot attend the polling place situated in the hospital. [ss.222(2), 224 CEA]

1.2 Mobile polling facilities are only available to patients in the hospital. Visitors and staff are to use the facilities provided at the static polling place (outpatients are not considered to be patients for the purposes of mobile polling): [s.223 CEA]

- other electors can vote at the polling place if an appropriate person on the staff of the hospital has agreed to permit electors generally to vote at that polling place.

1.3 Ascertain the number of potential voters and determine whether mobile facilities should be provided.

1.4 Contact the hospital management advising that the mobile facility will be in operation as required during the hours 8 am to 6 pm.

#### 2. Estimate votes to be taken

2.1 Using the facts obtained in 1.3 above, and previous election figures, estimate the number of votes (ordinary, absent and provisional) that will be taken.

#### 3. Determine staff required

3.1 From the estimated number of votes, determine the staff needed, bearing in mind that the static polling place is to be attended by at least two officials at all times. Each mobile team must also be staffed by at least two officials, one being a declaration vote officer.

3.2 The DRO should estimate the time which will be spent in taking votes from various categories of patients (eg some patients may take longer than normal to cast a vote - perhaps up to 15 minutes each should be allowed in these cases). The DRO should ask the hospital authorities to assist in estimating the numbers of patients in the various categories. The DRO should also consider the layout of the hospital which will have a bearing on the time taken to travel through the hospital.

#### 4. Plan mobile team runs for large hospitals

4.1 Prepare a plan for large hospitals and allocate sections or wards of the hospitals to separate teams (where appropriate).

# Mobile Polling

## Hospitals that are Polling Places

### Part 13 Subpart 2

#### 5. Prepare material

5.1 Using an inventory form, prepare the mobile polling material and allocate ballot boxes designed for mobile polling. Inventory forms should be used to record the quantities of all ballot papers and materials supplied.

#### 6. Recruit staff

6.1 After the announcement of the election, recruit necessary staff. Each mobile team must be staffed by at least two polling officials at all times. One should be an ordinary issuing officer and the other will issue declaration votes. In large hospitals which require more than two teams, it may be necessary to appoint an officer, other than the OIC of the static polling place, to co-ordinate the mobile polling.

#### 7. Contact hospitals regarding literature, arrangements and offences

7.1 As soon as possible after the announcement of the election advise the hospital management in writing that the CEA provides that literature relating to an election or political parties (eg how-to-vote cards) may be supplied to the general office of a hospital by parties for distribution on request of a patient. At the same time advise the mobile polling arrangements. The hospital management must also be advised to display a notice (EF019a) setting out electoral offences at designated special hospitals. The letter included at Attachment A is to be used for this purpose. [s.226(2) & (5), CEA]

7.2 Scrutineers are permitted to carry how-to-vote cards whilst accompanying a mobile team, but are not permitted to openly display such material, or hand directly to a voter. This material may be supplied by the electoral visitor at the request of the voter.

7.3 An electoral visitor who visits a patient may carry literature, including how-to-vote cards. This material shall be supplied at the request of the patient. [s.226(2A) CEA]

7.4 Advise the hospital management that the CEA provides that a person who is the proprietor of, or an employee of the proprietor of, a hospital or nursing home must not do anything to influence the vote of a patient in, or resident at, the hospital or nursing home. This offence carries a penalty of \$1000 or imprisonment for 6 months or both. [s.325A(1) CEA]

#### 8. Train staff

8.1 Train electoral visitors giving special emphasis to:

- the role of scrutineers;

- assistance to voters;
- how to vote literature; and
- procedures in regard to the display and sealing of ballot boxes.

### **9. Advise candidates of mobile arrangements and number of scrutineers permitted**

9.1 At least one week before polling day, candidates should be advised in writing of mobile polling arrangements. Attachment B in Part 13, Subpart 1 is to be used for this purpose. This advice should inform candidates that:

- literature, including how-to-vote cards, may be supplied to the general office of a hospital for distribution on the request of a patient;
- the same literature may be supplied to the divisional office. This material will be carried by the mobile polling team for distribution on the request of a patient;
- party workers, scrutineers, or candidates representatives are not permitted to hand out how-to-vote material at special hospitals where mobile polling is being conducted;
- candidates are permitted to be represented by one scrutineer for each mobile team; and
- scrutineers must wear a badge, supplied by the AEC, that identifies the person as a scrutineer.

### **10. Display notice in divisional office**

10.1 A notice (EF037) of arrangements is to be prominently displayed in the divisional office before 4 pm on the afternoon of the day before polling day. [s.226(7) CEA]

### **11. Assistance to certain voters**

11.1 The electoral visitor must advise each voter that they are entitled to assistance to vote if their sight is so impaired or that they are so physically handicapped or illiterate as to be unable to vote without assistance. [s.234(1A) CEA]

11.2 If a voter satisfies the electoral visitor that their sight is so impaired or that they are so physically handicapped or illiterate as to be unable to vote without assistance, the voter may appoint any person to assist. [s.234 CEA]

11.3 The electoral visitor should ask the voter requiring assistance whom they wish to appoint.

11.4 If the voter appoints a person (who may be an electoral visitor), scrutineers are not entitled to be present whilst the ballot paper(s) are being completed. [s.234(1) CEA]

11.5 If the voter fails to appoint another person, the electoral visitor provides the assistance in the presence of such scrutineers who may be present. If there are no scrutineers present, then the ballot paper should be marked in the presence of the polling official or another person if the voter so desires. [s.234(2) CEA]

11.6 In the case where the electoral visitor provides assistance to the voter, scrutineers who are present are entitled to listen to instructions given by the voter to the electoral visitor, and to observe the marking of the ballot paper.

11.7 In the interests of assisting the patients (who in special hospitals are most likely to be aged and/or frail) the scrutineers may come to an agreement that only the scrutineer from the candidate for whom the patient wishes to vote would be present. Such an arrangement may prove less distressing to patients.

11.8 If a voter requires assistance from the electoral visitor, the voter may give instructions by giving to the electoral visitor a written statement (which may be or include a how-to-vote card) detailing the manner in which the ballot paper is to be marked. [s.234(3) CEA]

## **12. Assistance to certain declaration voters**

12.1 Where assistance is given to certain voters who are claiming a declaration vote, the electoral visitor is to take the following steps: [s.234(4) CEA]

- fill in the declaration certificate with the necessary details; [s.234(4) CEA]
- read the details and the declaration to the voter and confirm that they are correct;
- have the voter sign the declaration certificate, or if the voter is unable to sign, follow procedures as in 13.1;
- sign in the space provided for the issuing officer;

- have the declaration witnessed by a scrutineer present (or if there is no scrutineer present, by another polling official). The witness should sign under the space provided for the voter's signature, and should add the title "scrutineer" or "polling official" as appropriate;
- remove the counterfoil, check that it is legible and place it in the declaration records folder; and
- issue ballot papers, ensure that the ballot papers are marked (by a person nominated by the elector or by the electoral visitor) [s234(1) & (2) CEA] and inserted by that person into the declaration certificate.

### **13. Marksman**

13.1 Voters unable to sign their names may make a mark, eg a cross (X), as a signature. In such cases the voter must make a mark in the presence of the issuing officer, acting as a witness. The issuing officer must identify the fact that the voter made the mark by:

- adding the words his "mark" or her "mark" above the voter's mark; and
- printing under the voter's mark, the voter's christian or given names to the left of the mark and the voter's surname/family name to the right of the mark.

The issuing officer must then sign as witness on the declaration certificate, adding the word "witness" next to the signature.

13.2 A person who holds a power-of-attorney for a voter is not permitted to sign any electoral form for that voter. [s.336(2) CEA]

### **14. Security of ballot box**

14.1 Security of the ballot box and ballot papers must be maintained at all times. The ballot box must be displayed open and empty on the first occasion it is brought into use.

### **15. Return of material to OIC**

15.1 At the completion of mobile polling, each electoral visitor shall return, to the OIC of the static polling place (in the hospital), the team's return and the locked and sealed ballot box used by the mobile team, together with all unused material.

15.2 If the OIC of the static polling place is an ARO, the ARO is responsible for the compilation of returns (in respect of mobile and static polling) and the counting of the ballot papers from the mobile team(s) as well as from the static polling place after the close of the poll at 6 pm. In other cases, all material from the mobile teams will be included with the material from the static polling place for onforwarding to the relevant ARO.

### **16. Scrutiny of ballot papers from mobile polling**

16.1 Ballot papers from the mobile teams are counted with all the other ballot papers in the static polling place - it is not necessary to count (and record) these ballot papers separately.

### Attachment A

Dear (Director of Nursing)

I refer to our recent discussions regarding mobile polling arrangements for your hospital for the election to be held on ...../...../..... Thank you for your co-operation with these arrangements.

The mobile polling facilities will operate as required from 8am to 6pm on polling day and will only be available to patients in the hospital. Visitors and staff are to use the facilities provided at the polling place.

The Officer in Charge will contact the hospital administration on arrival and will carry an official identification card.

During polling, should a patient become distressed, the team will immediately discontinue taking the vote and endeavour to return at a later time if appropriate. Similarly, the team will observe any advice from your staff that a visit to a patient is not possible on medical grounds.

Literature relating to the election, such as any "how-to-vote" cards from candidates, may be supplied to your general office and distributed to patients on their request. The electoral visitor team members who visit patients may carry literature, including how-to-vote cards, which will be supplied at the request of the patient.

The attached notice (EF019a) must be displayed from today until the close of polling. The notice sets out the penalty for a person who canvasses at your hospital during the period set out in the notice. The penalty for an employee or proprietor of a hospital or nursing home who does anything to influence the vote of a patient is \$1000 or 6 months imprisonment, or both.

If you require any further information regarding the mobile team's visit or other matters please contact me on

Yours sincerely

Divisional Returning Officer for  
the Division of

(date)



### Subpart 3 - Mobile Polling - Remote

#### Contents

1. Declaration of remote divisions
2. Consider localities for remote mobile polling
3. Submission of proposals to State head office
4. Planning for remote mobile polling
5. Transport contracts
6. Issue of materials and equipment
7. Staffing
8. Training
9. Public notice and advertising
10. Variations to itinerary
11. Scrutineers
12. Conditions and rules for voting (including assisted voting)
13. Assistance to certain declaration voters
14. Marksman
15. Security of ballot box
16. Completion of returns
17. Return of material
18. Scrutiny of ballot papers from mobile polling

Attachment A - Remote mobile polling check list

### 1. Declaration of remote divisions

1.1 The Electoral Commission may, by notice published in the Gazette, declare certain divisions to be remote. [s.227(3) CEA]

1.2 The DRO should examine the necessity for providing mobile polling in remote divisions to take the votes of electors who cannot attend a polling place (ie to issue ordinary and declaration votes, and to accept postal vote certificates from voters).

1.3 AEC policy is to provide mobile polling to remote communities where the likely number of voters is more than 10.

### 2. Consider localities for remote mobile polling

2.1 When deciding if mobile polling is to be provided at a locality, the following factors should be considered:

- the number of voters;
- the distances involved;
- travelling time and cost in terms of the methods of transport likely to be necessary; and
- the availability of transport (air, road, sea) required to service that route.

2.2 The policy on remote polling is flexible and all circumstances should be considered when making a recommendation. For example a remote community with less voters than the suggested number may be serviced by a mobile team if it lies between two other places on a mobile run, whereas it may not warrant a mobile team if considered in isolation.

2.3 Where the use of remote mobile polling is no longer required or a polling place would better serve the locality, the mobile routes and itineraries should be revised. Reference should be made to the team journal from the previous election and the register of general postal voters held in the divisional office. Take the necessary action to have a polling place appointed if it is considered necessary (see Part 1, Subpart 2 & 3). [s.80(1) CEA]

### 3. Submission of proposals to State head office

3.1 When requested by State head office, provide details of proposed mobile routes, itineraries, staff, materials and cost. This information, including alternative arrangements, should be permanently retained in the divisional office. A copy of the plans for each run, when approved by State head office, should be prepared for issue to the relevant team leader. When approved, the DRO must enter the team details into ELMS - PPMS.

### 4. Planning for remote mobile polling

4.1 Review the team journals from the previous election. Consider problems encountered and recommendations which were made. Review current population or elector population at various communities.

4.2 Determine the availability of accommodation for a mobile polling team (use camping gear if no other accommodation is available).

4.3 Determine the availability of premises to be used to conduct polling. The following factors should be considered:

- suitability of the location in terms of the local voters' acceptance of it, eg would the site give offence to the community population (contact, as appropriate, with ATSIEIS field staff and/or Aboriginal community electoral assistants or Aboriginal Community Councils would be appropriate in such cases);
- the impartiality of the property owner - or locating the polling place so as to remove any influence of the property owner; and
- non-use of buildings which may involve an authoritative influence, ie police station or court house.

4.4 Prepare the itineraries considering the following points:

- the route in which each locality is to be included;
- the mode of transport/distances involved (transport to and from the airstrip may be needed if air transport is used);
- the timetable for each day's activities - travelling time, preparation time and polling time. Consider the need for meal breaks and the level of assistance which may be required by voters;
- polling may start on any of the 12 days before polling day, and can be conducted on polling day; [s.227(5) CEA]
- polling may be conducted at more than one location in any one day;
- teams may take votes at any convenient time on any of the 12 days before polling day. Mobile polling teams may take votes before 8am on polling day, however votes must not be taken after 6pm on polling day; [s.227(8)(da) CEA] and
- team leaders should be advised that mobile polling is to operate for the advertised opening hours at each location, even if it seems unlikely that more voters would attend.

4.5 Prepare a contingency plan for varying the proposed route due to voter, weather or mechanical problems.

4.6 Plan for the purchase, hire etc of equipment to be used on mobile polling runs. Examples are:

- tables and chairs;
- ropes, poles (to define the polling area);
- tarpaulins (to shade the polling area);
- camping gear;
- hammers, axes etc;
- food, water and cooling facilities; and
- emergency equipment (recovery equipment, radios, first-aid).

Liaison with other Government departments may be useful in obtaining some of this material on loan.

4.7 Prepare an inventory of equipment for each route.

### **5. Transport contracts**

5.1 Following acceptance of the proposals by State head office, the necessary transport contracts should be arranged. Consider the following points:

- where contracted air transport (light aircraft or helicopter) is to be used, written quotes should be obtained (see Part 5, Subpart 2);
- where a hired vehicle is to be used, existing government contracts must be used unless the required vehicle cannot be provided at the times required. Government purchasing procedures should be observed when arranging the service (see Part 5, Subpart 2); and
- a team member may be given approval for the use of a personal vehicle for which standard vehicle allowance rates are paid.

5.2 Where overnight absences are involved, the mobile polling team members are entitled to an advance of travelling allowance at rates prescribed.

### **6. Issue of materials and equipment**

6.1 A mobile polling team receives all of the material for a polling place in accordance with the inventory form, plus additional equipment, eg table and chairs. In addition, each team is supplied with how-to-vote cards (if any) provided by candidates and additional seals to permit the sealing of the ballot box(es) between polling places. [s.227(8) CEA]

6.2 Care must be taken to ensure that the team has sufficient material without becoming overloaded. The team must be able to set up and move easily and weight/space constraints could exist depending on the means of travel.

### **7. Staffing**

7.1 Appoint a team leader and other staff as required. It may be convenient to appoint a pilot/driver as a member of the team, thus reducing the total number of persons involved in the exercise. [s.227(2) & (8)(c) CEA]

7.2 Consider the necessity of employing local assistance, eg Aboriginal interpreters. In some cases it may be essential that local assistance is used.

7.3 Enter the staffing and expected votes into the ELMS - Estimates system.

### **8. Training**

8.1 Provide all staff with copies of training manuals and itineraries at least one week prior to training. Arrange to conduct training sessions (whether in person or by other means).

### **9. Public notice and advertising**

9.1 The AEC will arrange gazettal of the details of the itinerary, excluding the time and date of the visit to each locality. The DRO should prepare details of mobile polling itineraries for head office. Other steps should be taken to publicise the details, including the time and date of the visit to each locality, throughout the division and particularly in the localities concerned. This could include media releases, posters, public notices in the local post office, school, court house and/or police station and writing individually to voters in the locality. [s.227(4) CEA]

9.2 Any Aboriginal community affected should also be notified. ATSIEIS field staff and/or Aboriginal community electoral assistants should be used where appropriate. Polling times may be varied to suit conditions.

9.3 The DRO should write to all candidates providing them with a copy of all itineraries and giving them the opportunity to provide how-to-vote literature for use by mobile teams.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### 10. Variations to itinerary

10.1 The team leader may vary the itinerary if necessary. However, this should be done in consultation with the DRO (or Assistant DRO if applicable) as soon as is practicable. The team leader must record all variations in the team journal. [s.227(6) CEA]

10.2 Take all necessary steps to publicise any variation to the itinerary (eg phone calls, radio messages etc). Contact all relevant House of Representatives candidates and any Senate candidate who has requested to be advised of mobile polling timetables. [s.227(6) CEA]

10.3 The result of the election is not invalidated if for any unforeseen reason the itinerary cannot be maintained. [s.227(7) CEA]

### 11. Scrutineers

11.1 Current policy does not permit the carriage of scrutineers in the same aircraft/vehicle as members of a remote mobile polling team, except in the case of genuine emergency.

11.2 Each scrutineer in a polling booth must wear a badge, supplied by the AEC, that identifies the person as a scrutineer. [s.218(2A) CEA]

### 12. Conditions and rules for voting (including assisted voting)

12.1 Conditions and rules covering voting at a normal polling place apply equally for mobile polling.

12.2 It is anticipated that a higher than usual number of voters may require assistance during remote mobile polling. The following points should be noted by all members of the mobile teams:

- if a voter satisfies the team leader that their sight is so impaired or that they are so physically handicapped or illiterate as to be unable to vote without assistance, the voter may appoint a person to assist;
- the team leader should ask the voter requiring assistance whom they wish to appoint. If the voter fails to appoint another person to assist, the team leader or delegate shall assist in the completion of the ballot paper; [s.234(1) & (2) CEA]
- if the voter appoints a person other than the team leader, scrutineers are not entitled to be present whilst the ballot paper(s) is being completed; [s.234(1) CEA] and
- if the voter fails to appoint another person, the team leader provides the assistance in the presence of such scrutineers who may be present. If there are no scrutineers present, then the ballot paper should be marked in the presence of a polling official or another person if the voter so desires. [s.234(2) CEA]

12.3 When a voter requires the use of an interpreter, the interpreter is entitled to be present at all times when the team leader or delegate is assisting the voter.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

12.4 Where the team leader or delegate provides assistance to the voter, scrutineers who are present are entitled to listen to instructions given by the voter to the team leader and to observe the marking of the ballot paper.

12.5 If a voter requires assistance from the team leader, the voter may give instructions by providing a written statement (which may be or include a how-to-vote card) detailing the manner in which the ballot paper is to be marked. [s.234(3) CEA]

### 13. Assistance to certain declaration voters

13.1 Where assistance is given to certain voters who are claiming a declaration vote, the team leader or delegate must take the following steps: [s.234(4) CEA]

- fill in the declaration certificate with the necessary details; [s.234(4) CEA]
- read the details and the declaration to the voter and confirm that they are correct;
- have the voter sign the declaration certificate, or if the voter is unable to sign, follow procedures as in 14.1 below;
- sign in the space provided for the issuing officer;
- have the declaration witnessed by a scrutineer present (or if there is no scrutineer present, by another polling official). The witness should sign under the space provided for the voter's signature, and should add the title "scrutineer" or "polling official" as appropriate;
- remove the counterfoil, check that it is legible, and place in the declaration records folder; and
- issue ballot papers, ensure that the ballot papers are marked (by a person nominated by the elector or by the OIC) and inserted by that person in the declaration certificate. [s234(1) & (2) CEA]

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### 14. Marksman

14.1 Voters unable to sign their names may make their marks, eg a cross (x), as signatures. In such cases the voter must make a mark in the presence of the issuing officer, acting as a witness. The issuing officer must identify the fact that the voter made the mark by:

- adding the words his “mark” or her “mark” above the voter’s mark; and
- printing under the voter’s mark, the voter’s christian or given names to the left of the mark and the voter’s surname/family name to the right of the mark.

The issuing officer must then sign as witness on the declaration certificate adding the word “witness” next to the signature.

14.2 A person who holds a power-of-attorney for a voter is not permitted to sign any electoral form for that voter. [s.336(2) CEA]

### 15. Security of ballot box

15.1 Security of the ballot box and ballot papers must be maintained at all times. A ballot box must be displayed open and empty on the first occasion it is brought into use. At the completion of voting at each location (or when the box is filled) the ballot box should be locked and sealed. This lock and seal are to be removed, in the presence of scrutineers on the occasion that the box is next used, ie at the next location, or when the box is opened for the counting of ballot papers.

15.2 On each occasion where a ballot box is locked and sealed (and when the box is unlocked and the seal broken), this should be recorded in the return. Scrutineers should be given the opportunity to witness the team leader’s signature on such occasions.

15.3 It is imperative that team leaders ensure the physical security of all ballot papers (used and unused) and the certified list(s). These items should be stored in a locked container outside the hours of polling and during transport.

15.4 A ballot box should not be considered a security container in itself and therefore should not be left unattended. Team leaders may be able to make arrangements with such establishments as the office of the DRO, or banks, post offices and police stations which possess ideal security facilities. If such facilities are not available or if their use would prove impractical, the best alternate means should be sought.



# **Postal Voting - Preparations, Despatches and Registered General Postal Voters**

## **Part 14 Subpart 2**

15.5 When camping out, all ballot boxes should be chained and then locked to a nearby fixed base or to the roof rack of the vehicle. If staying at an established residence, the boxes should be taken to the team leader's room and secured to prevent removal.

15.6 Whilst travelling en route, ballot boxes must always be inside the vehicle.

### **16. Completion of returns**

16.1 The team leader must progressively complete the general return for remote mobile polling at the end of the visit at each location. The DRO will require information from these returns for input to ELMS and to calculate payments.

### **17. Return of material**

17.1 After completion of mobile polling, the team leader shall return the locked and sealed ballot boxes and the completed return, together with all other used and unused material to the DRO, Assistant DRO or to an ARO (as directed by the DRO). [s.227(10) CEA]

### **18. Scrutiny of ballot papers from mobile polling**

18.1 The DRO will arrange for an ARO to count and record all ballot papers pertaining to remote mobile polling after the close of poll at 6 pm on polling night. The ARO will advise the DRO of the results of the scrutiny. Alternatively, the ballot papers may be counted by the DRO in the divisional office after 6 pm on polling night.

18.2 The counting and recording of such ballot papers in either the divisional office or a polling place must be conducted on a team basis (ie ballot papers from other teams are not to be included).

18.3 At the completion of the scrutiny of each team's ballot papers, the ballot papers must be parcelled, labelled, sealed and, where appropriate, transported from the polling place to the DRO and placed under security in the divisional office. These ballot papers are required to be rechecked under Part 32.

18.4 Each team is to be treated as a counting centre. The results of the count of each team's ballot papers is to be recorded and advised separately and the ballot papers for each team are to be bundled separately.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

Part 14 Subpart 2

## Attachment A

### REMOTE MOBILE POLLING CHECK LIST

#### STAFF - Casual and Mobile Polling Staff (includes Reserve Team)

##### Recruitment:

- Advertising (papers, CES, contact previous staff etc)
- Use mobile polling application form
- Interviews.

##### Paperwork (should all be completed before training:

- Permits to enter Aboriginal land
- Permit photos
- Completed employment forms
- Movement requisitions, travel allowance (TA) forms etc
- Training manuals (distribute at least one week prior to training)
- Receive and distribute TA cheques (with sufficient time to enable people to cash them before departure)
- Have records in ELMS - PPMS and estimates system been updated?

#### TRAINING

Train team leaders and members (using training format supplied).

#### COMMUNITY LIAISON (Two contacts)

##### 1st contact (ASAP after election announcement):

- Check community information
- Venue (eg polling booth)
- Airstrip landing permission (if applicable)
- Airstrip collection and delivery (if applicable)
- Publicity - posters being sent (put up)
- Suggestions for outstations to be polled?
- Inform CEAs
- Accommodation available? (see accommodation section)

##### 2nd contact (approximately 7 days before mobile polling commences)

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

Received posters? - put up?  
Accommodation OK?  
Check airstrip collection/delivery arrangements OK?  
CEAs OK?

### ACCOMMODATION

Aboriginal communities - one room per team member and pilot (if possible and applicable).  
Commercial - book one room per team member plus one room for pilot (if applicable) (mobile polling members can/may change later if required).

### SELECTION OF POLLING VENUES

#### SUITABLE TYPES

Community halls.  
Schools (if polling during weekdays school may not be available - check with Principal).  
Government buildings.  
Aboriginal community offices.

#### UNSUITABLE

Police stations.  
Court houses.  
Pastoral property homesteads (unless Aboriginal controlled).

When selecting polling venues be guided by the following:

Aboriginal and Torres Strait Islander Communities, organisations, councils etc  
ATSIEIS field officers  
ATSIEIS community profiles.

#### PREMISE SUITABILITY

When selecting the polling booth be aware of the following:

location  
availability  
cost  
lighting  
parking  
toilets  
phone  
access  
furniture

# **Postal Voting - Preparations, Despatches and Registered General Postal Voters**

**Part 14 Subpart 2**

size

voter flow - separate entrance and exit doors.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### LICENSED PREMISES

Licensed premises may be used subject to CEA section 205(a), (b) and (c) but certainly not recommended.

### GENERAL

If possible select premises that Aboriginal and Torres Strait Islander people feel comfortable in.

### AGREEMENTS/FEES

Usually mobile polling booths are not charged a fee for the use of the premises, however if they do so observe the following:

Try to negotiate an overall fee to include:

- cleaning
- rent
- air conditioning/heating
- lighting/power.

### MATERIALS

Mobile polling schedules and Aboriginal and Torres Strait Islander Electoral Information Service (ATSIEIS) poster (check correct information on posters).

Mobile polling schedule poster to all roadhouses, police stations, hotels, post offices, resorts etc.

### POLLING

Receive/check/pack.

Decide requirements for each team, eg:

- ballot papers
- ballot boxes
- extra enrolment forms
- extra declaration certificates
- "how-to-vote" cards
- make up team leader's folder to suit each team
- make up employment folder
- check in and out of materials (arrange times etc).

### FIELD EQUIPMENT

Check supplies.

Decide each team's requirements.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

Purchase shortfall.  
Assemble equipment into team requirements.  
Hire high frequency radios (one per road team if they are operating in very remote areas).  
Hire assemble room (if required).  
Check in (of material) (arrange times).

### VEHICLES

Arrange hiring of 2WD station wagon per office (if required) plus one 4WD for each road team.

Government contract with DAS (if applicable).  
Don't cross-hire (only use hire companies that have their own fleet eg Avis, Budget, Hertz).  
Vehicle specifications.

- Diesel
- Roof rack
- 2 spare wheels
- Large 4WD station wagon (Toyota Landcruiser ideal).

Arrange collect/return times.

### OTHER

Aircraft teams

Arrange who, how, when to collect teams to transport to airport (always allow minimum 1/2 hour to pack plane for first take off).

May be required to hire another vehicle to transport people to airport.

As above on return.

### COMMUNICATION WITH TEAMS IN THE FIELD

Make arrangements (how, who, when) for communications with teams in the field.

### SCHEDULES

Close of rolls; arrange enrolment printout.  
Contact large Aboriginal organisations re large meetings, sports etc  
Venue, accommodation, outstation suggestions from 1st contact to be noted when finalising schedules.  
Allow 1 hour set up and 1/2 hour pack-up at each polling booth.

### AIRCRAFT/HELICOPTER HIRE

Tenders.  
Pilot's accommodation to be included in tender (pilot must be informed of this).  
Larger twins better eg Beechcraft Baron have no wing storage; Cessna 310 more suitable.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

Aircraft companies to check if can land at all strips eg length of strip, type of plane.  
Return of material plane (if applicable).

### MATERIALS

#### MOBILE POLLING POSTERS

Arrange printing of mobile polling posters outlining the times and dates and places of mobile polling.

Include all static booth information as well (larger towns that will be using static polling places should also be included. The posters could say "Darwin", "Kalgoorlie", "Marla Bore" (or whatever is appropriate) etc - 8.00am - 6.00pm Saturday see local papers for details).

Put note on posters "interstate people can only vote at ....." (stops people complaining).

Ensure you have sufficient quantities of ATSIEIS posters. These should be used as publicity posters. Ensure the individual community polling information is written on each one.

#### OTHER

Distribution of polling materials to other mobile polling office, eg Alice Springs (if applicable).

"How-to-vote" cards from political parties.

Organise printing of and distribution of walk lists (one per issuing point).

Return of mobile polling material.

### PUBLICITY/ADVERTISING

Ensure all publicity OK.

# **Postal Voting - Preparations, Despatches and Registered General Postal Voters**

**Part 14 Subpart 2**

## **PART 13 (Continued)**

### **Subpart 4 - Mobile Polling - Prisons**

#### **Contents**

1. AEO to make arrangements with Controller-General of Prisons for mobile polling
2. Estimate votes to be taken at each prison
3. Determine staff required
4. Plan mobile team runs for prisons
5. Prepare material
6. Recruit staff
7. Train staff
8. Supply of equipment to mobile teams
9. Advise candidates of mobile polling arrangements
10. Assistance to certain voters
11. Assistance to certain declaration voters
12. Marksman
13. Security of ballot box
14. Completion of returns
15. Return of material
16. Scrutiny of ballot papers from mobile polling

Attachment A - Sample letter to officer-in-charge of a prison



# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### **1. AEO to make arrangements with Controller-General of Prisons for mobile polling**

1.1 The Electoral Commission may make arrangements with the Controller-General of Prisons for a State or Territory for the taking of the votes of persons confined in prison in the State or Territory. [s.226A(1) CEA]

1.2 The AEO in each State or Territory should make the initial contact. When general approval is given, the DRO should liaise with the Governor of the prison(s) to formalise arrangements.

1.3 A visit to a prison may not be made if the electoral visitor is informed by the Governor of the prison or a member of the staff of the prison that the visit is forbidden by the Governor because of circumstances related to the security of the prison. [s.226A(6) CEA]

### **2. Estimate votes to be taken at each prison**

2.1 Ascertain the number of persons confined in the prison. Using these figures, together with previous election figures, estimate the number of votes (ordinary, declaration) that will be taken.

### **3. Determine staff required**

3.1 Determine staff required from the estimated number of votes keeping in mind a minimum of two electoral visitors is required for each team.

3.2 The DRO should estimate the time which will be spent in taking votes. The DRO may ask the prison authorities to assist in estimating the number of persons confined. The DRO should also consider the voting arrangements, ie in a room or mobile, which will have a bearing on the time taken in allowing prisoners to vote. The DRO must enter each prison mobile team into ELMS - PPMS and Estimates system.

### **4. Plan mobile team runs for prisons**

4.1 In consultation with the Governor of the prison prepare a timetable of visits to ensure they are all covered within the time allowed. After ascertaining the number of teams required, allocate sections of the prison to various teams. Several teams may operate simultaneously in larger prisons. Record staffing details in the AEC Applications - mobile polling database.

4.2 A visit to a prison shall be made at any time, suitable to the Governor of the prison, after the ballot papers are available until 6 pm on polling day. [s.226A(5) CEA]

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### 5. Prepare material

5.1 Prepare the required mobile polling material and allocate the ballot boxes and equipment boxes designed for mobile polling. The DRO should consider using stand alone screens if voting is to be conducted in one location. Inventory forms should be used to record the quantity of all ballot papers and materials.

### 6. Recruit Staff

6.1 Each mobile team must be staffed by at least two polling officials at all times. One should be an ordinary issuing officer and the other will issue declaration votes. After the announcement of the election recruit necessary staff.

6.2 In selecting staff, consider security of the staff and materials, ability to deal with potentially difficult situations, the nature of the prison, eg all males/females, high or low security.

### 7. Train staff

7.1 Train electoral visitors giving special emphasis to:

- the status of the prison as a polling place;
- the role of scrutineers;
- assistance to voters;
- how to vote literature [s.226A(8) CEA]; and
- procedures in regard to the display and sealing of ballot boxes.

### 8. Supply of equipment to mobile teams

8.1 Deliver all material to electoral visitors. Delivery may be made during their training session.

### 9. Advise candidates of mobile polling arrangements

9.1 At least one week prior to polling, candidates should be advised in writing of mobile polling arrangements. Attachment B in Part 13, Subpart 1 is to be used for this purpose. This advice should inform candidates that:

- literature, including how-to-vote cards, may be supplied to the divisional office. This material will be carried by the mobile polling team for distribution on request from a prisoner;
- candidates are permitted to be represented by one scrutineer for each mobile team;

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

- candidates must advise the DRO the name(s) of any scrutineer(s) accompanying the mobile team(s);
- scrutineers must meet the mobile team outside the prison before mobile polling commences and attend the prison in the company of the electoral visitors; and
- scrutineers must wear a badge, supplied by the AEC, that identifies the person as a scrutineer.

### 10. Assistance to certain voters

10.1 If a voter satisfies the electoral visitor that their sight is so impaired or that they are so physically handicapped or illiterate as to be unable to vote without assistance, the voter may appoint any person to assist. [s.234 CEA]

10.2 The electoral visitor should ask the voter requiring assistance who they wish to appoint. If the voter fails to appoint another person to assist, the electoral visitor shall assist in the completion of the ballot paper. [s.234(1) & (2) CEA]

10.3 If the voter appoints a person (who may be an electoral visitor), scrutineers are not entitled to be present whilst the ballot paper(s) is being completed. [s.234(1) CEA]

10.4 If the voter fails to appoint another person, the electoral visitor provides the assistance in the presence of such scrutineers who may be present. If there are no scrutineers present then the ballot paper should be marked in the presence of the electoral visitor or another person if the voter so desires. [s.234(2) CEA]

10.5 In the case where the electoral visitor provides assistance to the voter, scrutineers who are present are entitled to listen to instructions given by the voter to the electoral visitor, and to observe the marking of the ballot paper.

10.6 If a voter requires assistance from the electoral visitor, the voter may give instructions by giving the electoral visitor a written statement (which may be or include a how-to-vote card) detailing the manner in which the ballot paper is to be marked. [s.234(3) CEA]

### 11. Assistance to certain declaration voters

11.1 Where assistance is given to certain voters who are claiming a declaration vote, the electoral visitor is to take the following steps: [s.234(4) CEA]

- fill in the declaration certificate with the necessary details; [s.234(4) CEA]
- read the details and the declaration to the voter and confirm that they are correct;
- have the voter sign the declaration certificate, or if the voter is unable to sign, follow procedures as in 12.1 below;
- sign in the space provided for the issuing officer;

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

- have the declaration witnessed by a scrutineer present (or if there is no scrutineer present, by another polling official). The witness should sign under the space provided for the voter's signature, and should add the title "scrutineer" or "polling official" as appropriate;
- remove the counterfoil, check that it is legible, and place in the declaration records folder; and
- issue ballot papers, ensure that the ballot papers are marked (by a person nominated by the elector or by the electoral visitor) [s234(1) & (2) CEA], and inserted by that person in the declaration certificate.

### 12. Marksman

12.1 Voters unable to sign their names may make their marks, eg a cross (x), as a signature. In such cases the voter must make a mark in the presence of the issuing officer, acting as a witness. The issuing officer must identify the fact that the voter made the mark by:

- adding the words his "mark" or her "mark" above the voter's mark; and
- printing under the voter's mark, the voter's christian or given names to the left of the mark and the voter's surname/family name to the right of the mark.

The issuing officer must then sign as witness on the declaration certificate, adding the word "witness" next to the signature.

12.2 A person who holds a power-of-attorney for a voter is not permitted to sign any electoral form for that voter. [s.336(2) CEA]

### 13. Security of ballot box

13.1 Security of the ballot box and ballot papers must be maintained at all times. A ballot box must be displayed open and empty on the first occasion it is brought into use. At the completion of voting at each location (or when the box is filled) the ballot box should have an additional lock and seal placed across the ballot paper slide. This additional lock and seal are to be removed, in the presence of scrutineers, on the occasion that the box is next used, ie at the next location, or when the box is opened for the counting of ballot papers. On each occasion where a ballot box is locked and sealed (and when the box is unlocked and the seal broken), this should be recorded in the return. Scrutineers should be given the opportunity to witness the electoral visitor's signature on such occasions. [ss.220(a), 226A(7) CEA]

13.2 It is imperative that the electoral visitor ensures the physical security of all ballot papers (used and unused) and the certified list(s). These items should be stored in a locked container outside the hours of polling and during transport. Overnight storage of locked and sealed ballot boxes should be arranged in the divisional office or other secure premises, eg a police station or prison.

# **Postal Voting - Preparations, Despatches and Registered General Postal Voters**

## **Part 14 Subpart 2**

13.3 It is imperative that team leaders ensure the physical security of all ballot papers (used and unused) and the certified list(s). These items should be stored in a locked container outside the hours of polling and during transport.

13.4 A ballot box should not be considered a security container in itself and therefore should not be left unattended. Team leaders may be able to make arrangements with such establishments as the office of the DRO, or banks, post offices and police stations which possess ideal security facilities. If such facilities are not available or if their use would prove impractical, the best alternate means should be sought.

### **14. Completion of returns**

14.1 The electoral visitor must progressively complete the general return at the conclusion of each visit. The DRO will require information from these returns for input to ELMS and to calculate payments to team members.

### **15. Return of material**

15.1 After completion of mobile polling, the OIC shall return the locked and sealed ballot box(es) and the completed return, together with all other used and unused material to the DRO, Assistant DRO or to an ARO (as Directed by the DRO). [s.226A(7) CEA]

### **16. Scrutiny of ballot papers from mobile polling**

16.1 The DRO will arrange for an ARO to count and record all ballot papers pertaining to prison mobile polling after the close of poll at 6 pm on polling night.

16.2 The ARO will advise the DRO of the results of the scrutiny. Alternatively, the ballot papers may be counted by the DRO in the divisional office after 6 pm on polling night.

16.3 The counting and recording of such ballot papers in either the divisional office or a polling place must be conducted on a team basis (ie ballot papers from other teams are not to be included).

16.4 At the completion of the scrutiny of each team's ballot papers, the ballot papers must be parcelled, labelled, sealed and, where appropriate, transported from the polling place to the DRO and placed under security in the divisional office. These ballot papers are required to be rechecked under Part 32.

16.5 Each team is to be treated as a polling place. The results of the count of each team's ballot papers is to be recorded and advised separately and the ballot papers for each team are to be bundled separately.

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### Attachment A

Dear (officer in charge)

I refer to our recent discussions regarding mobile polling arrangements for the election to be held on ...../...../..... Thank you for your co-operation with these arrangements.

The mobile team will visit on.....between ..... and..... . All members of the team will carry official identification cards and will contact the administration on arrival at your establishment.

The Australian Electoral Commission provides a mobile polling service to corrective service institutions so that voting is convenient for inmates eligible to vote. The mobile team is able to take the vote of every prisoner who is entitled to vote in this State.

The mobile team cannot issue votes to interstate electors. Prisoners who are enrolled interstate, or who are unable to vote at the time of the mobile team's visit, will need to make a written application for a postal vote. Written applications should be addressed to this divisional office.

A prisoner is not entitled to vote in a Federal election if that person "... has been convicted and is under sentence for an offence punishable under the law of the Commonwealth or of a State or Territory by imprisonment for 5 years or longer" or "... has been convicted of treason or treachery ...".

The mobile team may carry literature, including how-to-vote cards, which will be supplied at the request of a prisoner.

The mobile team will observe any advice from you or your staff that a visit to your institution is inadvisable on the grounds of security.

If you require any further information regarding the mobile team's visit or other matters please contact me on .

Yours sincerely

Divisional Returning Officer for

the Division of.....

(date)

## **PART 14**

### **Subpart 1 - Pre-poll Voting - Preparations**

#### **Contents**

1. Review pre-poll voting centres
2. Arrange premises, furniture and equipment
3. Determine staff requirements
4. Finalise preparation for pre-poll voting centres
5. Arrange training for pre-poll voting staff

# Postal Voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### 1. Review pre-poll voting centres

1.1 On the announcement of an election make a final review of pre-poll voting centres and the preparations for their operation (eg staffing, premises required). The staff required for the issue of postal and pre-poll votes in the divisional office should also be included in this review (see Part 1, Subparts 4 and 5).

1.2 The time of year in which the election is to be held is important in determining the staffing levels and the number and location of pre-poll voting centres (eg tourist centres).

1.3 Advise the AEO of the location and period (days, dates and hours) of operation for each pre-poll voting centre. If this information was submitted previously, the AEO should be advised of any changes since the previous advice, and should also be given a confirmation of the previous arrangements. New pre-poll voting centres or amendments to details must be entered into ELMS - PPMS.

### 2. Arrange premises, furniture and equipment

2.1 Finalise arrangements for premises for pre-poll voting centres. Prepare agreements for hire of premises.

2.2 Ensure there are sufficient tables, chairs, ballot boxes and voting screens to cater for the issue of pre-poll votes in the divisional office and/or at pre-poll voting centres.

### 3. Determine staff requirements

3.1 Consider the previous election figures and the time of year in which the election will be held in order to determine the number of staff required in the divisional office and any pre-poll voting centre.

3.2 Where pre-poll voting centres are approved, recruit an officer-in-charge for each centre in addition to other staff. All staff (including the OIC) will be recruited as pre-poll voting officers, except in the divisional office where staff are recruited as election casuals. Enter staffing details and expected votes into ELMS - Estimates system.

### 4. Finalise preparation for pre-poll voting centres

4.1 Ensure that you order sufficient supplies of the following material:

- ordinary ballot papers - (fully printed) for pre-poll voting;
- ordinary ballot papers - (open) for pre-poll voting;
- declaration certificates (EF012);
- lists of localities and streets (EF054) for each State/Territory;



# **Postal Voting - Preparations, Despatches and Registered General Postal Voters**

## **Part 14 Subpart 2**

- group voting ticket posters (EF068) (each State/Territory); and
- lists of candidates for each State/Territory.

Submit a supplementary request for additional material if considered necessary.

4.2 Check that preparation has been completed and prepare inventories of forms and stationery required for pre-poll voting centres, using the previous election records as a guide (see Subpart 2). The time of the year in which the election is to be held is also relevant.

### **5. Arrange training for pre-poll voting staff**

5.1 Arrange for the training of all staff recruited for the divisional office and pre-poll voting centres. Pre-poll staff should receive an hour long face-to-face training session plus one hour for completion of a home workbook (see Part 12).

# **Postal Voting - Preparations, Despatches and Registered General Postal Voters**

**Part 14 Subpart 2**

## **Subpart 2 - Postal Voting - Preparations, Despatches and Registered General Postal Voters**

### **Contents**

1. Determine staff requirements
2. Postal voting arrangements
3. Prepare letters and material for despatch to post offices, rural properties, hospitals, convalescent homes and prisons
4. Prepare material for registered general postal voters
5. Despatch material to general postal voters
6. Despatch material to registered general postal voters (those with a disability preventing signing of names)

Attachment A - Letter to matron/manager of hospital/nursing home

Attachment B - Letter to rural property owner/manager

Attachment C - Letter to officer in charge of a prison

Attachment D - Letter to registered general postal voter sending ballot papers

Attachment E - Letter to silent general postal voter

# Postal voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

### 1. Determine staff requirements

1.1 Consider the previous election figures and the time of year in which the election will be held in order to determine the number of staff required. The staff issuing postal votes are appointed as election casuals.

### 2. Postal voting arrangements

2.1 Check that the preparation has been completed, arrange the overprinting, or pre-stamping, of postal vote declaration certificates and office forms to the anticipated number required for an election. This information is obtained from past records, local knowledge etc. [s.190 CEA].

2.2 Consider using a separate number series for each type of postal vote in order to facilitate the preparation of differing types of certificates. Types are:

- for own division;
- for own division, silent electors
- for other divisions (intra-State); and
- for other divisions (inter-State).

2.3 A return address (ie own division address) must be pre-stamped on postal vote declaration certificates for own division and registered general postal voters (including physically incapacitated).

2.4 A return address (of the voter's enrolled division) is to be written or typed on all declaration certificates used for intrastate and interstate certificates, at the time of issue. [s.188(i)(a) CEA]

2.5 Ensure that you order sufficient supplies of the following material:

- postal ballot papers (fully printed);
- postal ballot papers (open);
- EF042 - record of postal votes issued to registered general postal voters - physically incapacitated;
- EF047 - letter to postal managers entitled "postal vote application forms" (also available in standard letters of AEC applications);
- EF048 - applications for postal votes;
- EF049 - postal vote declaration certificate;

# Postal voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

- EF051 - “unprocessed postal vote applications” letter to elector;
- EF053 - record of postal votes issued;
- EF054 - lists of streets and localities for each state;
- EF132 - list of candidates for each state and territory;
- outer envelopes; and
- air mail stickers.

Submit a supplementary request for additional material if considered necessary (see Subpart 3).

2.6 The DRO must ensure that staff training and administrative arrangements are adequate. All postal votes are to be accounted for in ELMS.

### **3. Prepare letters and material for despatch to post offices, rural properties, hospitals, convalescent homes and prisons**

3.1 Prepare appropriate letters concerning postal vote applications which are despatched to postmasters (EF047), convalescent homes and hospitals where mobile facilities are not provided (Attachment A), rural properties (Attachment B) and prisons where mobile facilities are not provided (Attachment C).

3.2 Prepare and address parcels/envelopes containing postal vote applications and reply paid envelopes, together with the relevant letter ready for despatch to each post office, etc. Keep a record of the number of applications and reply paid envelopes sent to each agency (and record the date despatched in the election journal).

3.3 A small quantity of postal vote applications and reply paid envelopes should be prepared for despatch to all convalescent homes, hospitals and prisons where mobile facilities exist, to cater for those voters who are unable to attend polling.

3.4 Despatch postal vote applications as soon as the public announcement of the election date is made.

### **4. Prepare material for registered general postal voters**

4.1 Prepare for despatch a numbered postal vote certificate and appropriate letter (Attachment D), in an outer envelope addressed to each person on the register of general postal voters (registered under s.185 CEA by virtue of claims under s.184A(2)(a) to (d), or (h) CEA). [s.186 CEA]

# Postal voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

4.2 Prepare for despatch a numbered postal vote certificate and appropriate letter (Attachment E) in an outer envelope addressed to each person on the register of silent general postal voters (registered under s.185 CEA by virtue of claims under s. 184A(2)(g) CEA).

4.3 Wherever possible, only permanent officers of the Commission should prepare postal voting material for silent general postal voters.

4.4 A postal vote certificate for a silent elector must be endorsed with the words "silent elector" in the elector's space for the enrolled address. Under no circumstances is the elector's enrolled address to be recorded - if the elector does put their enrolled address on a certificate it must be obliterated with black marker pen.

4.5 Prepare for despatch a numbered postal vote certificate and appropriate letter (Attachment D) in an outer envelope addressed to each person who is a registered general postal voter under s.184A(2)(e) and (f) CEA.

4.6 Prepare a dummy application for all electors who are registered as general postal voters under s.184A(2)(a) to (d), (g) and (h). The number pre-stamped on the postal vote certificate prepared for despatch to each voter must be transcribed to the dummy application. Attach to each dummy application a photocopy of the voter's application for registration as a general postal voter (if no copy of the application is available, attach a copy of the voter's most recent electoral enrolment form). Make sure to obliterate the address details for any elector who has registered as a silent general postal voter under s.184A(2)(g). [Schedule 3(3A) CEA]

4.7 Prepare a dummy application for all electors who are registered as general postal voters under s.184A(2)(e) and (f). The number pre-stamped on the postal vote certificate prepared for despatch to each voter must be transcribed to the dummy application. Endorse "s.184A(2)(e) & (f)" in red in the space for signature of the voter.

4.8 Material cannot be despatched until ballot papers are available after the close of nominations. [s.186(2)(a) CEA]

### 5. Despatch material to general postal voters

5.1 At the public announcement of the election or the issue of the writ (whichever is the earlier) check the register of general postal voters against the previously prepared material. [s.184(4) CEA]

5.2 The CEA makes no provision for a cut-off date for registration as a general postal voter [s.185 CEA]. Accordingly, registration can be made at any time. Subject to s.188(2), despatch of voting material should be made as soon as the person's application for registration has been approved.

# Postal voting - Preparations, Despatches and Registered General Postal Voters

## Part 14 Subpart 2

S.188(2) CEA precludes the postal despatch of certificates and ballot papers for applications received after the last mail clearance on the Thursday before polling day.

- [If an application for GPV is received with an electoral enrolment form after close of rolls, the application must be checked against RMANS to ensure that postal vote material is issued for the current enrolled address. If not on current RMANS, postal vote material must still be issued for the address on the application. A photocopy of the GPV application is processed as if it is a postal vote application.](#)

5.3 In certain special circumstances (approved by the AEO or DAEO) the postal ballot papers and declaration certificate may be delivered by other means - eg by a courier service (Subpart 3).

5.4 Be careful not to despatch material to registered general postal voters who are provisional electors and who would not turn 18 by polling day (Part 28, Subpart 2).

5.5 As soon as ballot papers are received, and following the check, despatch a postal vote certificate, ballot papers, advice letter (Attachment D or E) and outer envelope to current general postal voters registered under s.184A(2)(a) to (d), (g) or (h) CEA. Notate the register of general postal voters to indicate the date of despatch. [s.186(1) CEA]

5.6 The dummy application forms, (suitably endorsed with "postal vote despatched" and the date) should be filed with all other own division written applications.

### **6. Despatch material to registered general postal voters (those with a disability preventing signing of names)**

6.1 As soon as ballot papers are received, those voters who are registered under s.184A(2)(e) & (f) CEA, because of disabilities which prevent them from signing their names, are forwarded:

- a postal vote certificate, with name and address details completed. Endorse "s.184A(2)(e) & (f)" in red in the space for signature of voter;
- relevant postal ballot paper(s); and
- advice letter to voters (Attachment D).

Complete the details on the record of postal votes issued to registered general postal voters, disabled (EF042). [s.186(1) CEA]

6.2 The dummy application forms, (suitably endorsed with "postal vote despatched" and the date) should be filed with all other own division written applications.

# Postal voting - Preparations, Despatches and Registered General Postal Voters

Part 14 Subpart 2

Attachment A

To the Director of Nursing/CEO

Hospital/Nursing Home

Dear Director

## **FEDERAL ELECTION, SATURDAY ..... POSTAL VOTE APPLICATIONS**

Enclosed is a supply of postal vote applications and reply paid envelopes for the above election. Please make these available to any patients who may require them.

The attached list of patients are currently registered as general postal voters and will receive their postal vote applications separately.

If you have any questions please phone me on the above number.

Yours faithfully

Divisional Returning Officer

Enc

# Postal voting - Preparations, Despatches and Registered General Postal Voters

Part 14 Subpart 2

## Attachment B

To the Rural Property Owner/Manager

Dear Sir/Madam

### **FEDERAL ELECTION, SATURDAY .....** **POSTAL VOTE APPLICATIONS**

Enclosed is a supply of postal vote applications and reply paid envelopes for the above election. Please make these available to any electors who may require them. They should be completed and returned without delay.

The attached list of electors on the property are currently registered as general postal voters and will receive their postal vote applications separately.

If you have any questions please phone me on the above number.

Yours faithfully

Divisional Returning Officer

Enc



# Postal voting - Preparations, Despatches and Registered General Postal Voters

Part 14 Subpart 2

Attachment C

To the Officer in Charge - ..... Prison

Dear Sir/Madam

## **FEDERAL ELECTION, SATURDAY ..... POSTAL VOTING**

Enclosed is a supply of postal vote applications and reply paid envelopes for use by prisoners in your institution who are eligible to vote.

Please note, a prisoner is not entitled to vote in a Federal election if the prisoner "has been convicted and is under sentence for an offence punishable under the law of the Commonwealth or of a State or Territory by imprisonment for five years or longer" or "has been convicted of treason or treachery".

The attached list of prisoners in your institution are currently registered as general postal voters and will receive their postal vote applications separately.

If you have any questions please phone me on the above number.

Yours faithfully

Divisional Returning Officer

Enc

# Postal voting - Preparations, Despatches and Registered General Postal Voters

Part 14 Subpart 2

## Attachment D

Dear Voter

### **FEDERAL ELECTION, SATURDAY .....**

As you are registered as a general postal voter I have enclosed postal ballot paper(s) and a reply paid postal vote certificate for you to vote in the above election.

You should complete and return this material as soon as possible.

If you have any questions please phone me on the above number.

Yours faithfully

Divisional Returning Officer

Enc

# Postal Voting - Receiving and Processing Postal Vote Applications

Part 14 Subpart 3

Attachment E

Dear Silent Elector

## **FEDERAL ELECTION, SATURDAY .....**

As you are registered as a silent general postal voter I have enclosed postal ballot papers and a reply-paid postal vote certificate for you to vote in the above election.

You will notice that the words "silent elector" have been included where your enrolled address would be placed. As the postal vote certificate is open to public scrutiny you must not write your address on the postal vote certificate.

You should complete and return this material as soon as possible.

If you have any questions please phone me on the above number.

Yours faithfully

Divisional Returning Officer

Enc

# **Postal Voting - Receiving and Processing Postal Vote Applications**

**Part 14 Subpart 3**

## **PART 14** (Continued)

### **Subpart 3 -       Postal Voting - Receiving and Processing Postal Vote Applications**

#### **Contents**

1.       Receipt and sorting of postal vote applications (own and other divisions)
2.       Processing of postal vote applications
3.       Check postal vote applications (own and other divisions) for errors
4.       Process defective postal vote applications
5.       Prepare postal vote declaration certificates and outer envelopes
6.       Issue postal votes
7.       Spoilt postal ballot papers
8.       Missing/lost/destroyed postal ballot papers
9.       Recording the issue of replacement postal ballot papers
10.      Postal ballot papers returned undelivered

# Postal Voting - Receiving and Processing

## Postal Vote Applications

### Part 14 Subpart 3

#### 1. Receipt and sorting of postal vote applications (own and other divisions)

1.1 A postal vote application (EF048) may be made to a DRO, ADRO or overseas ARO after the public announcement of the election or issue of a writ (whichever is earlier) for the election. [ss.34(3), 184(2), 184(3) CEA]

1.2 Applications are to be accepted on State or Territory forms or “old” versions of the Commonwealth form EF048 or on a written request or facsimile request, provided the requirements of s.184(1) CEA are satisfied. Applications received after the announcement or issue of the writ are acceptable even though they may be dated before the announcement or issue of the writ.

1.3 Record the date of receipt on all applications.

1.4 Sort applications by division of claimed enrolled address using the alphabetical list of localities and streets (EF054) as a reference.

1.5 Priority must be given to the issue of postal vote declaration certificates and postal ballot papers where the applications show an overseas forwarding address or remote location, or for other urgent requests (eg imminent departure overseas). It is possible that these applications will be received before the availability of ballot papers. Arrangements should be made to action these applications as soon as possible after the close of nominations.

1.6 The DRO who receives a postal vote application shall action the application and post a certificate and ballot paper(s) to the voter. The receiving DRO must NOT forward the application to the DRO for the home division for processing. [s.188(1) CEA]

#### 2. Processing of postal vote applications

2.1 All postal vote applications received after the announcement or issue of writ but before the availability of ballot papers should be processed as far as practicable. Where appropriate, prepare the postal declaration certificate and the outer envelope for despatch to the voter.

2.2 After the close of nominations and the receipt of ballot papers, all applications received must be processed daily by the receiving division. [s.188(1) CEA]

2.3 Postal ballot papers and declaration certificates must not be posted to voters if the written application is received after the last mail clearance at the nearest post office on the Thursday before polling day. [s.188(2) CEA]

2.4 If approved by the AEO or deputy AEO, postal ballot papers and declaration certificates may be delivered by other means - eg by a courier service.

2.5 Under no circumstances are ballot papers and declaration certificates to be handed to any person but the applicant (ie the applicant may not authorise another person to receive ballot papers and declaration certificate on their behalf).

# Postal Voting - Receiving and Processing

## Postal Vote Applications

### Part 14 Subpart 3

2.6 Any applications received from voters who attend in person after the cut off (ie after the last mail clearance on the Thursday before polling day) are to be processed up until 6 pm on the day before polling day. The voter may choose to take the postal ballot papers and declaration certificate away and return the material by mail. The application must be endorsed by the issuing officer to show that the papers were collected by the voter. The voter may, as an alternative, choose to vote as a pre-poll voter. [ss.184(5), 188(2) CEA]

### 3. Check postal vote applications (own and other divisions) for errors

3.1 If an application has errors or omissions, it may be amended and a postal vote certificate and ballot papers issued. In some cases, however, the application is to be rejected (see the following guidelines): [s.199 CEA]

- *Voter's Name Details* (eg an initial is given instead of a given name)

The name details provided on the application may be corrected if the voter can be clearly identified. In most cases this would apply to voters enrolled for your division.

- *Voter's Enrolled Address Details*

The address details provided may be corrected if not identical with those shown on the list of localities and streets (EF054). If the elector is registered as a silent elector the address field is to be endorsed with the words "silent elector" or, if an address has been recorded it is to be obliterated.

- *Postal Address*

Not essential - may be left blank. In such cases, the declaration certificate should be sent to the enrolled address provided by the voter on the application

- *Contact Telephone Number*

Not essential

# Postal Voting - Receiving and Processing Postal Vote Applications

## Part 14 Subpart 3

- *Signature of Applicant/Witness*

A candidate at an election can witness an application for a postal vote **BUT NOT** a postal vote declaration certificate in that election. [s.193(3) CEA]

A marksman may be an applicant but not a witness. An application must have both the signature (or mark) of the applicant and the signature of the witness appearing on the application. [ss.184(1), 187(2), 336(2) CEA]

- *Name/Address Details of Witness*

May be left blank. [ss.187(2), s.194(1)(c) CEA]

- *Dates of Signature of Applicant/Witness*

In order to be accepted, applications must be received after the announcement of the election or issue of the writ, even though they may be undated, or bear a date before the announcement or issue of the writ. [s.184(4) CEA]

3.2 Defects on the application should be highlighted or amended in red as applicable.

3.3 Using the list of localities and streets (EF054) determine and record on the application (from the enrolled address stated), the voter's enrolled division. If there appears to be any doubt about the accuracy of the EF054 or if the entry in the EF054 is unclear, enrolment details should be checked.

#### 4. **Process defective postal vote applications**

4.1 When a postal vote application is rejected in not complying with CEA 184(1) (because of a defect which cannot be amended in the divisional office under s.199) a defect notice EF051 with a fresh application (completed as far as possible), and a reply paid envelope, are to be forwarded immediately to the voter at the address to which the voting material is to be sent. This will apply unless the voter has indicated on the application a date up till which they can be contacted at the enrolled address or some other address. If a telephone contact number has been provided, every effort should be made to contact the elector and advise them of the defect and possible remedies.

4.2 Where time is limited, the DRO should consider if there is any advantage in addressing the return envelope to the divisional office (or overseas ARO) located nearest to the address to which the voting material is to be sent. A full list of overseas AROs and their addresses will be supplied by each State head office after receiving the information from central office.

4.3 Endorse the top right-hand corner of the defective postal vote application with “EF051” and the date of posting. File the defective applications separately in alphabetical order of surname/family name. A record of any telephone contact should be noted on the application.

4.4 Photocopy defective applications for other divisions and forward the originals to the relevant DROs for potential non-voters information.

4.5 File photocopies of other divisions’ defective applications in alphabetical order with defective applications for your own division to be able to respond quickly to enquiries from voters or other people acting on a voter’s behalf.

### **5. Prepare postal vote declaration certificates and outer envelopes**

5.1 Sort the postal vote applications into alphabetical order by division daily and compare with applications previously received in order to prevent duplicate issues.

5.2 Number the accepted applications to correspond with the consecutive numbers on the matching postal vote declaration certificates. Care should be taken to ensure that the correct series of pre-numbered certificates are used (see Subpart 2). [s.190(1) CEA]

5.3 Enter the full name, “address for which you claim to be enrolled” and the corresponding enrolled division on the declaration certificate.

5.4 Type or write the full name and enrolled (declared for) address (unless the elector is a silent elector in which case the address field must be endorsed with “silent elector”) on the declaration certificate as well as name and postal address of the division for which the declaration certificate is issued.

5.5 Care must be taken to confirm the voter’s correct electoral division on the relevant EF054.

5.6 The address field for silent electors must be endorsed with “silent elector”. Under no circumstances is the elector’s enrolled address to be included on the declaration certificate. If the address is recorded on the declaration certificate it must be obliterated with black marker pen.

5.7 On the outer envelope enter the first given name, initial(s) and surname/family name of the voter and the postal address, as shown on the application. Special care must be taken to identify overseas addresses and attach air mail stickers to both the declaration certificate and outer envelope.

5.8 On postal vote applications the enrolled address particulars may differ from that of the postal address.

5.9 In order to prevent possible errors the task of entering details on the declaration certificates and the task of entering address details on an outer envelope/address label should be carried out as two separate functions.



5.10 If the postal vote declaration certificate is being posted overseas the word “Australia” is to be included as part of the return address.

5.11 Check that:

- the applicant's name agrees with the name typed on the declaration certificate and outer envelope;
- the address on the outer envelope agrees with the postal address on the application (if provided by the voter); and
- the number on the declaration certificate agrees with the number on the application.

### **6. Issue postal votes**

6.1 Endorse applications with:

- the name of your division as issuing division; [s.189(1) CEA]
- date of issue;
- issuing officer initials; and
- elector's division.

6.2 As soon as possible after close of nominations start the issue of postal votes. Thereafter postal vote declaration certificates and ballot papers must be issued on the day on which the application is received. Remember to use air mail for all overseas mail. [s.188(1) CEA]

6.3 Open ballot papers should be used for urgent cases, before receipt of fully printed ballot papers.

6.4 At the time of issue of ballot papers the following actions must be taken:

- count the number of fully prepared outer envelopes and postal declaration certificates into bundles of say, 10, 25 or 50; and
- count out an equivalent number of each type of ballot paper to be issued for each division. All postal ballot papers issued must bear on the back the initials of the DRO or ARO (facsimile stamp is acceptable). [s.190(2) CEA]

6.5 Insert ballot papers and relevant postal declaration certificates in the outer envelopes, ensuring a balance is maintained for each division.

6.6 Only when a balance has been achieved are the outer envelopes to be sealed.

6.7 For postal declaration certificates issued for other divisions, enter details on an EF053. Use a separate EF053 for each division. [s.195A(2)(e) CEA]

6.8 Before posting the postal vote declaration certificates relating to each day's issue, the applications should be amalgamated in a continuous alphabetical order by division with all applications processed previously and placed in suitable containers. A possible multiple application could be identified at this stage.

6.9 One alphabetical sequence for each division of postal vote applications, where ballot papers have been issued (including any photocopies of GPV applications, see Subpart 2) is recommended because:

- it gives ready access to the applications in order to answer enquiries from applicants (or other persons acting on behalf of individual voters); and
- it also provides for the comparison of signatures of the voters on the applications and declaration certificates at the preliminary scrutiny.

6.10 When a duplicate application is positively identified:

- note "duplicate of ....(first application number)" at the top of the second (or further) application and staple the second (or further) application to the original application;
- withdraw the outer envelope from the group to be despatched;
- re-allocate the number stamped on the declaration certificate (for subsequent re-issue) and then cancel the declaration certificate; and
- return the ballot paper(s) to stock.

6.11 Post the outer envelopes. Ensure all overseas mail has an air mail sticker and that the correct postage is paid.

### **7. Spoilt postal ballot papers**

7.1 A voter who spoils a postal ballot paper may obtain another ballot paper either by:

- returning the spoilt ballot paper personally to any DRO. A replacement postal ballot paper may then be issued personally to the voter at any time up to the close of the poll, provided that the voter has produced satisfactory identification;

or

- by sending a written request, signed by the voter and including the spoilt ballot paper. A replacement postal ballot paper may then be posted to the voter (s.188(2) of the CEA does not apply to replacement ballot papers).

Replacement ballot paper(s) may be despatched by any division.

7.2 Any spoilt postal ballot papers returned by a voter must be placed in a spoilt ballot paper envelope (EF022). The envelope can be placed in the ballot box for reconciliation purposes

### **8. Missing/lost/destroyed postal ballot papers**

8.1 Procedures for the despatch of postal ballot papers must be such that errors do not occur. Where advice is received from a voter, either in person or in writing, that a ballot paper was not received (lost or destroyed) the voter may obtain a ballot paper by sending a signed written request, stating that the ballot paper was not received.

8.2 A ballot paper may be issued by any division and the written request retained with the relevant division's ballot papers.

8.3 If appropriate, the voter should be referred to alternative voting facilities.

### **9. Recording the issue of replacement postal ballot papers**

9.1 Circumstances surrounding the issue of replacement ballot papers, must be recorded in the election journal.

### **10. Postal ballot papers returned undelivered**

10.1 Any postal ballot paper returned undelivered prior to polling day should be dealt with immediately by:

- checking the accuracy of the postal address against the application;
- telephoning the elector if telephone contact details have been provided; and
- checking for any dates of departure etc, if provided.

10.2 Every effort should be made to re-direct the postal ballot paper.

10.3 Where the postal address is correct and no contact is possible, the returned ballot paper should be filed with the application.

5.3 Type or write the full name and enrolled address (address for which you claim to be enrolled) on the declaration certificate. If the elector is a silent elector the address field must be endorsed with "silent elector". Type or write the name and postal address of the division for which the declaration certificate is issued.

### Subpart 4 - Pre-Poll Voting

#### Contents

1. Where pre-poll votes may be made
2. When pre-poll votes may be made
3. Issue of pre-poll votes (for own and other divisions)
4. Assistance to certain voters
5. Marksman
6. Replacement of postal ballot papers lost, destroyed or not received

### **1. Where pre-poll votes may be made**

1.1 Applications for pre-poll votes may be made in person to:

- any DRO; [ss.200C(1)(a), 200D(1) CEA]
- any assistant DRO; [ss.34(3), 200C(1)(a), 200D(1) CEA]
- any pre-poll voting officer at a place that has been appointed by the Commission for the purpose of issuing pre-poll votes [ss.200B, 200C(1)(b), 200D(2) CEA]; and
- an ARO for a place outside Australia. [ss.200C(1)(c), 200D(3) CEA]

1.2 Scrutineers are not permitted in pre-poll voting centres.

### **2. When pre-poll votes may be made**

2.1 Pre-poll votes cannot be issued until the day after the close of nominations for a House of Representatives election and the second day after the close of nominations for a Senate or combined Senate/House of Representatives election. [s.200D(4) & (5) CEA]

2.2 Pre-poll votes cannot be issued after 6 pm on polling day. If a voter is present at the pre-poll voting centre before 6 pm, they can be issued with a pre-poll vote after 6 pm so long as the application is made before 6 pm. [s.200D(1) & (2)(b) CEA].

2.3 A pre-poll vote can be issued to an interstate elector up until the close of the poll, provided that they have made an application for a pre-poll vote before 6 pm local time on polling day. [s.200D(6) CEA] For example, an interstate elector from the eastern states would be able to cast a pre-poll vote in WA up until 6 pm WST.

2.4 The divisional office and any office of an ADRO must remain open until 6 pm on election eve to issue pre-poll votes.

### **3. Issue of pre-poll votes (for own and other divisions)**

3.1 The pre-poll voting officers general return (EF070) and pre-poll voting procedures manual should also be used for divisional office issue. The return will assist in the control and reconciliation of declaration certificates and ballot papers, and provide a check when pre-poll declaration certificates are sorted after polling day (also see Part 23, Subpart 3). The general return can also be used for the input of information into ELMS - Post Election system.

3.2 The voter's attention should be drawn to the grounds upon which a pre-poll vote can be issued. The notice (EF050) lists the grounds, according to section 200A, Schedule 2, on which a person may apply for a pre-poll vote. This should be prominently displayed at every place where pre-poll voting takes place.

# Pre-Poll Voting

## Part 14 Subpart 4

3.3 Ensure the voter's details are completed on the pre-poll declaration certificate taken from the correct batch of prepared declaration certificates (own division, other division this State, interstate divisions).

3.4 Formal errors on a pre-poll declaration certificate may be corrected by the issuing officer or voter. [s.201 CEA]

3.5 The voter then signs the declaration certificate and the issuing officer witnesses the voter's signature and adds the date, and the name of the pre-poll centre. [s.200E(3) & (4) CEA]

3.6 Determine the division for which the voter claims to be enrolled using the appropriate list of localities and streets (EF054), and write this on the declaration certificate. [s.200C(3) CEA]

3.7 A silent elector may vote as a pre-poll voter. In such cases the pre-poll declaration certificate must be endorsed with the words "silent elector" in the address details section. The address should not be recorded. If the elector does write their address on the declaration certificate, it must be obliterated with black marker pen. To establish the silent elector's division, have the elector look up the EF054 themselves to determine the correct division.

3.8 The voter is then handed the initialled ballot paper(s) and instructed to go alone to a voting screen to vote. Under no circumstances may a pre-poll voter take ballot papers or a declaration certificate from a divisional office or pre-poll voting centre. [s.200E(9)(b) CEA].

3.9 While the voter is voting, remove the counterfoil (EF012) from the declaration certificate and check that the information can be read. [s.200G(1) & (2) CEA]

3.10 Counterfoils are then handled as follows:

- own division - sort and file the counterfoils (EF012) in alphabetical order by surname/family name in the red counterfoil binder; and
- other divisions - sort and file the counterfoils (EF012) alphabetically by division and surname/family name in the red counterfoil binder.

3.11 To assist with the accountability for ballot papers, consider filing all counterfoils for each day's issue at the front of the binder for checking, recording of daily issue and sorting as above, at the end of each day.

3.12 After voting, the voter folds each completed ballot paper(s) and returns it to the issuing officer who places it in the declaration certificate and seals it. [s.200E(5) & (6) CEA]

3.13 Sealed declaration certificates are then placed in a ballot box. [s.200E(6) CEA]

3.14 To assist in the sorting of pre-poll declaration certificates after the close of polling a separate ballot box should be kept for:

- own division;

- other divisions, same State; and
- interstate divisions.

It may also be useful to keep a separate ballot box for any division for which large quantities of pre-poll votes are likely to be taken.

3.15 The CEA only permits the opening of pre-poll ballot boxes for despatch of declaration certificates to the DRO. If the DRO has instructed that declaration certificates are to be forwarded to the divisional office on a daily basis, then the ballot boxes may be opened and declaration certificates sorted as outlined above on a daily basis. If the declaration certificates are to be despatched to the DRO after the close of the final day of polling then all ballot boxes must remain sealed until that time.

- Scrutineers are not entitled to be present when ballot boxes are opened and re-sealed.

3.16 For pre-poll centres which return their material to the divisional office on a daily basis, and at the conclusion of polling on the last day of pre-poll operations:

- open the ballot box(es) and record the breaking of the seals in the OIC's return, or if an OIC's return is not used, then in the election journal. This task must not be commenced until the last voter has left the pre-poll centre;
- sort the declaration certificates alphabetically firstly by division and then by surname/family name within division;
- count the total number of declaration certificates for each division and check that this number agrees with the total number of counterfoils for that division in the declaration records folder;
- check that the elector's names on the declaration certificates for each division agree with the counterfoil for that division in the folder;



# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

- bundle the declaration certificates by divisions for despatch to the relevant DROs; and
- enter in the OIC's return "pre-poll votes issued" (EF070) the number of pre-poll votes issued for each division and complete the summary (EF070).

### 4. Assistance to certain voters

4.1 Special circumstances apply if a voter is physically incapacitated or is illiterate and requires assistance in voting. [s.200E(7) & (8) CEA]

4.2 If a voter cannot vote without assistance, the voter may appoint another person to mark the ballot paper(s). If the voter does not appoint another person to mark the ballot paper(s), they may request the issuing officer to mark the ballot paper(s). A how-to-vote card may be used by the voter to advise their intention. [s.200E(7) & (8) CEA]

### 5. Marksman

5.1 Voters unable to sign their names may make their mark as a signature. In such cases the voter must make a mark in the presence of the issuing officer, acting as a witness. The issuing officer must identify the fact that the voter made the mark by:

- adding the words "his mark" or "her mark" above the voter's mark; and
- printing under the voter's mark, the voter's christian or given names to the left of the mark and the voter's surname/family name to the right of the mark.

5.2 The issuing officer must then sign as witness on the declaration certificate, adding the word "witness" next to the signature.

5.3 A person who holds a power-of-attorney for a voter is not permitted to sign any electoral form in that capacity for that voter. [s.336(2) CEA]

### 6. Replacement of postal ballot papers lost, destroyed or not received

6.1 Where a person enters a pre-poll centre and claims to have lost, destroyed or not received their postal ballot paper(s), they are to be issued with replacement(s) after signing a statement to that effect in the OIC's election return or, if there is no OIC's election return, in the election journal. The statement should clearly show the person's name and be signed by the person.

## **PART 15**

### **House of Representatives Scrutiny - Advice to Candidates**

#### **Contents**

1. Advise House of Representatives candidates of scrutiny arrangements

Attachment A - Sample letter to candidates concerning scrutiny arrangements

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

#### **1. Advise House of Representatives candidates of scrutiny arrangements**

1.1 House of Representatives candidates should be advised of the dates, times, location, type of scrutiny and number of staff employed on all divisional office scrutinies.

1.2 The CEA specifies that the DRO should display in the office a notice detailing the arrangements for declaration vote preliminary scrutinies. The CEA does not require that any prior notice be given of any other scrutiny conducted by the DRO. [s.266(2) CEA]

1.3 The DRO should advise candidates of the first scrutiny arrangements, in writing (Attachment A), which may be supplemented with a copy, or parts, of the post election timetable of scrutinies. Subsequent advices should be given to the scrutineers at the close of proceedings each day. Each candidate should also be encouraged to maintain contact with the DRO in order to keep up-to-date with scrutiny arrangements. Candidates should also be advised that their scrutineers must be familiar with their rights and responsibilities as detailed in the scrutineers handbook.

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

### Part 23 Subpart 5

#### Attachment A

Dear

I am writing to advise you that, at various times after the close of the poll at 6 pm on Saturday / / , I will be conducting preliminary and further scrutinies of postal, pre-poll, absent and provisional votes (declaration votes).

The preliminary scrutinies of postal vote certificates will differ from other declaration vote scrutinies as there is a requirement to compare the signatures on the postal vote certificates with those on the applications.

You are entitled to have as many scrutineers representing you at a scrutiny as there are officials engaged in the scrutiny. Each scrutineer is required to present a completed form of appointment which will cover attendance for all scrutinies relating to the House of Representatives election for this division (including a fresh scrutiny of all ballot papers, a distribution of preferences and a recount - if it becomes necessary). I suggest that scrutineers attending the scrutiny be familiar with their rights and responsibilities, as detailed in the Scrutineers Handbook. Supplies of this booklet are available from my office. Scrutineers are required to wear an identifying badge which will be provided on arrival at the scrutiny area.

At the close of each day's proceedings your scrutineers will be advised of the times of the continuing scrutinies and the number of staff to be employed (which determines the number of scrutineers entitled to attend on your behalf). It would, however, be in your interest to contact me in order to confirm these arrangements.

Before starting each scrutiny I will brief the scrutineers on how I intend to conduct the scrutiny. The arrangements for the first scrutiny are detailed below.

The first scrutiny will involve the scrutiny of approximately ..... votes and will start at ..... am/pm on ..... . The location will be .....  
There will be ..... staff employed at this scrutiny (consequently you are entitled to have ..... scrutineers attend on your behalf, in accordance with section 264(2) of the Commonwealth Electoral Act).

Under the provisions of section 266(2) of the Commonwealth Electoral Act, I will display a notice advising the dates and times at which preliminary declaration scrutinies will be conducted. The Act does not require the display of such a notice before the conduct of any other scrutiny.

Yours sincerely

**Declaration Vote Exchange  
Receipt from other Divisions - Absent**

**Part 23 Subpart 5**

Divisional Returning Officer

## **PART 16**

### **Despatch of Election Material to OICs**

#### **Contents**

1. Final check of material
2. Pack the material
3. Allocate ballot papers
4. Secure and seal containers
5. Despatch of containers
6. Advice of two-candidate preferred
7. Receipt of material
8. Confirmation of receipt

Attachment A - Advice to OIC of two-candidate preferred

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### 1. Final check of material

1.1 Make final adjustments to the allocations (see Part 1, Subpart 6) taking into account any up-to-date information which is available (eg type of election, recent demographic changes, time of year in which the election is to be held, special events such as defence forces manoeuvres, local shows etc). Any variations are to be recorded in AEC Applications - polling places and inventory.

1.2 Before packing material make a check of the items and quantities of material ready for packing. This is to ensure that each polling place, pre-poll voting centre and mobile team is being supplied with all necessary items.

1.3 Certified lists are a vitally important part of polling place equipment. DROs should take special care to ensure that the correct certified lists are allocated to each polling place.

### 2. Pack the material

2.1 It is vital that material for polling places, pre-poll voting centres and mobile teams is packed by responsible officers. The DRO or ASO3 (or both) should be involved in the supervision of packing of material. The importance of ensuring the correctness of each parcel of material for each OIC cannot be over-stressed eg in country divisions, with isolated polling places, it could be extremely difficult to supply material which had been overlooked at the original despatch - with the possibility of having the poll adjourned (see Part 19).

### 3. Allocate ballot papers

3.1 Set aside the number of ballot papers of each type allocated to all OICs and double check. This figure is obtained from the master inventory in the AEC Applications (see Part 1, Subpart 6).

3.2 In accordance with the inventory for each polling place (see Part 2) pack the ballot papers into the ballot paper cartons (if supplied), clearly labelled with the polling place name. Ballot papers should be progressively allocated to ensure that the correct allocation has been made to each polling place. Ballot papers should not be packed unless confirmed by two people. A progressive balancing process may be used.

3.3 The inventory forms and certified lists should be the last items packed for each polling place, pre-poll voting centre and mobile team.

3.4 The person in charge of packing material should ensure that each container is clearly labelled and shows the following details:

- name and address of OIC (if necessary);
- name of polling place; and
- container number (eg box 1 of 3 boxes).

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

## **Part 23 Subpart 5**

3.5 Ensure that the delivery schedule (see Part 2) is endorsed with the number of containers packed for each polling place.

### **4. Secure and seal containers**

4.1 Each container of election material should be securely strapped, fastened, and sealed with security tape.

### **5. Despatch of containers**

5.1 DROs should update the despatch schedule for the delivery (or collection by OICs) of the election material (see Part 2). The despatch schedule should include the polling place name, the number of containers for each polling place, the name and address for delivery, the preferred day or time of delivery and the method of despatch ie collect, post, courier or contractor. If a contractor is being used for delivery, a copy of the schedule should be handed to the contractor.

5.2 Wherever possible, the material should be received or collected personally by the OIC, and the DRO should arrange for a receipt to be signed by the person taking delivery. The signature of that person could be provided for on the delivery schedule, or a separate form of receipt could be used. This initial receipt is to indicate acceptance of the containers. OICs are required to check the contents of each container (and to check count ballot papers) and to provide a receipt for each item by returning the receipt at the bottom of the inventory form immediately the check has been completed (a reply paid envelope should be stapled to the inventory form to encourage a response from the OIC.)

5.3 In country divisions it is essential that DROs familiarise themselves with posting/despatch deadlines for outlying areas. This is to ensure that election material is received by the OICs in plenty of time to allow a check of the material (DROs should aim for the material to be received by OICs at least 4 days before polling day).

### **6. Advice of two-candidate preferred**

6.1 As part of the receipt and collection of material process, the DRO will advise the OICs of the names of the two candidates selected for the two-candidate preferred count. Where material has to be posted or delivered by courier to OICs, the notice at Attachment A should be included with the OIC's return (EF027). Under no circumstances can the OIC disclose those names to any person (including polling staff or scrutineers) before the close of the poll.

### **7. Receipt of material**

7.1 The OIC should be instructed on the importance of check counting ballot papers, the need for carrying out the detailed check of all material and of phoning the DRO immediately if any important discrepancies are found eg. ballot papers, certified lists, OIC's general return, EF54 and declaration envelopes.

### **8. Confirmation of receipt**



## **Declaration Vote Exchange**

### **Receipt from other Divisions - Absent      Part 23 Subpart 5**

8.1      Wherever necessary, the receipt of material (and advice of check count of ballot papers) should be advised by phone in the first instance, and confirmed in writing.

# **Declaration Vote Exchange Receipt from other Divisions - Absent**

**Part 23 Subpart 5**

**Attachment A**

## **CONFIDENTIAL**

Enclosed as part of the OIC's return (EF027) are two documents:

- Direction to Count Further Preferences; and
- House OIC Two Candidate Preferred Worksheet,

both of which disclose the names of the two candidates to whom preferences of the other candidates are to be distributed.

Under no circumstances are the names of these candidates to be disclosed to any person (including polling staff and scrutineers) until after the close of the poll.

Divisional Returning Officer

## **PART 17**

### **Despatch of Ballot Boxes and Voting Screens to OICs**

#### **Contents**

1.      Despatch of ballot boxes and voting screens
2.      Discrepancies and emergencies

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### 1. Despatch of ballot boxes and voting screens

1.1 Make final adjustments to the allocations (see Part 1, Subpart 6) taking into account any up-to-date information which is available (eg type of election, recent demographic changes, time of year in which the election is to be held, special events such as defence forces manoeuvres, local shows etc). Any variations are to be recorded in AEC Applications - polling places and inventory.

1.2 Finalise preparations for the delivery to the various polling places and prepare distribution schedules/advice. Where distribution is co-ordinated by State head office, DROs should forward their schedule of required deliveries to State head office in accordance with directions received.

1.3 In other cases, DROs should make individual arrangements for the release from store, despatch and return to store (or subsequent disposal).

1.4 Finalise requests for quotations where necessary (see Part 5, Subpart 2).

1.5 Arrange for the delivery contractor to return a signed copy (signed by the recipient or representative or, if no person present, by the contractor who notes the document accordingly) of the delivery and collection schedule/advice after delivery.

1.6 Advise OICs of the delivery arrangements. Instruct OICs to undertake a physical check to determine whether or not a complete delivery has been made. The quantities will be shown on the polling place inventory. The OIC must advise the DRO of the result of this check as early as possible.

1.7 In cases where the ballot boxes and voting screens are stored on site, OICs must confirm that the ballot boxes and screens are on hand and are in usable condition.

### 2. Discrepancies and emergencies

2.1 Any delivery discrepancies must be followed up by the DRO who will take immediate action to organise replacement ballot boxes and/or voting screens.

2.2 Where improvised boxes and/or screens are used the DRO must advise State head office and then:

- ensure that improvised ballot boxes are properly sealed, using paper or tape seals; and
- instruct OICs to advise any scrutineers present that an improvised ballot box is being used and that its use has been approved by the DRO.

2.3 In an emergency, ballot boxes or voting screens belonging to State governments or local authorities may be used.

## **PART 18**

Scrutiny in Counting Centres - Advice to AROs on Important Points

### **Contents**

1. Before 6 pm
2. Before commencement of scrutiny
3. At 6 pm
4. Separate each type of ballot paper
5. Order of scrutiny
6. Challenge by a scrutineer
7. Reconciliation of ballot papers issued
8. Compilation of returns
9. Sealing and labelling of ballot papers and other material

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### 1. Before 6 pm

1.1 Scrutiny Assistants (if provided) will arrive at 5.30pm. Brief them on their duties and allocate an ID card.

1.2 Ensure that polling officials are fully aware of the duties they are to perform after 6 pm. Review the duties with staff and resolve any queries.

1.3 Close down some of the ordinary voting tables if it becomes obvious that the remaining staff can handle the last rush of voters. This should be done from about 5 pm onwards.

1.4 After the issuing officers from the closed-down tables have balanced their ballot papers, completed the EF008 and returned their material to the OIC, they should be deployed on other duties to facilitate prompt commencement of the scrutiny.

### 2. Before commencement of scrutiny

2.1 Ensure that not more than the permissible number of scrutineers are present and that each scrutineer has produced a completed appointment form and has been issued with a scrutineer badge. [s.264(2) & (3A) CEA]

2.2 Brief the scrutineers prior to the commencement of the scrutiny as to their rights and responsibilities, and how the scrutiny will be conducted. Scrutineers should be advised that they have the right to remain until all parcels of election material have been packed and sealed. Where numbered seals are used, the seal numbers are to be recorded in the OIC's general return. Otherwise, the OIC is to sign across the seal (or security tape) used on the parcel so that the parcel cannot be opened without disturbing the alignment of the signature. Scrutineers should also be advised that they have the right to sign the OIC's election return.

### 3. At 6 pm

3.1 Before briefing staff and scrutineers the OIC must announce the names of the two candidates selected for the two-candidate preferred count. The DRO will have advised the OIC of these names. Under no circumstances can the OIC disclose these names to any person before the close of the poll.

3.2 Ensure the remaining polling officials at issuing points on ordinary tables balance their ballot papers, complete the EF008 and return their material to the OIC before the scrutiny starts.

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

3.3 Declaration vote issuing officers must check that all declaration certificates have been witnessed and are recorded in the declaration vote counterfoil binder. Any discrepancies which can be corrected must be rectified, eg if the signature of an issuing officer is missing the relevant issuing officer should sign the declaration, provided that they recall the voter having signed in their presence. If the relevant issuing officer cannot recall the voter signing the declaration they should not sign the declaration as "issuing officer" (section 337 of the CEA provides that a person shall not sign as witness unless they have seen the voter sign the form).

3.4 Any other possible omissions of the issuing officer such as a failure to file counterfoils in one amalgamated alphabetical order by surname by division in the counterfoil binder should also be checked and corrected at this time. [s.337 CEA]

3.5 After action detailed above has been completed, declarations must be sorted into alphabetical order by surname by division, covered by appropriately labelled Declaration Votes Packaging Cards (EF097), secured by rubber bands, and placed into a parcel addressed to the DRO (Label No.2)

3.6 Polling officials responsible for the issue of declaration votes must balance their ballot papers and counterfoil records and return their material to the OIC before assisting with the scrutiny of ordinary votes.

### 4. Separate each type of ballot paper

4.1 It is important that all ballot boxes are opened and that the OIC is satisfied that all ballot papers for a particular type of election have been separated, counted and scrutinised, before advising scrutineers that the count and scrutiny for that election has been completed.

4.2 The OIC shall supervise the scrutiny of all ballot papers before telephoning the results to the divisional office. The OIC must ensure that all the ballot papers in each bundle are first preference votes for the same candidate, there is one bundle for informal, and that the count is correct. [ss.273(2)(c), 274(2)(c) CEA]

4.3 Scrutineers are entitled to remain at the counting centre until all the material has been parcelled and sealed (they are also entitled to countersign across the sealed parcels of election material and to sign as a witness to the OIC's signature on the OIC's general return). Scrutineers are not obliged to remain until the parcels of ballot papers are sealed - they have the right to leave the polling place at any time. If scrutineers depart before the parcelling and sealing of ballot papers, this fact should be recorded in the relevant page of the OIC's general return (EF027).

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

#### **5. Order of scrutiny**

5.1 The scrutiny of ballot papers must be conducted in the following order - House of Representatives, TCP, Senate and Referendum and the results phoned through to the DRO immediately after completion of each scrutiny.

#### **6. Challenge by a scrutineer**

6.1 If a decision on formality/informality is challenged by a scrutineer, the OIC (whose decision is final on election night) is to record the decision on the back of the ballot paper (ie "admitted" or "rejected" plus initials) [s.267 CEA]. Challenged ballot papers should be set aside and dealt with at the one time.

#### **7. Reconciliation of ballot papers issued**

7.1 Before telephoning the results to the DRO, the OIC must ensure that the total count of votes for each election is reconciled with the number of ballot papers issued.

7.2 Staff must check the polling place (including screens, bins etc) for discarded ballot papers. Discarded ballot papers are not to be included in the count but are to be placed in a spoilt and discarded envelope (EF022).

#### **8. Compilation of returns**

8.1 The OIC must ensure that all returns are complete and accurate in detail.

8.2 After the completion of the scrutiny of ballot papers, the OIC must complete the result of count of first preference votes for each candidate and informals in the OIC's general return. The OIC must sign the front page of the OIC's general return and invite scrutineers present to sign the statement as well.

#### **9. Sealing and labelling of ballot papers and other material**

9.1 All parcels containing ballot papers and other material should be neatly and securely parcelled.

9.2 The parcels should then be sealed in such a manner that ballot papers cannot be withdrawn without damaging the parcel.

9.3 The OIC must affix the appropriate label and endorse on each parcel the description of the contents.

9.4 The OIC must sign the endorsement, and must invite scrutineers present to countersign the endorsements. [ss.273(2)(g),274(2)(g) CEA]



## **PART 19**

### **Adjourned Polling - Polling Places**

#### **Contents**

1. Definition of two types of adjourned polling
2. Decision to adjourn polling
3. Arrangements for adjourned polling
4. Voting in adjourned polling

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

### Part 23 Subpart 5

#### 1. Definition of two types of adjourned polling

1.1 Adjourned polling is classified into two types:

- when polling, after having started on polling day, is adjourned because of a riot, open violence, storm, tempest, flood or a similar occurrence; [s.241 CEA] and
- if for any reason a polling place does not open on polling day (eg non-receipt of ballot papers, certified lists, flood, fire or other sufficient reason). [s.242 CEA]

#### 2. Decision to adjourn polling

2.1 In either circumstance the OIC must, wherever possible, consult with the DRO before adjourning the poll. Such a decision should not be taken lightly and full consideration of all prevailing factors should be undertaken. The DRO should consult State head office.

2.2 Once a decision to adjourn the poll has been taken the DRO must:

- advise all candidates. If candidates are not available, contact their representatives; and
- advise the OIC to complete and display the Adjourned Polling Notice (EF076) at the entrance to the polling place.

2.3 Once a decision to adjourn the poll has been taken the OIC must:

- advise all scrutineers present;
- exhibit a notice (Adjourned Polling Notice) at the entrance to the polling place (wherever possible), advising the adjournment;
- seal the slots of all used ballot boxes with AEC security tape, sign and date across the tape and ask any scrutineers present to countersign; and
- parcel and seal (in the presence of any scrutineers) all election material.

2.4 A section 241 CEA adjournment is only possible from day to day. That is, the first adjourned polling day will be the Sunday; if the conditions warranting the adjournment still exist - the Monday etc.

2.5 In the case of a section 242 CEA adjournment there is no requirement for day to day adjournments. The poll can be adjourned for up to 21 days. There will need to be an assessment of the date when polling can occur.

2.6 The instructions above, referring to sealing ballot boxes, and to parcelling and sealing election material, will only apply in a section 241 CEA adjournment, ie where polling has been adjourned after

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

having started. Under no circumstances should a scrutiny be started until after the finish of the adjourned polling.

2.7 In both cases of adjourned polling, the OIC is to arrange for the storage, under security, of all election material received. The OIC should use a police station or a bank for storage purposes. It may be possible to return the material to the divisional office. In the absence of any other suitable arrangements the OIC should take the material home.

2.8 The DRO must record all relevant details in the election journal.

### 3. Arrangements for adjourned polling

3.1 The DRO should make arrangements with the OIC for undertaking the adjourned polling as soon as possible. The following steps should be taken:

- consult with the State head office regarding the publicity for adjourned polling;
- organise staff - note that under the provisions of section 243 of the CEA, absent voting is not permitted at any adjourned polling. In this case State head office should be consulted about arrangements for payments to staff who worked only on polling day until the adjournment (and not on the day of the adjourned polling). DROs should consult with State head office about the numbers of polling staff who are to work at the adjourned polling;
- arrange premises (new premises may be needed);
- arrange for polling place equipment to be supplied;
- advise voters within the subdivision/division of the arrangements for the adjourned polling [s.243 CEA]; and
- advise candidates of the arrangements for the adjourned polling.

3.2 It is possible that there may be an increase in voters at the adjourned polling (ie voters from the entire subdivision/division who for various reasons did not vote on polling day may choose to vote at the adjourned polling). [s.243 CEA]

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

3.3 Adjourned polling need not necessarily be conducted on a Saturday. Section 241 CEA cases can only be adjourned “from day to day” with no time limit fixed for the taking of the adjourned poll. Section 242 CEA cases can be adjourned for a “period not exceeding 21 days”. The requirement in section 158 CEA that polling day should be a Saturday does not apply in the case of adjourned polling for either section 241 or section 242 CEA.

3.4 Any postponement of a poll under section 242 CEA should be for as short a time as possible (as the circumstances reasonably permit) in order that there is no unnecessary delay in obtaining the result of the election(s). The adjournment need not be to the following Saturday (or Saturday after) if the OIC and DRO are satisfied that the poll can, without prejudice, be taken on an earlier day.

### 4. Voting in adjourned polling

4.1 The following persons are entitled to vote at an adjourned polling:

- voters enrolled for the subdivision/division for which the polling place is prescribed, and who have not already voted in that election [s.243 CEA]; and
- voters whose names are not on the roll, or whose names cannot be found on the roll, and who claim that their names should be on the roll for that subdivision/division (section 235 CEA voters).

4.2 Voters whose eligibility to vote is based on the provisions of section 235 CEA are entitled to vote at an adjourned polling, provided they make the necessary declaration. [s.243(a) CEA]

4.3 Absent voting is not conducted at an adjourned polling. [s.243(a) CEA]

4.4 Where polling has been adjourned at different times at a number of polling places, the DRO should open polling places concerned for the full polling hours on the adjourned polling day so that voters from a particular area are not disadvantaged in attempting to record a vote.

# **Declaration Vote Exchange Receipt from other Divisions - Absent**

Part 23 Subpart 5

## **PART 20**

### **Receipt and Transmission of Results**

#### **Contents**

1. Planning by DRO
2. Instruct OICs on transmission
3. Instruct staff
4. Receipt of figures from polling places
5. Input of polling place results

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

#### **1. Planning by DRO**

1.1 The DRO should plan for the receipt and transmission of figures on polling night. Attention should be given to the following:

- phones - depending on the number of polling places involved, apply for the installation of additional phones in the divisional office as early as possible. It is important that OICs are not delayed when phoning results of the scrutiny. DROs should plan to install sufficient phones to cope with the expected usage (1 phone for each 10 polling places is suggested).
- staffing:
  - one person allocated to each phone which receives polling place figures;
  - two data entry operators; and
  - runners as required.

Divisional staff may take part in the receipt of figures. DROs should not be personally involved in these duties. A DRO's role is that of a co-ordinator.

1.2 Consideration should be given to the type of phone system to be installed. Examples are:

- rotary sequence - which consists of a "bank" of phones; calls are automatically diverted to the next available phone. All OICs are given the same phone number to call with polling results; and
- allocation of a separate phone number for groups of polling places (no more than 10 should be included in each group).

1.3 State head office instructions will be issued well before polling day covering both local and national requirements.

#### **2. Instruct OICs on transmission**

2.1 Inform OICs of the phone number(s) to be used on polling night to advise the results of the scrutiny.

2.2 Advise OICs that only one call is to be made immediately each type of scrutiny is completed, and the order of transmission must be:

- House of Representatives;
- Two Candidate Preferred (TCP);

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

- Senate; and
- Referendum.

2.3 OICs are to be advised that they are not permitted to leave the scrutiny area to phone the results of the scrutiny to the divisional office. If a phone is not available in the scrutiny area, the OIC should send another polling official to phone through the results.

### 3. Instruct staff

3.1 All staff involved in the receipt and transmission of polling figures in the divisional office should be trained in these procedures.

### 4. Receipt of figures from polling places

4.1 The procedure for taking a call from a polling places is as follows:

- establish the polling place name;
- confirm that the figure being transmitted is a final figure;
- obtain the ELMS result slip for that polling place;
- for the House of Representatives, record the results for each candidate, total first preferences, informals and total;
- for the two candidate preferred (TCP), record the figures for each of the two candidates, plus exhausted and the total, which must balance with the total of House of Representatives first preference figures;
- for the Senate, record the group totals, the figures for each of the ungrouped candidates, total first preferences, informals and total;
- ask the caller to "hold";
- check the additions on the result slip - ask the caller to confirm figures if there is a discrepancy;
- if the figures balance, check the "total" figure against the estimated figure for the election - unless there is a substantial variation, the caller is to be "released". Substantial variations should be advised to the DRO before "releasing" the caller; and
- initial and record the time of receipt of the figures.

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

#### **5. Input of polling place results**

5.1 Enter the accepted figures from result slips of each polling place into ELMS - Election Night system.

5.2 The national tally room in Canberra will be able to access these figures as soon as they are entered.



## **PART 21**

### **Receipt of Election Material after Polling**

#### **Contents**

1. Plan arrangements for return of material by OICs
2. Advise OICs of arrangements for return of material
3. Recruit and train staff
4. Prepare checklist
5. Final preparations for receipt
6. Receive material from OIC and undertake initial check
7. Discrepancies - initial check
8. Store material pending completion of detailed check
9. Undertake detailed check of material
10. Storage and security of used ballot papers
11. Disposal/preservation

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

#### **1. Plan arrangements for return of material by OICs**

1.1 Prepare a schedule, which should be kept in the ER&A Record or on a Uniplex file, showing how and when material is to be returned by each OIC (pre-poll voting officer and mobile team leader) (see Part 1, Subpart 6).

1.2 Where applicable, make arrangements for transport services (see Part 5, Subpart 2).

1.3 Hire additional accommodation and furniture if required (see Part 5, Subpart 2).

#### **2. Advise OICs of arrangements for return of material**

2.1 Advise OICs in writing of arrangements for return of material. Confirm by phone as well as at training sessions.

2.2 OICs should be advised to pay particular attention to instructions contained in the polling place management procedures manual and any local instructions.

#### **3. Recruit and train staff**

3.1 Recruit the staff needed to perform the check-in of material. Train the staff on the procedures involved well before the event.

#### **4. Prepare checklist**

4.1 Before polling day, prepare a checklist for polling places, pre-poll voting centres and mobile teams (EF028).

#### **5. Final preparations for receipt**

5.1 Special arrangements should be made for the receipt of material from mobile teams that return material before polling day.

5.2 Final preparations for the receipt of material should be completed early on polling day. Arrange and label cartons etc, to facilitate the sorting of material.

#### **6. Receive material from OIC and undertake initial check**

6.1 Check in each parcel/pack and notate the relevant checklist.

6.2 Unless the material is returned by air charter, transport contractor etc, the DRO should ensure, if possible, that the material is returned by the OIC personally. Where the material is returned personally, the OIC must remain until the initial check of material has been made.

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

6.3 Ensure that all parcels containing used and unused ballot papers (labels 5, 6 & 7), certified lists (label 4), returns (label 1) and declaration certificates and counterfoils (label 2) have been returned.

6.4 Ensure all parcels are clearly labelled with polling place name, description of contents and signature of OIC and are sealed. A note should be made in the OIC's assessment form where parcels are returned in a substandard condition.

### 7. Discrepancies - initial check

7.1 Any obvious discrepancies should be followed up immediately with the OIC.

7.2 Any missing parcels of used and unused ballot papers, certified lists, returns and declaration certificates and counterfoils should be reported to the DRO. The DRO should commence any recovery action immediately. Failure to locate any of these items is to be reported to the Area Manager/Director Operations and recorded in the election journal.

### 8. Store material pending completion of detailed check

8.1 All returned material should be stored under security pending the detailed check.

### 9. Undertake detailed check of material

9.1 The detailed check of returned material should commence on the Sunday morning after polling day.

9.2 When the detailed check of material is conducted, all outer wrappings/cartons should be retained in polling place order.

9.3 When the detailed check of material from OICs has been completed, all accountable material is to be stored, under security, in polling place order.

9.4 Parcel - Label No. 1

Open parcel and extract:

OIC's General Return; Polling Place Attendance Record (EF085) and accounts for expenses.

9.5 Parcel - Label No. 2

Open parcel and extract:

Red counterfoil binder (EF015); all completed declaration certificates (absent and provisional) (EF012); and completed or cancelled postal vote certificates handed in (EF049).

9.6 Parcel - Label No. 3

Open and extract:

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent      Part 23 Subpart 5**

Elector information reports (EF016); completed enrolment form envelope (EF093); and completed scrutineer appointment forms (EF107).

### **9.7      Parcel - Label No. 4**

Open parcels and check that all the certified lists and reference rolls (if any) which were issued by the DRO have been returned. The certified lists must be collated and boxed pending despatch to the scanning centre.

Further instructions are contained in Part 41, Subparts 1, 2.

### **9.8      Parcel - Label No. 5**

Not to be opened until the fresh scrutiny of ballot papers. This parcel contains formal House of Representatives ballot papers (sorted and parcelled by candidate) and informal House of Representatives ballot papers; all unused House of Representatives ballot papers; and all spoilt or discarded ballot paper envelopes containing House of Representatives ballot papers.

Further instructions on handling these packages are contained in Part 32.

### **9.9      Parcel - Label No. 6**

Not to be opened until the fresh scrutiny of ballot papers. This parcel contains formal Senate ballot papers, marked in accordance with the group voting tickets - above the line (sorted and parcelled by group), formal Senate ballot papers exhaustively numbered - below the line and informal Senate ballot papers; all unused Senate ballot papers; and all spoilt or discarded ballot paper envelopes containing Senate ballot papers.

Further instructions on handling these packages are contained in Part 32.

### **9.10      Parcel - Label No. 7**

Not to be opened until the fresh scrutiny of ballot papers. This parcel contains formal Referendum ballot papers sorted to those with all YES answers, those with all NO answers, those with all informal answers and those with a mixture of answers (these ballot papers with a mixture of answers should be sorted into all YES for the last question, all NO for the last question and all informal for the last question); all unused Referendum ballot papers; and all spoilt or discarded ballot paper envelopes containing Referendum ballot papers.

### **9.11      Parcel - Label No. 8**

Open parcel and extract:

All unused envelopes (declaration, spoilt or discarded, etc.); polling place management procedures manual; instructions for polling place staff; polling staff workbooks; unused enrolment forms; polling official badges; pens; signs and posters; lists of localities and streets (EF054), list of candidates

# Declaration Vote Exchange

## Receipt from other Divisions - Absent      Part 23 Subpart 5

(EF132); security seals; and all other polling place forms and equipment. Sort material into individual containers for each category. All material should be checked to determine which material can be reused.

### Unused Electoral Enrolment Forms

At the very first opportunity, but before preparation of EF034s, check unused electoral enrolment forms and business reply paid envelopes for any completed forms.

#### **10.      Storage and security of used ballot papers**

10.1      Ensure all used ballot papers are placed under security either by storage in security rooms/cabinets or other security arrangements as approved by the AEO.

#### **11.      Disposal/preservation**

11.1      All ballot papers, certified lists and declaration certificates used at any election must be retained until the Electoral Commissioner authorises destruction. Until then the DRO is responsible for the safe custody of all electoral documents used in the division in connection with an election. [s.393A CEA] (See also Part 36 - Disposal of Material).

## **PART 22**

### **Collection of Polling Place Equipment and Waste**

#### **Contents**

1.      Collection of ballot boxes, voting screens and other waste
2.      Review of uncollected boxes and screens

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent      Part 23 Subpart 5**

### **1.      Collection of ballot boxes, voting screens and other waste**

1.1      All cardboard polling place equipment and discarded how-to-vote material left inside a polling place should be recycled where practicable. This can be achieved in a number of ways including:

- offering the cardboard to schools for use in educational projects (schools should complete an undertaking regarding the use of this material);
- arranging for collection by a recycling company, at its cost; or
- arranging for its collection either through the State head office or divisional office by using hire vans or DAS Transport. State head offices will provide details if this option is to be used.

1.2      Where durable polling place equipment is used, the DRO should ensure that the "collection" copy of the delivery and collection schedule/advice is completed and returned and that all ballot boxes and voting screens have been collected and returned to storage, or to a custodian (ie in a school, courthouse etc). The DRO must check these screens and boxes for damage. As a general rule repairs to these screens should not be made if they can be replaced by a cardboard version, but the final decision lies with State head office.

1.3      Where it is not practicable to recycle material it should be disposed of in an environmentally safe manner.

### **2.      Review of uncollected boxes and screens**

2.1      If any boxes or screens are not collected from a polling place the DRO must take action to locate the boxes and/or screens and arrange for subsequent collection and recycling or return to storage.

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

Part 23 Subpart 5

### **PART 23**

#### **Subpart 1 - Declaration Vote Exchange - Sort of Absent and Provisional Declaration Certificates**

##### **Contents**

1. Check certificates received from OICs
2. Check certificates



# Declaration Vote Exchange

## Receipt from other Divisions - Absent

### Part 23 Subpart 5

#### 1. Check certificates received from OICs

1.1 The check of absent and provisional declaration certificates should be carried out by polling place (including mobile teams). You will need, for each polling place:

- OIC's general return or mobile return as applicable (EF027);
- counterfoil binders (EF015)
- absent declaration certificates (EF012) issued; and
- provisional declaration certificates (EF012) issued.

1.2 Open parcel (label 2) and extract the bundles containing absent and provisional declaration certificates. All certificates should already be sorted alphabetically by division. Any postal vote certificates handed in at the polling place should be put aside (suitably labelled with polling place name) and actioned as per Subpart 2.

#### 2. Check certificates

2.1 Locate the certificates and match them with the counterfoils in the counterfoils binder.

2.2 Any certificate found to be declared for a different division from that with which it is grouped must be treated as a mis-sort and put in its correct divisional bundle. Check the relevant counterfoil (EF012) to ensure it is sorted into the correct division in the counterfoil binder as well as the entries on the summary in the OIC's general return (EF027) (or equivalent in a mobile polling return). If an amendment to a return is needed it must be made in red to the right of the original figures.

2.3 If an absent declaration certificate was issued at a polling place in your division and the wrong box indicating the type of vote has been ticked (ie a provisional vote should have been issued), the absent declaration is to be treated as a provisional declaration certificate and endorsed "admitted to preliminary scrutiny of provisional votes" followed by the initials of the DRO and the date. The relevant counterfoil (EF012) should be suitably endorsed to indicate the action taken.

2.4 If a provisional declaration certificate was issued at a polling place in your division and the wrong box indicating the type of vote has been ticked (ie an absent vote should have been issued), the provisional declaration certificate is to be treated as an absent declaration certificate and endorsed "admitted to preliminary scrutiny of absent votes" followed by the initials of the DRO and the date. The relevant counterfoil (EF012) should be suitably endorsed to indicate the action taken.

2.5 During the check of declaration certificates by division, the signature of the issuing officer should be checked on each declaration certificate. If the issuing officer's signature is missing, the DRO should prepare the certification (EF012a) on the back of the declaration certificate (EF012) to indicate the declaration certificate was correctly issued.

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

2.6 Check and correct if necessary the number of declaration certificates entered against the relevant divisions on the summary in the OIC's general return (EF027) or in a mobile polling return (EF180 or EF181).

2.7 If no summary was prepared by the OIC (or mobile team leader) it should be completed (in red) in the divisional office.

2.8 Enter the corrected number of declaration certificates for each division from the declaration certificate summary in the OIC's return into ELMS - Post Election system.

2.9 The physical count of declaration certificates must agree with the total for each division.

2.10 If any discrepancies in numbers, other than mis-sorts, are found in any bundle the DRO should contact the relevant OIC for assistance. If the discrepancy cannot be resolved the DRO must record these details in the election journal. [s.228(3)(c) CEA]

2.11 Continue until all parcels (label 2) for polling places and all declaration certificates taken by mobile (electoral visitor, prison and remote) teams have been checked, balanced and entered.

2.12 When all the declaration certificates have been entered in ELMS - Post Election system from every return, print the report listing the declaration certificates issued. A copy of the report is to be forwarded with each parcel of declaration certificates.

2.13 Place the declaration certificates enrolled for your own division in an appropriately labelled ballot box which is to be locked and sealed, at the completion of the sort, in readiness for the preliminary scrutiny [s.228(5)(b) CEA]. Record the details of the seals used in the election journal.

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

Part 23 Subpart 5

### **Subpart 2 - Declaration Vote Exchange - Sort of Postal Declaration Certificates and Applications**

#### **Contents**

1. Check postal declaration certificates received in the divisional office from OICs and mobile polling teams
2. Check applications for postal votes and certificates issued for other divisions

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### **1. Check postal declaration certificates received in the divisional office from OICs and mobile polling teams**

1.1 Completed postal vote certificates handed in at a polling place will be returned in parcel (label 2).

1.2 Check that the number of names entered on the OIC's general return (EF027) agrees with the total number of certificates received from the polling place. Record any certificates received if not shown.

1.3 Check that each certificate has been noted as "received by ..... at ..... (polling place)" and signed and dated by the OIC. If not, this certification should be made by the DRO. [s.195A(2) CEA]

1.4 Postal declaration certificates handed in at polling places for other divisions are to be combined with any postal declaration certificates received at the divisional office or pre-poll voting centres, sorted and bundled by division.

1.5 When a division receives a postal declaration certificate (issued by another division) either through the mail, over the counter or handed to a polling official, Part B of the record of postal votes issued (EF053) must be completed. [s.195A(2)(e) CEA]

### **2. Check applications for postal votes and certificates issued for other divisions**

2.1 All postal vote applications (EF048) for divisions other than your own, for which postal votes were issued by your division, and the corresponding EF053 should be sorted into divisional order by State (Part 14, Subpart 3).

2.2 Count the number of applications for each division by checking the "elector's division" on the bottom of the form. Compare this total with the total number listed in Part A on the relevant EF053. Any applications not listed or wrongly listed should be added or amended at this stage. [s.189(1)(b) CEA]

2.3 The elector's division as shown on the application should not be changed once ballot papers have been issued for that division.

2.4 The bundle of applications processed in your division and postal vote certificates handed in or delivered to your division should be checked to ensure that no mis-sorts (ie applications or certificates for other divisions) are in the bundle. The totals of applications and certificates must be entered into ELMS - Post Election system.

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

Part 23 Subpart 5

### **Subpart 3 - Declaration Vote Exchange - Sort of Pre-poll Declaration Certificates**

#### **Contents**

1. Check pre-poll declaration certificates received from pre-poll voting centres and issued by the divisional office

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### 1. Check pre-poll declaration certificates received from pre-poll voting centres and issued by the divisional office

1.1 The check of pre-poll declaration certificates should be carried out for each pre-poll voting centre and for the divisional office. You will need, for each location:

- pre-poll voting officer's general return (EF070);
- counterfoil binder (EF015) containing counterfoils (EF012); and
- pre-poll declaration certificates (EF012) issued.

1.2 Open ballot box containing declaration certificates. All declaration certificates should be sorted by division. For each division, count the number of pre-poll declaration certificates by checking the enrolled division and compare this total to the number of counterfoils (EF012) held in the counterfoil binder(s) (EF015).

1.3 Any pre-poll declaration certificate found to be enrolled for another division must be treated as a mis-sort and put in its correct divisional bundle. Check the relevant counterfoil (EF012) to ensure it is sorted into the correct division in the counterfoil binder. Ensure the entries on the summary in the pre-poll voting officer's general return (EF070) are amended, as necessary, in red alongside the original figures.

1.4 Check that the number of pre-poll declaration certificates matches the number entered against the relevant division on the summary in the pre-poll voting officer's general return (EF070).

1.5 If no summary was prepared by the pre-poll voting officer on the EF070, it must be completed, in red, in the divisional office.

1.6 If any discrepancies in numbers, other than mis-sorts, are found in any bundle, the DRO should contact the relevant pre-poll voting officer for assistance. If the discrepancy cannot be resolved the DRO should record these details in the election journal. [s.228(3)(c) CEA]

1.7 Continue until all ballot boxes for pre-poll voting centres and the divisional office have been checked and balanced.

1.8 Enter the number of pre-poll declaration certificates issued for each division from the general return for pre-poll voting officers (EF070) into ELMS - Post Election system then print the report listing the pre-poll declaration votes issued.

# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

Part 23 Subpart 5

### **Subpart 4 - Declaration Vote Exchange - Despatch of Declaration Certificates**

#### **Contents**

1. Prepare despatch of absent declaration certificates
2. Prepare despatch of postal declaration certificates and applications
3. Prepare despatch of pre-poll declaration certificates to other divisions
4. Despatch declaration certificates and postal vote applications

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### 1. Prepare despatch of absent declaration certificates

1.1 Sort the bundles of absent declaration certificates from all polling places and mobile teams into the divisions to which they are to be despatched. Do not amalgamate the absent declaration certificates from different polling places. [s.228(4) CEA]

1.2 Once all absent declaration certificates have been allocated and counted the totals should be matched to the report from ELMS - Post Election system. [s.228(4)(b) CEA]

1.3 Parcel each division's declaration certificates clearly indicating both the issuing and receiving divisions on the declaration vote exchange parcel label (EF032).

### 2. Prepare despatch of postal declaration certificates and applications

2.1 The original of the EF053 (Part 14, Subpart 3) for each division for which you issued postal declaration certificates is forwarded with the applications and completed certificates to the receiving division. The copy of EF053 is retained.

2.2 Once all postal declaration certificates and applications have been allocated and counted, parcel each division's material, clearly identifying both the issuing and receiving divisions on label EF032.

### 3. Prepare despatch of pre-poll declaration certificates to other divisions

3.1 Sort the bundles of pre-poll declaration certificates from all pre-poll voting centres and the divisional office into the divisions to which they are to be despatched [s.228(4) CEA]. Do not amalgamate pre-poll declaration certificates from different centres. Any provisional or absent declaration certificates issued for interstate divisions should be considered as a pre-poll declaration certificate and included.

3.2 Once all pre-poll declaration certificates have been allocated and counted the totals should match the report from ELMS - Post Election system. [s.228(4)(b) CEA]

3.3 The parcel of pre-poll declaration certificates for your own division should be placed in an appropriately labelled ballot box(es) which is locked and sealed until the preliminary scrutiny. Record the seal numbers in the election journal. [s.228(5)(b) CEA]

3.4 Parcel each division's certificates, clearly indicating both the issuing and receiving divisions on label EF032.

### 4. Despatch declaration certificates and postal vote applications

4.1 Each parcel will include:

- absent declaration certificates (sorted in polling places and bundled);



# **Declaration Vote Exchange**

## **Receipt from other Divisions - Absent**

### **Part 23 Subpart 5**

- postal declaration applications;
- relevant EF053;
- postal declaration certificates; and
- pre-poll declaration certificates (sorted in pre-poll centres/divisional office and bundled).

4.2 It is preferable to use boxes for intrastate exchange. Specific boxes will be supplied for interstate exchange. Secure individual bundles with rubber bands. Head offices will advise methods of intrastate packaging.

4.3 Seal each parcel and ensure label EF032 is affixed.

4.4 Divisions with ADROs should prepare one only (combined) parcel of declarations.

4.5 Each head office will advise methods of despatch in accordance with dates provided in the national post-polling day timetable.

# **Declaration Vote Exchange Receipt from other Divisions - Absent**

Part 23 Subpart 5

## **Subpart 5 - Declaration Vote Exchange - Receipt from other Divisions - Absent**

### **Contents**

1. Receipt of absent declaration certificates and advices
2. Mis-sort procedures
3. Procedures for follow-up of discrepancies
4. Report of absent declaration certificates received

# Declaration Vote Exchange

## Receipt from other Divisions - Absent

## Part 23 Subpart 5

### 1. Receipt of absent declaration certificates and advices

1.1 Upon receipt, open the parcels and count the absent declaration certificates received. Enter the number of declaration certificates contained in the parcel into ELMS - Post Election system.

1.2 Check that the enrolled division is your division. Any address on the certificate is irrelevant.

1.3 Any discrepancy (apart from mis-sorts) between the number received and ELMS must be reported to the issuing division. Before contacting the issuing division double check the count and then view the quantities issued by each polling place in ELMS to determine where the discrepancy is. The issuing division has an obligation to the receiving division to investigate the discrepancy quickly eg recount the counterfoils and report back to the receiving division. The Area Manager/Director Operations should be advised by the receiving division of any unresolved discrepancies.

1.4 If any provisional declaration certificates are contained in the parcel, check the enrolled division (it is possible that the declaration certificates were mis-sorted at the division of issue).

1.5 If there is a mis-sort, send the provisional declaration certificates to the enrolled division, advise the issuing division of the details and, if necessary, adjust the total received figure in ELMS - Post Election system.

1.6 If your division is the enrolled division, these provisional declaration certificates are to be treated as absent declaration certificates at your preliminary scrutiny unless the issuing division was interstate (in which case the provisional declaration certificates are treated as pre-poll declaration certificates). In these cases the declaration certificates should be endorsed "admitted to preliminary scrutiny of absent/pre-poll votes" followed by the initials of the DRO and the date (see also Part 28).

1.7 The checked and counted absent declaration certificates for your division are to be placed in labelled ballot boxes which are then locked and sealed pending the preliminary scrutiny. Record the details of the seals used in the election journal.

### 2. Mis-sort procedures

2.1 Occasionally an absent declaration certificate will be mis-sorted and sent to the wrong division. Any address is irrelevant. When this occurs the receiving division must fax to the issuing division a copy of the declaration vote mis-sort advice (EF031) so that ELMS records can be corrected.

# Scrutinies - Preliminary Scrutiny Enrolment Check

## Part 28 Subpart 2

2.2 The declaration certificate must be immediately despatched to the “correct” enrolled division by secure means. A copy of the EF031 should also be faxed to that division.

2.3 The “correct” receiving division is to notate the adjusted figure for the issuing division on the EF031 and forward a copy to the issuing division. The quantity received in ELMS - Post Election system must also be adjusted.

### **3. Procedures for follow-up of discrepancies**

3.1 DROs are to regularly print a declaration vote exception report from the ELMS - Post Election system and follow up any discrepancies.

3.2 If a parcel was not received, the despatching DRO is to be contacted and regular follow-up action taken until the parcel is received. The head office exchange co-ordinator should also be contacted to assist in locating the parcel.

3.3 If after investigations, the materials cannot be located, the details must be recorded in the election journal.

### **4. Report of absent declaration certificates received**

4.1 When satisfied that all certificates have been received (ie the exception report is “Nil”), print a copy of the declaration votes issued and declaration votes received reports from the ELMS - Post Election system. These reports should be retained for future records.

4.2 The total number of absent declaration certificates received must be able to be reconciled with the total number of absent declaration certificates (admitted and rejected).

# **Scrutinies - Preliminary Scrutiny Enrolment Check**

**Part 28 Subpart 2**

## **Subpart 6 - Declaration Vote Exchange - Receipt of Pre-poll Declaration Certificates**

### **Contents**

1. Receipt of pre-poll declaration certificates issued in own division
2. Receipt of pre-poll declaration certificates from other divisions
3. Receipt of pre-poll declaration certificates from overseas posts
4. Mis-sort procedures
5. Procedures for follow-up of discrepancies
6. Report of pre-poll declaration certificates received

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

#### **1. Receipt of pre-poll declaration certificates issued in own division**

1.1 Any pre-poll declaration certificates issued at pre-poll voting centres or your divisional office for your own division will have been checked and reconciled as per Part 23, Subpart 3.

#### **2. Receipt of pre-poll declaration certificates from other divisions**

2.1 Upon receipt, open the parcels and count the declaration certificates received and match with the information on the EF032. Check that the enrolled division is your division. Any address is irrelevant.

2.2 Enter the number of declaration certificates from each division contained in the parcel into ELMS - Post Election system.

2.3 Any discrepancy (apart from mis-sorts) between the number received and the quantity recorded in ELMS must be reported to the issuing division. Before contacting the issuing division, double check the count and view the pre-poll centres in ELMS to determine where the discrepancy is. The issuing division may resolve the discrepancy by checking the counterfoils. The issuing division has an obligation to the receiving division to investigate the discrepancy quickly and report back to the receiving division. The Area Manager/Director Operations should be advised by the receiving division of any unresolved discrepancies.

2.4 If any absent or provisional declaration certificates are contained in the parcel check the enrolled division (it is possible that the declaration certificates were mis-sorted at the division of issue).

2.5 The checked and counted pre-poll declaration certificates are to be placed in labelled ballot boxes which are then locked and sealed pending the preliminary scrutiny. Record the seal numbers in the election journal.

#### **3. Receipt of pre-poll declaration certificates from overseas posts**

3.1 Pre-poll declaration certificates from overseas posts will arrive in despatches via a central office co-ordinator.

3.2 Procedures for checking and reconciling the number of pre-poll declaration certificates from overseas are as for those received from other divisions although the method of advice may vary. Progressive figures should be entered into ELMS - Post Election system for each despatch.

3.3 Any discrepancy or mis-sort should be resolved by contacting the central office co-ordinator in the first instance.

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

#### 4. Mis-sort procedures

4.1 Occasionally a declaration certificate will be mis-sorted and sent to the wrong division. When this occurs the receiving division must fax a copy of form EF031 to the issuing division so the ELMS records can be corrected.

4.2 The declaration certificate must be immediately despatched to the "correct" division by secure means. A copy of the EF031 should also be faxed to that division.

4.3 The "correct" receiving division is to record the adjusted figure for the issuing division on the EF031 and fax a copy of it to the issuing division. The quantity received in ELMS - Post Election system must also be adjusted.

#### 5. Procedures for follow-up of discrepancies

5.1 DROs are to regularly print a declaration vote exception report from ELMS - Post Election system and follow up any discrepancies.

5.2 If a parcel was not received, the despatching DRO or exchange co-ordinator is to be contacted and regular follow-up action taken until the parcel is received. The central office co-ordinator for overseas declaration certificates may also need to be contacted by your head office co-ordinator to help locate any missing declaration certificates or applications.

5.3 If after investigations, the declaration certificates cannot be located, the details of the investigations must be recorded in the election journal.

#### 6. Report of pre-poll declaration certificates received

6.1 When satisfied that all declaration certificates have been received (ie the exception report is "Nil") print a copy of the declaration votes issued and declaration votes received reports from the ELMS - Post Election system. These reports should be retained for future records.

6.2 The total number of pre-poll declaration certificates received must be able to be reconciled with the total number of pre-poll declaration certificates (admitted and rejected).

# **Scrutinies - Preliminary Scrutiny Enrolment Check**

**Part 28 Subpart 2**

## **Subpart 7 - Declaration Vote Exchange - Receipt of Postal Vote Applications and Postal Vote Declaration Certificates**

### **Contents**

1. Receipt of postal vote applications (for certificates issued by other divisions)
2. Receipt of postal vote applications (from overseas posts)
3. Receive postal declaration certificates processed from written applications by own division
4. Receive postal declaration certificates processed from written applications by other divisions and overseas AROs
5. Antarctic electors
6. Mis-sort procedures
7. Procedures for follow-up of discrepancies



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

#### **1. Receipt of postal vote applications (for certificates issued by other divisions)**

1.1 Upon receipt, open the parcels and count the applications received and match with the EF032. Enter the number of applications received from each division into ELMS - Post Election system.

1.2 Check that the elector's division is your division. Any address is irrelevant.

1.3 File all checked postal vote applications in one alphabetical order pending receipt of postal declaration certificates.

#### **2. Receipt of postal vote applications (from overseas posts)**

2.1 Postal vote applications from overseas posts will arrive with the despatches described in Subpart 6.

2.2 Any discrepancy (apart from mis-sorts) between the number received and the quantity recorded in ELMS must be reported to the central office co-ordinator. Before contacting the co-ordinator, double check the count and view the overseas posts in ELMS to determine where the discrepancy is. The co-ordinator may resolve the discrepancy. The co-ordinator has an obligation to the receiving division to investigate the discrepancy quickly and report back to the receiving division. The Area Manager/Director Operations should be advised by the receiving division of any unresolved discrepancies.

#### **3. Receive postal declaration certificates processed from written applications by own division**

3.1 Each day, after removing the privacy flap, sort all the postal declaration certificates received into alphabetical order of surname/family name. If an outer envelope was used by any elector it should be retained and stapled to the postal declaration certificate.

3.2 Locate the relevant postal vote application and mark the date of receipt of the postal declaration certificate on the application and on the back of the certificate. Compare the postal declaration certificate number and postal vote application number to ensure that the correct application is dated. This is particularly important in dealing with possible multiple issues (see Part 14, Subpart 3).

3.3 When a postal declaration certificate has been received and dated-in on the application, the application is to be filed (in alphabetical order of surname/family name) in a separate container from the applications awaiting the return of postal declaration certificates.

3.4 After dating-in on the applications, place the postal declaration certificates into a locked and sealed ballot box labelled "postal ballot box - own division - pending preliminary scrutiny". Record details of the seals in the election journal or the general return for pre-poll and postal voting (EF070). [s195 A(2)(f) & (g) CEA]

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

3.5 The signatures on the postal declaration certificate and application are not to be compared, nor are the certificates to be marked on the special certified list for postal voting. These tasks form part of the preliminary scrutiny (which can only take place after the close of the poll) at which scrutineers are entitled to be present (see Part 28). Signature boxes may be circled in red if the signature is missing.

3.6 Postal declaration certificates must be received by the DRO for the division for which the voter claims enrolment within 13 days of the close of the poll in order for the postal vote certificate to be admitted to further scrutiny. [s.228(5)(c) CEA]

3.7 Where the certificate was handed in to any DRO, ADRO, ARO (in Australia or overseas) or OIC before the close of the poll the 13 day rule will not apply. The onus is on the receiving officer (DRO, ADRO, or OIC) to endorse the certificate "received by me at ..... on .... / .... / ...." plus signature and title and then send the certificate to the DRO for the voter's division. The DRO for the voter's division must accept the certificate for further scrutiny even though received after the 13 day period. [s.228(5)(c)(ii) CEA]

#### **4. Receive postal declaration certificates processed from written applications by other divisions and overseas AROs**

4.1 These may be received by mail (if an outer envelope was used by any elector it should be retained and stapled to the certificate), handed to your division or received through the declaration vote exchange.

4.2 Any postal declaration certificates received through the exchange should be checked and matched with the information on the EF032 and entered into ELMS - Post Election system.

4.3 Stamp the time and date of receipt on the side of the postal declaration certificate which shows the office address (taking care not to obliterate any post mark).

4.4 Count the number received by division of issue (including overseas) and update the record of postal votes issued (EF053) on a daily basis.

4.5 Sort postal declaration certificates into alphabetical order of surname/family name and keep in a locked and sealed ballot box pending receipt of the application and EF053. Record details of the seals in the election journal or the general return for pre-poll and postal voting (EF070).

#### **5. Antarctic electors**

5.1 Any postal declaration certificate by an Antarctic elector received via the AEO for your State should be included with pre-poll declaration certificates for preliminary and further scrutinies and accounted for as such in the ELMS - Post Election system. [s.260(1)(e) CEA]

#### **6. Mis-sort procedures**

# **Scrutinies - Preliminary Scrutiny Enrolment Check**

## **Part 28 Subpart 2**

6.1 Occasionally a postal vote application or certificate will be mis-sorted and sent to the wrong division. Any address is irrelevant. When this occurs the receiving division must fax a copy of the EF031 to the issuing division so the ELMS records can be corrected.

6.2 The postal vote application or certificate must be immediately despatched to the "correct" division by secure means. A copy of the EF031 should also be faxed to that division.

6.3 The "correct" receiving division is to record the adjusted figure for the issuing division on the EF031 and fax a copy of it to the issuing division. The quantity received in ELMS - Post Election system must also be adjusted.

### **7. Procedures for follow-up of discrepancies**

7.1 DROs are to regularly print a declaration vote exception report from ELMS - Post Election system and follow up any discrepancies.

7.2 If a parcel was not received, the despatching DRO or exchange co-ordinator is to be contacted and regular follow-up action taken until the parcel is received. The central office co-ordinator for overseas declaration certificates may also need to be contacted by your head office co-ordinator to help locate any missing declaration certificates or applications.

7.3 If after investigations, the declaration certificates cannot be located, the details of the investigations must be recorded in the election journal.

**PART 24**

**DRO's Check of OICs' Election Returns**

**Contents**

1. Check OICs' returns (polling place, electoral visitor, remote mobiles and pre-poll voting centres)
2. Resolve discrepancies in returns

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

#### 1. Check OICs' returns (polling place, electoral visitor, remote mobiles and pre-poll voting centres)

1.1 The DRO must undertake a detailed check of OICs' returns on the Sunday following polling day.

1.2 Remove OICs' returns (and any returns from non-counting centres under that OIC's control) from parcel (label No.1) and file in polling place order.

1.3 Check each return to verify that:

- all pages are present;
- all required statements are signed by the OIC;
- the OIC's arithmetic is accurate;
- that all polling staff attended for work; and
- all other sections have been checked for completion and accuracy.

#### 2. Resolve discrepancies in returns

2.1 If the return is unsigned make every effort to obtain the OIC's signature. If this is not possible record details in the election journal (see also Part 21).

2.2 The DRO must make every effort to resolve discrepancies, in consultation with the OIC if necessary. Details of the resolution of any discrepancies should be noted in red alongside the incorrect figures (under no circumstances are the OIC's figures on the return to be altered). Details of any unresolved discrepancies (eg missing pages, incomplete returns, conflicting figures) should be noted in red on the inside cover of the return (EF027), endorsed with the DRO's signature and recorded in the election journal.

2.3 Additional adjustments may be necessary following the fresh scrutiny because until the fresh scrutiny is conducted, the DRO cannot be certain of the accuracy of the OIC's figures for used and unused ballot papers (see Part 32).

**PART 25**

**Rights and Responsibilities of Scrutineers at DROs' Scrutinies**

**Contents**

1. Appointment of scrutineers
2. Briefing of scrutineers
3. Rights of scrutineers
4. Responsibilities of scrutineers

# Scrutinies - Preliminary Scrutiny Enrolment Check

## Part 28 Subpart 2

### 1. Appointment of scrutineers

1.1 A candidate may appoint scrutineers at all preliminary and further scrutinies. [ss.264(1), 265 CEA]

1.2 A preliminary scrutiny of declaration certificates involves the checking for correctness and validity and the marking of the certified list for all declaration certificates accepted for further scrutiny. Categories of declaration votes are:

- postal;
- pre-poll;
- absent; and
- provisional.

1.3 A candidate is entitled to appoint a scrutineer by use of the official form, or notice in writing (including fax) or by lettergram. The form of appointment used shall specify the name and address of the scrutineer. [s.264(3) CEA]

1.4 It is acceptable for the facsimile signature of a candidate to be used on a form of appointment as a scrutineer.

1.5 A House of Representatives candidate is entitled to appoint scrutineers at House of Representatives scrutinies. Similarly, a Senate candidate is entitled to appoint scrutineers for Senate scrutinies. House of Representatives and Senate candidates are not entitled to be represented at the scrutiny by a number of scrutineers that is greater than the number of officers (including divisional and State head office staff) engaged in a scrutiny or the counting of ballot papers. [s.264(2) CEA]

1.6 The Governor-General and State Governors, the Chief Minister for the Australian Capital Territory and the Administrator of the Northern Territory or persons authorised by them, are entitled to appoint scrutineers to be present at referendum scrutinies. The registered officer of a registered political party may also appoint persons to act as scrutineers. The appointment is restricted to one scrutineer for each polling place for each person authorised to appoint scrutineers. [s.264 CEA, s.89 R(MP)A]

1.7 One appointment form for each type of election (ie House of Representatives or Senate) is sufficient for the duration of all preliminary and further scrutinies in that election.

1.8 Appointment forms submitted at polling places for ARO's scrutinies are not applicable for use at DRO's scrutinies. New forms must be submitted to the DRO.

1.9 A candidate is not permitted to be a scrutineer during any preliminary scrutiny which deals with declaration certificates purporting to contain ballot papers for the election in which they are a candidate. [s.219 CEA]

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

1.10 A candidate is not permitted to be a scrutineer during any scrutiny of ballot papers for the election in which they are a candidate, ie the further scrutiny.

1.11 The CEA does not prevent a House of Representatives candidate being a scrutineer on behalf of a Senate candidate at the further scrutiny of Senate ballot papers in any divisional office.

1.12 The CEA does not prevent a House of Representatives candidate being a scrutineer on behalf of a House of Representative candidate for another division.

1.13 The CEA does not prevent a Senate candidate being a scrutineer on behalf of a House of Representatives candidate at the further scrutiny of House of Representatives ballot papers in any divisional office.

1.14 DROs should be aware of the problems that may arise with scrutineers mentioned above (eg both types of ballot papers being handled at the same time). Separate scrutiny areas should be used where possible and clear instructions issued.

1.15 Apart from the prohibitions on candidates attending scrutinies relating to their election, there are no other restrictions on who may be appointed as a scrutineer. Factors such as relationship to candidate, nationality, eligibility to vote, age or occupation do not limit a person's entitlement to be appointed as a scrutineer.

## 2. Briefing of scrutineers

2.1 Before commencing a briefing of scrutineers, the DRO should arrange to collect, and check for correct completion, appointment forms from scrutineers, or to ensure that appointment forms have previously been submitted.

2.2 After checking the appointment form, the DRO should provide the scrutineer with an identifying badge.

2.3 The DRO should maintain, in alpha name order, a separate register of appointment forms for both House of Representatives and Senate scrutinies. This is to facilitate the check that persons present are entitled to be present at that particular type of scrutiny.

2.4 The DRO should address all scrutineers present immediately before the start of each scrutiny, giving instructions on how the scrutiny will be conducted. Points to cover will be:

- facilities (eg toilets, car parking etc);
- type of scrutiny (ie preliminary/further/recheck);
- type(s) of ballot paper(s);
- basic description of formality/informality;



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

- number of officials conducting the scrutiny (and therefore the number of scrutineers permitted for each candidate). Candidates would have been advised of this previously; [s.264(2) CEA]
- expected times to start and finish the scrutiny;
- scrutineers are entitled to leave the scrutiny area and be replaced by another scrutineer appointed by that candidate;
- scrutineers should report their movements to the officer-in-charge of the scrutiny. This will help the officer-in-charge ensure that the maximum number of scrutineers for each candidate is not exceeded; [s.264(2) CEA] and
- scrutineers' rights and responsibilities while in the scrutiny room, eg:
  - scrutineers must wear a scrutineer's badge at all times; [s.264(3A) CEA]
  - scrutineers must not touch ballot papers or other election material; [s.339(1)(h) CEA]
  - scrutineers have a responsibility to act in a manner which will not interfere with the proper conduct of the scrutiny;
  - scrutineers have the right to challenge any individual ballot paper. They are not permitted to make a "bulk" challenge to a bundle of ballot papers; and
  - scrutineers have the right to challenge the admission or rejection of individual declaration certificates at a preliminary scrutiny.

2.5 In order to avoid the number of scrutineers representing a candidate exceeding the number of officers engaged in the conduct of the scrutiny at a particular table, scrutineers should be careful in moving from table to table.

2.6 The procedure which will be followed when a declaration certificate or ballot paper is challenged is that the DRO shall mark the declaration certificate, or on the back of the ballot paper, "admitted" or "rejected" according to the decision. In all scrutinies, except in a recount situation, the decision of the DRO is final. [s.267(1) CEA]

2.7 The DRO can adjourn the scrutiny from time to time, as may be necessary. [s.265(d) CEA]

2.8 If, in a House of Representatives distribution of preferences, two or more candidates have the same number of votes and one candidate is to be excluded, the DRO has the responsibility to decide which candidate is to be excluded (see Part 33). This decision is final and cannot be challenged. [s.274(9) CEA]

2.9 If any scrutineers arrive after the start of the scrutiny, the DRO will be obliged to instruct those scrutineers in their rights and responsibilities.

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

2.10 In a recount situation scrutineers can “re-challenge” a DRO’s decision. The ballot paper is referred to the AEO. The AEO’s decision is final.

2.11 The DRO should prepare a written outline of the points contained in the instructions to scrutineers and provide a copy to all scrutineers.

### 3. Rights of scrutineers

3.1 All proceedings at the preliminary and further scrutinies shall be open to the inspection of scrutineers. [s.265(c) CEA]

3.2 Scrutineers have the same rights at scrutinies for the House of Representatives and Senate elections, and Referendums.

3.3 Scrutineers are entitled to observe the opening of all sealed ballot boxes in which declaration certificates containing ballot papers have been placed pending the preliminary scrutiny.

3.4 A scrutineer is entitled to challenge the admission or rejection of any declaration certificate and is entitled to observe and take notes during the following steps of a preliminary scrutiny:

- checking for completion of details on the declaration certificate;
- checking of details on RMANS (where required);
- marking of the names on the certified lists; and
- comparison of signatures (where required).

3.5 A scrutineer is entitled to countersign any endorsement made by a DRO on parcels or envelopes of ballot papers and other election material, eg parcels of opened or unopened declaration certificates.

3.6 A scrutineer is entitled to challenge the admission or rejection of any ballot paper. [s.267(1) CEA]

3.7 One representative of each candidate is entitled to be present whenever an AEO examines any ballot papers referred for decision during a recount. For the purposes of the recount the AEO’s decision to accept or reject a ballot paper shall be final. A representative will be permitted reasonable opportunity to take notes concerning the acceptance or rejection of individual ballot papers. [s.281 CEA]

3.8 A scrutineer has the right to absent himself from the scrutiny area and to be replaced by another scrutineer appointed by the same candidate. In these circumstances it is desirable that scrutineers, when moving in and out of the scrutiny area, report to the officer in charge of the scrutiny. This will help the officer in charge ensure that the maximum number of scrutineers for each candidate is not exceeded.

### 4. Responsibilities of scrutineers

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

4.1 As well as having rights to inspect and challenge, scrutineers have a responsibility to act in a manner which will not interfere with the conduct of the scrutiny.

4.2 A scrutineer must not touch ballot papers. [s.339(1)(h) CEA]

4.3 A scrutineer must not touch declaration certificates or any other election material.

4.4 In circumstances where a scrutiny is being conducted on more than one table in the scrutiny room, scrutineers should restrict their movements from table to table; failure to do so could result in the number of scrutineers representing each candidate exceeding the number of officers engaged in the conduct of the scrutiny at a particular table. A candidate is not permitted to be represented by a number of scrutineers exceeding the number of officers engaged in the scrutiny at each table. In the case of a referendum, the number of scrutineers is restricted to one scrutineer per counting centre for each person entitled to appoint a scrutineer. [s.264(2) CEA, s.89 R(MP)A]

4.5 The progress of the scrutiny must not be unnecessarily delayed to enable scrutineers to re-examine previously sorted and counted papers, or to investigate other markings or stickers. DROs are not required to rearrange scrutiny timetables or reduce work rates to accommodate scrutineers.

**PART 26**

**Authority of DROs at DROs' Scrutinies**

**Contents**

1. Introduction
2. Arrangements for scrutinies
3. Briefing of scrutineers
4. Conduct of the scrutiny

# **Scrutinies - Preliminary Scrutiny Enrolment Check**

## **Part 28 Subpart 2**

### **1. Introduction**

1.1 All divisional office scrutinies must be conducted in a spirit of courtesy and co-operation. Scrutineers, who are representing the interests of various candidates, are entitled to observe all actions taken at the scrutiny.

1.2 DROs should ensure that staff conducting the scrutiny do not impede scrutineers in the performance of their lawful activities. DROs should advise their staff that scrutineers are not required to provide any reason for making a challenge to a ballot paper or declaration vote.

1.3 The DRO, as the officer-in-charge of a scrutiny, has the responsibility to ensure that the scrutiny is conducted in an orderly manner, strictly in accordance with the provisions of the Commonwealth Electoral Act. All persons present are subject to the control of the DRO. The DRO must establish and maintain this control throughout the scrutiny.

### **2. Arrangements for scrutinies**

2.1 The DRO has the responsibility for determining when and where a scrutiny will be conducted. The DRO also has the responsibility for determining the number and types of scrutinies to be conducted. The DRO will make arrangements to hire suitable premises (if required) and to employ an adequate number of suitable staff. The DRO may appoint a staff member to be an ARO responsible for conducting a particular scrutiny (in other places in this Part referred to as “the officer conducting the scrutiny”).

2.2 Wherever practicable, DROs should avoid conducting a large number of small scrutinies.

2.3 Before polling day, DROs will have advised all candidates in writing of general scrutiny arrangements (see Part 15). At the end of each day’s scrutiny the DRO should advise the scrutiny arrangements for the following day to scrutineers present.

2.4 In addition to scrutineers the DRO may approve other persons to be present at a scrutiny.

### **3. Briefing of scrutineers**

3.1 If scrutineers are to be present the DRO must conduct a briefing session (see Part 25).

### **4. Conduct of the scrutiny**

4.1 The DRO has the responsibility to conduct a scrutiny in an impartial and professional manner. Before starting the scrutiny and briefing scrutineers, the DRO should brief the officers engaged in the conduct of the scrutiny. In addition, instructions should be supplied to all officers engaged in the conduct of the scrutiny in order to ensure that the scrutiny is carried out strictly in accordance with the DRO’s requirements.

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## Enrolment Check

### Part 28 Subpart 2

4.2 The DRO should carefully monitor the progress of the scrutiny and pay particular attention to security arrangements so that no unauthorised person will touch or interfere with ballot papers or other election material. [s.339(1)(h) CEA]

4.3 If a scrutineer (or any other person) unlawfully touches or interferes with ballot papers, the DRO should warn the person of the seriousness of such actions, that such behaviour is not permitted and that a repetition could result in punitive action. Details of the incident should be recorded in the election journal. In other more serious cases (eg attempts to remove ballot papers), or if a person is persistently disruptive the DRO may:

- adjourn the scrutiny;
- request assistance from local police;
- advise State head office;
- have witnesses stand by to give statements to police; and
- prepare a full report for the AEO and include a copy in the election journal.

4.4 In the unlikely event that a scrutineer's behaviour is unacceptable (eg if the person is unruly or is interfering with the proper conduct of the scrutiny) the DRO should take the following action:

- appeal to other scrutineers from the same party. Ask for their co-operation in having the person temporarily removed from the scrutiny. If this action fails the DRO should ask the offending scrutineer to leave;
- if the above action does not solve the problem, the DRO should immediately adjourn the scrutiny. If necessary, assistance from local police should be sought; and
- the DRO should advise State head office of the details and prepare a full report for the AEO and include a copy in the election journal.

4.5 The DRO should ensure that officials engaged in the conduct of the scrutiny are following the instructions for the scrutiny.

4.6 The officials engaged in the conduct of the scrutiny should not attempt to resolve queries and challenges themselves. General enquiries for information on formality should be answered by the DRO or the officer conducting the scrutiny. If a scrutineer wishes to challenge the acceptance or rejection of a particular ballot paper, this must be referred to the DRO or the officer conducting the scrutiny for a decision. Challenged ballot papers should be dealt with at the conclusion of the scrutiny (see Part 28 Subpart 3).

4.7 The DRO should ensure that staff conduct themselves in an orderly manner during the scrutiny. Any misbehaviour should be dealt with immediately.

# **Scrutinies - Preliminary Scrutiny Enrolment Check**

## **Part 28 Subpart 2**

4.8 The DRO should continually assess the time required to complete a scrutiny and should advise officials and scrutineers of any changes to the expected finishing time.

4.9 At any time before the declaration of the poll for the House of Representatives, the DRO may conduct a recount of the ballot papers if considered necessary. A request for a recount from a candidate is not required. Before making this decision the DRO must consult with the AEO. The DRO must conduct a recount at the direction of the Electoral Commissioner or the AEO. In certain circumstances it is not necessary to perform the distribution of preferences before a recount can take place. [s.274(9) CEA]

4.10 If, after a distribution of preferences following a recount, two or more candidates have the same number of votes, the DRO is to give the Electoral Commissioner written notice that the election cannot be decided. [s.274(9C) CEA]

## **PART 27**

### **Formality of Ballot Papers**

#### **Contents**

1. General formality provisions
  2. Authenticity of ballot papers
  3. Identification of voter
  4. Formality of ballot papers
  5. Formality of ballot papers - House of Representatives
  6. Formality of ballot papers - Senate
  7. Formality of ballot papers - Referendum
- Attachment A - Marking a formal vote under the Commonwealth Electoral Act 1918
- Attachment B - Examples of markings on House of Representatives ballot papers
- Attachment C - Comments by Justice Isaacs



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

#### 1. General formality provisions

1.1 A detailed summary of formality criteria is at Attachment A - "Marking a Formal Vote under the Commonwealth Electoral Act 1918".

1.2 Formality checks fall into two categories, one comprising tests of whether the ballot paper concerned is an authentic one which does not identify the voter, and the other comprising tests of whether the voter has performed his or her duty in marking the ballot paper sufficiently well for it to be accepted.

#### 2. Authenticity of ballot papers

2.1 Where a ballot paper carries the official watermark but is not initialled, the ballot paper is not informal on the basis of not being initialled. [ss.268(l)(a), 268(2) CEA]

2.2 Where a ballot paper is initialled but does not carry the official watermark, the ballot paper is not informal on the basis of not having an official watermark. [ss.268(l)(a), 268(2) CEA]

2.3 Where a ballot paper is not initialled and does not carry the official watermark the ballot paper is not informal if the DRO is satisfied that the ballot paper is an authentic ballot paper. [s.268(2)CEA]

- Any ballot paper extracted from a fully completed declaration certificate, except for a postal vote certificate, should be accepted.
- The DRO is required to form an opinion on whether or not the ballot paper is authentic. As a guide, any ballot papers apparently issued by a DRO, ADRO, pre-poll voting officer or OIC should be regarded as authentic unless there is evidence to the contrary.
- This could occur if a polling place ran out of official ballot papers and issued photocopies, or ballot papers were written on non-official paper. OICs must keep a record of any issues on "non-official" ballot papers.

#### 3. Identification of voter

3.1 Any ballot paper (Senate, House of Representatives or Referendum) is an informal ballot paper if it has upon it any mark or writing by which, in the opinion of the DRO, the voter can be identified. [s.268 CEA].

3.2 A voter's initials would not normally be sufficient to identify the voter.

3.3 A voter's signature (if decipherable) or the voter's name is sufficient to identify the voter. The writing of a person's name on a ballot paper is not of itself proof that the name is that of the voter who completed the ballot paper, eg the person named may not be enrolled in that division.

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## Enrolment Check

### Part 28 Subpart 2

3.4 Any mark or writing which in the opinion of the DRO can identify the voter, will not make the ballot paper informal if the mark or writing was placed on the ballot paper by a polling official (the fact that the placing of the mark or writing on the ballot paper by a polling official was a contravention of the CEA is not taken into consideration in deciding the formality of the ballot paper). [s.268(1)(d) CEA]

#### 4. Formality of ballot papers

4.1 Any ballot paper (Senate, House of Representatives or Referendum) is an informal ballot paper if the ballot paper has no vote indicated on it. [s.268(1)(b) CEA]

4.2 Any declaration vote ballot paper found in a ballot box, otherwise than in a declaration certificate, is informal. Such instances may occur where an absent voter or provisional voter has placed ballot papers directly into a ballot box, instead of into a declaration certificate. Where you have reason to believe that this occurred, it may be possible to identify the ballot papers concerned by checking the initials of the issuing officer on the back of the ballot paper during the scrutiny. [s. 268 (1)(e) CEA]

4.3 If a voter marks a ballot paper with words or figures in a language other than English, the ballot paper can be accepted if it is established that the voter's intention is clear. [s.268(3) CEA]

4.4 A ballot paper is not informal on the basis that a wrong ballot paper was issued, eg postal for pre-poll.

4.5 A fully printed ballot paper for a division may be altered to become a ballot paper for another division (ie the names of the candidates etc are deleted by the issuing officer, and replaced by the names of candidates etc for the other division).

#### 5. Formality of ballot papers - House of Representatives

5.1 Written descriptions of markings which occur frequently, both formal and informal (not marked strictly in accordance with section 240 of the Act), are listed at Attachment B.

5.2 In addition to the "informality" provisions listed above, a House of Representatives ballot paper is informal if:

- it does not indicate the voter's first preference for one candidate, and only one candidate; or
- more than one square is left blank.

5.3 The CEA does not specify that the use of an indicator other than a figure "1" as an expression of a voter's first preference will make a vote informal, as long as the voter's intention is clear, eg the use of "ONE", "1st", "FIRST", "I" (roman numerals) is an acceptable indication of a first preference. [s.268(1)(c) CEA]

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- A tick, cross or letter, eg A, B, C, D, is not acceptable and makes the vote informal if it appears, instead of a number, against the name of a candidate.

5.4 In cases where the voter has indicated their first preference in one square (and only one square) and has included other numbers against the names of all other candidates (or all other candidates except one) the vote is formal. [s.270(2) CEA] A zero is accepted as a number.

5.5 If a ballot paper does not contain the names of every candidate for the division, the vote is informal, irrespective of the way the voter has voted. A ballot paper is acceptable with the surname/family name only of a candidate - the intention of this section is that each candidate's surname/family name (at least) appears on the ballot paper. In addition, if a candidate's given names only are listed on the ballot paper, the vote is informal irrespective of the way the voter has voted. [s.202 CEA]

5.6 A voter may choose to include an additional name (and a "box" for the placement of a vote against that candidate's name) on the ballot paper as a candidate. These ballot papers are informal if the voter has purported to indicate a first preference for the additional candidate.

5.7 Ballot papers prepared by polling officials (eg "open" absent or postal ballot papers):

- if a ballot paper is prepared so that the political party names are incorrectly listed (eg wrong party names listed against the candidates) the vote is formal if the voter has otherwise recorded a formal vote (ie the voter's intention is taken to be that they voted for the candidate rather than the party); [s.366 CEA]
- if a ballot paper has the names of any candidate spelt incorrectly (provided the identity of the candidate is still clear) the vote is formal if the voter has otherwise recorded a formal vote; and
- if a ballot paper has the names of the candidates in the wrong order, the vote is formal if the voter has otherwise recorded a formal vote.

## 6. Formality of ballot papers - Senate

6.1 The initial test for formality also includes:

- if a ballot paper, produced by an official, does not contain all the names of, or groups of, the candidates for the State or Territory, the vote is informal irrespective of the way the voter has voted. Section 202 provides that the ballot paper is acceptable with the surname only of a candidate - the intention of this section is that the candidate's surname (at least) appears on the ballot paper. In addition, if a candidate's christian or given names only are listed on the ballot paper the vote is informal irrespective of the way the voter has voted; [s.202 CEA]

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- if a ballot paper is prepared so that the political party names are incorrectly listed (eg wrong party names listed against the candidates) the vote is formal if the voter has otherwise recorded a formal vote (ie the voter's intention is taken to be that s/he voted for the candidate rather than the party); [s.366 CEA]
- if a ballot paper has the names of any candidate spelt incorrectly (provided the identity of the candidate is still clear) the vote is formal if the voter has otherwise recorded a formal vote; and
- if a ballot paper has the names of the candidates in the wrong order, the vote is formal if the voter has otherwise recorded a formal vote.

6.2 Following the initial test of formality, Senate ballot papers can be allocated to one of 3 categories.

#### GROUP TICKET VOTES

6.3 Where only the group ticket section has been marked the vote is informal if:

- more than one first preference has been indicated; or if
- no first preference is indicated.

An indication of a voter's first preference is deemed to be a tick or a cross or the figure "1". In addition, the CEA does not specify that the use of an indicator other than a cross, a tick or a figure "1" as an expression of the voter's first preference will make the vote informal, as long as the voter's intention is clear, eg the use of "One", "1st", "FIRST", "I" (roman numeral) is an acceptable indication of a first preference. [ss.268(1)(b), 239(3) CEA] For example:

- on a large ballot paper, it may have been turned sideways and numbered;
- the use of a tick and a cross in different boxes on the group voting section makes the ballot paper informal because more than one first preference has been indicated. (In addition the use of a "1" and a tick or cross in different boxes on the group voting section makes the vote informal);
- the use of figures "1, 2, 3, 4, 5" etc in the boxes on the group voting section does not make the vote informal (only one first preference is indicated - the remaining numbers are irrelevant); and
- on the rare occasions when ballot papers have been prepared by an officer (eg "open" postal ballot papers):
  - if one of the groups is missing, the vote is informal irrespective of how the elector voted; and

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- if the party name is spelt wrongly or if the parties are listed in the wrong order, or if the name of a party is omitted, the vote is formal provided the voter has otherwise recorded a formal vote.

#### NON TICKET VOTES

6.4 Where only the non-ticket (the lower section of the ballot paper) has been used:

- the vote is informal if it does not indicate the voter's first preference for one (and only one) candidate;
- a tick or a cross does not indicate a voter's preference;
- a first preference could include "ONE", "1st", "FIRST", "I" (roman numerals) etc;
- in the case where there are fewer than 10 candidates the ballot paper is informal if more than one square is left blank;
- in the case where there are fewer than 10 candidates, the ballot paper is informal if changes to more than 2 numbers are necessary to form a consecutive sequence of numbers (commencing with the number "1") up to the number of candidates on the ballot paper (or 1 less than the number of candidates on the ballot paper);
- in the case where there are 10 or more candidates, the ballot paper is informal if changes to more than 3 numbers are necessary to form a consecutive sequence of numbers (commencing with the number 1) up to at least 90% of the number of candidates on the ballot paper;
- in the case where there are 10 or more candidates, the ballot paper is informal if it does not have numbers in at least 90% of the squares;
- in the case where there are 10 or more candidates, if the ballot paper has numbers in at least 90% of the squares and these numbers form a consecutive sequence beginning with "1", the vote is formal; and
- in the case where there are 10 or more candidates, if the ballot paper has numbers in at least 90% of the squares and these numbers do not form a consecutive sequence beginning with "1" (eg numbers - other than number "1" - repeated, or numbers outside the range of numbers applicable to that ballot paper), the ballot paper is formal if changes to no more than 3 of the numbers would result in a consecutive sequence of numbers (in at least 90% of the squares) beginning with "1".

The numbers on a ballot paper are never actually changed. In conducting the formality check, the officer involved merely considers whether the correct consecutive sequence of numbers could appear on the ballot paper if no more than 3 numbers were to be amended.

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## Enrolment Check

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#### BALLOT PAPERS MARKED ABOVE AND BELOW THE LINE

6.5 Where a voter has marked both the group ticket (ie the top) section and the non ticket (ie the bottom) section:

- if both sections are informal, the ballot paper is informal;
- if one section is formal and the other section is informal, the ballot paper is formal and the informal section is disregarded; and
- if each section is formal the ballot paper is formal, but the non ticket takes precedence over the group ticket section.

6.6 A formal non ticket vote always takes precedence over a formal ticket vote. A ballot paper which has had corrections made in accordance with section 270(1)(B) to become a formal vote will take precedence over a correctly completed group ticket vote. [s.270(1)CEA]

6.7 In determining the precedence of a formal non ticket vote over a formal group ticket vote, the fact that a voter may have voted for different parties in each section is irrelevant.

#### 7. Formality of ballot papers - Referendum

7.1 The formality of a referendum ballot paper is tested firstly by reference to the “general formality provisions”. In a referendum it is possible for more than one question to be referred to the electorate at the same time. In these cases it is a requirement for each ballot paper to be printed on the same piece of paper.

7.2 Examples of informality described in the “general formality provisions” will make all parts (ie every question) of the ballot paper informal. [s.25(2) R(MP)A] In other respects, the ballot paper is considered to be made up of a number of different ballot papers - each question being considered separately (ie it is possible for the answer to one question to be formal and the answer to another question to be informal). [s.24 R(MP)A]

7.3 The prescribed method of recording a vote in a referendum is to use the words “yes” or “no” written alone (ie without qualification). In all cases, however, ballot papers must be admitted where the voter’s intention is clear. [s.93(8) CEA, s.24 R(MP)A]

7.4 In some circumstances such things, or combinations of such things, as ticks, crosses and words with the same meaning as “yes” or “no” (eg “definitely” or “never”), may be acceptable.

#### MARKING A FORMAL VOTE UNDER THE COMMONWEALTH ELECTORAL ACT 1918

OCTOBER 1984

#### MARKING A FORMAL VOTE

This booklet is designed to acquaint officers with the new provisions of the Commonwealth Electoral Act that relate to the formality and informality of ballot papers. It provides a more detailed exposition of formality criteria than is contained in the Scrutineers Handbook. The booklet is intended, in particular, for use by Divisional Returning Officers for resolving questions of formality left undetermined in counting centres on polling night.

#### MARKING A FORMAL VOTE

See Commonwealth Electoral Act [CEA] - sections 239, 240, 268, 269, 270, 273 and 274.

#### BACKGROUND

1. Under the *Commonwealth Electoral Act 1918* votes will be recorded, as in the past, by numbering squares on ballot papers. The scrutiny of ballot papers will continue to have two stages - an initial formality check, at which votes which do not satisfy certain basic criteria will be excluded, and a subsequent examination of those votes which pass the formality check to determine which candidates have been elected. This paper is concerned only with the first stage - the formality check.

#### DUTY OF THE VOTER

2. A voter at a House of Representatives election is obliged to place the number 1 in the square on the ballot paper opposite the name of the candidate for whom s/he votes as his/her first preference and to give contingent votes for all the remaining candidates by placing the numbers 2, 3, 4 etc in the squares opposite their names so as to indicate the order of his/her preference for them. [s.240 CEA]

3. A voter at a Senate election is obliged to vote in one of two ways:

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- (i) s/he may number the squares on the ballot paper opposite the names of the candidates in exactly the same way as if s/he were recording a vote in a House of Representatives election; [s.239(1) CEA] or
- (ii) s/he may record a group voting ticket vote by placing the figure 1 in one of the squares printed on the ballot paper for the purposes of ticket voting. [s.239(2) CEA]

#### FORMALITY CHECKS

4. Formality checks fall into two categories, one comprising tests of whether the ballot paper concerned is an authentic one which does not identify the voter, and the other comprising tests of whether the voter has performed his/her duty in marking his/her vote sufficiently well for it to be accepted.

#### AUTHENTICITY TESTS

5. In respect of the first category, to be accepted as formal, a ballot paper:
- (i) must be authenticated by the official mark or by the initials of the OIC, or must, in the opinion of the DRO deciding the question, be an authentic ballot paper; [s.268(1)(a)(2) CEA] and
  - (ii) must not have any unauthorised writing on it by which the voter can be identified (unless that writing was put there, legally or not, by an officer); [s.268(1)(d) CEA] and
  - (iii) must, in the case of an absent, provisional, postal or pre-poll vote, have been contained in a declaration certificate. [s.268(1)(e) CEA]

#### ACCEPTABLE NUMBERING - HOUSE OF REPRESENTATIVES

6. In respect of the second category, a House of Representatives ballot paper will be formal if a first preference is shown by the presence of the figure 1 in the square opposite the name of one, and only one, candidate, and there are numbers (any numbers) in all the other squares on the ballot paper, or in all but one square, which is left blank. It should be noted that ticks and crosses on a House of Representatives ballot paper will render it informal. A ballot paper which represents the required numbers either by roman numerals, words (eg one, two, three) or by ordinal numbers (eg 1st, 2nd, 3rd, 4th etc) can be accepted as formal. [ss.268(l)(c), 270(2) CEA]

#### ACCEPTABLE NUMBERING - SENATE

7. The tests in the second category which apply to Senate ballot papers are more complicated, because a Senate vote can be recorded either by the numbering of preferences or by adopting a group ticket vote. Additionally, a ballot paper may be accepted as formal even where the voter has erroneously attempted to record both types of votes. Thus, three distinct cases arise.



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

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8. Case One is the group ticket vote. As noted earlier, the voter is supposed to record such a vote by placing a single figure 1 in one, and only one, of the squares printed in the ticket voting section at the top of the Senate ballot paper. Specific allowance is, however, made for voters who deviate slightly from this requirement. It is provided that a ballot paper will be formal if it has a "preference mark" in one, and only one, of the squares printed in the ticket voting section at the top of the Senate ballot paper. A "preference mark" is defined as being either a tick, a cross, or the figure 1.

9. Thus, if the figures 1, 2, 3, 4 are placed in the ticket voting squares, the ballot paper will be formal since a preference mark appears in one, and only one, square. Similarly, ✓, 2, 3, 4 will produce a formal vote; but 1, 1, 2, 3, or ✓, X, 2, 3 will not, since in both of these configurations, a preference mark appears in two squares. [ss.239(2), 269(3)(4) CEA.

10. Case Two is the preferential vote recorded on its own. In this case, specific allowance is again made for voters who may have difficulty in fulfilling their obligations. A ballot paper will be formal if:

- (i) a first preference is shown by the presence of the figure 1 in the square opposite the name of one and only one candidate; [s.270(1)(a) CEA] and
- (ii) in a case where there are ten or more candidates, there are in not less than 90% of the squares opposite the names of candidates on the ballot paper numbers which form a sequence of consecutive numbers beginning with one without repetitions, or numbers which would be such a sequence with changes to not more than three of them; [s.270(1)(b)(i) CEA] or
- (iii) in a case where there are nine or fewer candidates, there are in all squares opposite the names of candidates on the ballot paper, or in all but one of those squares (which is left blank), numbers which form a sequence of consecutive numbers beginning with one without repetitions, or numbers which would be such a sequence with changes to not more than two of them. [s.270(1)(b)(if) CEA]

Once again, roman numerals or ordinal numbers can be used without rendering a ballot paper informal.

11. This means, for example, that where there are twenty candidates, a ballot paper will be formal if it shows a first preference for one, and only one candidate, and has on it either the numbers 1 to 18 (90% of 20), none of which is repeated, or numbers which, if up to three of them were changed, would be the numbers 1 to 18 without repetitions.

12. Consider the following examples of numbering, in which the errors are underlined:

- (i) 1,2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 50, 60 is formal, despite the mistakes at the end, because 1 appears only once, and the numbers 1 to 18 appear;

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- (ii) 1,2, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,12, 12, 13, 14, 15, 16, 17, 25 is formal: if the second 2 had been an 18, the second 12 a 19, and the 25 at the end had been a 20, the required numbers 1 to 18 would have been present. Note that merely changing the 25 to an 18 would have led to the numbers 1 to 18 being on the ballot paper, but would not have removed the repetitions of the numbers 2 and 12; and
- (iii) 1,2, 2, 3, 3, 4, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, ✓, X is formal: if the second 2 had been a 16, the second 3 a seventeen and the second 4 an 18, the numbers 1 to 18 would have been present. The last two mistakes, ✓ and X, are irrelevant in this case.

On the other hand:

- (iv) 1,1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 is informal as 1 appears twice;
- (v) 1, 2, 2, 3, 3, 4, 4, 5, 5, 6, 7, 8, 9, 10, 11,12, 13, 14, ✓, X is informal as there is no way in which changing only three of the numbers on this ballot paper could have produced the numbers 1 to 18; and
- (vi) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, ✓, X blank is informal as there must at least be numbers in 90% of the squares, ie in at least 18 squares in this case.

The numbers on a ballot paper are never actually changed. In doing the formality check, the officer involved merely considers whether the sequence of numbers on the ballot paper is the correct one, or whether the correct sequence could have appeared on the ballot paper if the voter had put different numbers in up to three of the squares.

13. Case Three arises where the voter has tried to record both a ticket vote and a normal preferentially numbered vote. This case can be broken down into three distinct situations:

- (i) where the ticket vote and the preferentially numbered vote would each have been informal if recorded on its own, the ballot paper is informal;
- (ii) where the ticket vote would have been formal if recorded on its own, but the exhaustively numbered vote would have been informal if recorded on its own, the ballot paper is formal and is treated as if exhaustive numbering had not been attempted. Conversely, where the exhaustively numbered vote would have been formal if recorded on its own but the ticket vote would have been informal if recorded on its own, the ballot paper is formal and is treated as if the ticket vote had not been attempted; [s.269(1)(3) CEA] and
- (iii) where the voter records a ticket vote and an exhaustively numbered vote, each of which would have been formal if recorded on its own, the ballot paper is formal and is treated as if the ticket vote had not been attempted, ie correct exhaustive numbering prevails over a correct ticket vote. [s.269(2) CEA]

# Scrutinies - Preliminary Scrutiny Enrolment Check

## Part 28 Subpart 2

### Attachment B

#### EXAMPLES OF MARKINGS ON HOUSE OF REPRESENTATIVES BALLOT PAPERS

##### Example 1

The voter has placed a “sticker” over the ballot paper so that the sticker covers one or more squares; the fact that the sticker is placed over the ballot paper does not mean that effect cannot or should not be given to it, if, without removing or lifting the sticker, the voter’s intention can still be determined, ie the sticker is transparent.

##### Example 2

A continental “7” or “1” (ie a/“7” or “1”) are acceptable methods of numbering. In this regard, it is necessary to look at the whole ballot paper in order to determine if the voter’s intention is clear.

##### Example 3

Numbers written “backwards” (eg “3”) are acceptable, provided the voter’s intention is clear.

##### Example 4

The voter puts a tick (“✓”) and a figure “1” in the same square. It is irrelevant whether the “✓” is over the “1”, or the reverse; (or whether the “✓” and the “1” are separated although still in the same square); in either case the voter’s intention is clear.

##### Example 5

Numbers written outside the squares do not make a ballot paper informal, as long as the voter’s intention is clear. Occasionally, numbers are written outside the squares because the voter has crossed out the original numbers and replaced them with other numbers.

##### Example 6

The voter puts a “1” in one square and crosses out the remaining squares (eg “X”, “X”, “X” etc). This vote is informal because numbers do not appear in the remaining squares after the first preference is shown in one square.

# Scrutinies - Preliminary Scrutiny

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#### Example 7

The voter places numbers in all squares except for one square. In these cases the fact that one square has been left blank does not make a ballot paper informal. ANY MARK (as distinct from any number) placed in a square means that the square cannot be regarded as blank, and the ballot paper would then be informal (ie the formality provisions concerning a square being left "blank" must be taken literally).

#### Example 8

The voter places a figure "1" in one square, and only one square, but fills in the other squares with non-consecutive numbers. A ballot paper is formal if there is only one first preference indicated, and there are other numbers in all the other squares, or all the other squares except one - which is left blank. [s. 270(2) CEA] In this regard, "zero" (ie "O") is regarded as a number. Such ballot papers exhaust after the point at which the consecutive number series starting at "1", is broken.

#### Example 9

The voter writes a number over another number.

In such cases the DRO should construe the ballot paper in favour of exhausting at the last possible sequence. If it is clear that the number which would cause the ballot paper to exhaust earlier was written over the number which would keep the ballot paper alive then effect must be given to the voter's intention.

#### Example 10

Occasionally a number and a mark (eg a cross "X") appear in the same square - one has been written over the other. In such cases the DRO should construe the ballot paper in favour of formality - that is proceed on the basis that the number has been written over the mark. If it is clear that the mark was written over the number - the ballot paper will be informal.

#### Example 11

A ballot paper with preferences expressed alphabetically (eg A,B,C,D) is informal.

# Scrutinies - Preliminary Scrutiny Enrolment Check

## Part 28 Subpart 2

### Attachment C

In 1919 Justice Isaacs, who later became Sir Isaac Isaacs, Chief Justice of the High Court 1931, and Governor General of Australia 1931-36, made a series of statements. These were made in handing down his judgement in the Court of Disputed Returns for the House of Representatives seat of Ballarat "Kean v Kerby".

#### Quotes

"The ballot being a means of protecting the franchise, must not be made an instrument to defeat it."

"Where the intention is clear, doubtful questions of form should be resolved in favour of the franchise."

"The language of the Act read as a whole and in favour of the franchise as all such Acts should read."

"The mark he made is a clumsy dot or a clumsy figure 1. It is very inartistic but remembering that voters may be young or old, ill or well, scholarly or not, I resolve the doubtful question of form in favour of the franchise, there being no doubt as to the real intention."

"The law forbidding identification marks does not contemplate shutting out a transparently honest attempt to vote rendered necessary by neglect of an official."

The problems identified by Justice Isaacs are as relevant today as they were at the time.

**PART 28**

**Subpart 1 - Scrutinies - Preliminary Scrutiny - Entitlement Checks**

**Contents**

1. General
2. Reconciliation
3. Open ballot boxes - withdraw declaration certificates
4. Provisional enrolments
5. Initial check of absent declaration certificates
6. Initial check of provisional declaration certificates
7. Initial check of pre-poll vote declaration certificates
8. Initial check of postal vote declaration certificates
9. Ensure that the vote was recorded before the close of the poll
10. Compare signature of voter on postal vote declaration certificate with signature of applicant on postal vote application
11. Check of registered general postal voters' declaration certificates from electors certified as "unable to sign"

# Scrutinies - Preliminary Scrutiny Enrolment Check

## Part 28 Subpart 2

### 1. General

1.1 The DRO must place a notice (EF029) on prominent display at the divisional office setting out the times at which preliminary scrutinies of declaration certificates are to be conducted. This notice must be displayed by 4pm on the day before each preliminary scrutiny. In addition, candidates will have been advised of the scrutiny arrangements (see Part 15). [s.266(2) CEA]

1.2 Preliminary scrutinies must not be started until after the close of the poll for an election. [s.266(1) CEA]

1.3 Declaration certificates awaiting preliminary scrutiny will be contained in locked and sealed ballot boxes (see Part 23). [s.228(5)(b) CEA]

### 2. Reconciliation

2.1 It is essential that an accurate total is obtained for each type of declaration certificate received prior to the commencement of preliminary scrutinies. The number of declaration certificates expected from other divisions will be recorded in ELMS - Post Election system.

2.2 These figures will enable the DRO to determine how many declaration certificates remain to be processed - a critical factor in divisions where close contests exist and also for other divisions to establish when it is safe to declare the results of the poll.

2.3 Pre-poll vote declaration certificates (and postals if applicable) from Norfolk Island will be included in ELMS - Post Election system as being sent by the division of Canberra rather than as part of the overseas despatches.

2.4 Some preliminary scrutinies will be commenced before all declaration certificates of that type are available (eg overseas pre-polls still to arrive). Control must be kept of the number and type of declaration certificates already in the scrutiny process.

### 3. Open ballot boxes - withdraw declaration certificates

3.1 In the presence of scrutineers (if any) unlock the ballot box(es), break the seals and open the ballot box(es) containing declaration certificates for the type of preliminary scrutiny to be conducted. Record the details of the breaking of the seals and opening of the ballot box in the election journal.

3.2 The declaration certificates contained in these ballot boxes are those issued by your own division and those received from other divisions and overseas via the exchange. The latter will be held in separate ballot boxes (see Part 23).

3.3 For scrutineers' rights and responsibilities see Part 25.

3.4 Sort declaration certificates into alphabetical order by surname/family name.

### 4. Provisional enrolments

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

4.1 An elector who was provisionally enrolled at the close of rolls but will turn 18 on or before polling day is eligible to vote in the election. The date on which a provisional elector completes and signs a declaration vote certificate is irrelevant in determining eligibility to vote (ie the fact that the date on which the certificate was signed is before the voter's 18th birthday is irrelevant to eligibility). [s.221(3) CEA]

4.2 An adult applicant for Australian citizenship who secured provisional enrolment on that basis must have become naturalised on or before the close of rolls date to be eligible to vote in the election. [s99A(7) CEA]

#### 5. Initial check of absent declaration certificates

5.1 To be accepted for further processing, an absent declaration certificate should be issued for your division at a polling place appointed for another division in your State/Territory. [s.222(1) CEA]

5.2 In certain circumstances, a declaration certificate ticked as being a provisional vote may be accepted for preliminary scrutiny as an absent vote (eg if the provisional vote was issued outside the "enrolled for" division but still within the State/Territory). When this occurs the provisional vote declaration certificate is notated in red in the remarks section "admitted to the preliminary scrutiny as an absent vote". The DRO adds initials, title and date. The declaration certificate is then processed as an absent vote.

5.3 The DRO for the division which issued the vote should include declaration certificates in this category with other "absent" votes despatched in ELMS - Post Election system. The receiving DRO enters declaration certificates of this type with other absent declaration certificates in ELMS - Post Election system.

5.4 If the wrong box was ticked at the bottom of the declaration certificate (or no box was ticked), this does not of itself cause the declaration certificate to be rejected as invalid. The DRO must make the necessary notation in red on the declaration certificate (including initials and date and without obliterating any information) and proceed with the preliminary scrutiny.

5.5 Check that the declaration certificate is signed by the voter or was an assisted vote or was signed by a marksman. If so tick the "Yes" box at A1 in the office use section of the declaration certificate and set it aside for processing through the enrolment checks (see Subpart 2).

5.6 If at the preliminary scrutiny an absent declaration certificate has not been signed the voter may have been unable to sign or make a mark. The space for signature of voter will be blank, but immediately under this space would be the signature of a scrutineer or polling official with the relevant title. The OIC's signature will appear in the space provided to attest the declaration, ie in the box provided for the witness. These declaration certificates can continue to further scrutiny. [s.234(4) CEA]

5.7 Absent declaration certificates may appear to have been signed by a marksman. This is usually identified by an "X" in the space for signature of voter - although a polling official may have placed the "X" as an indicator of where the voter was to sign. [s.336(2) CEA]



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

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5.8 Absent declaration certificates signed by a marksman should have the words “his mark” or “her mark” near the voter’s mark. The absence of the words “his mark” or “her mark” does not invalidate the declaration if the DRO is satisfied that the mark is the mark of the voter.

5.9 If not signed or marked by the voter, circle the omission, tick the “No” box at A1 in the office use section of the declaration certificate, tick the “Rejected” box at C2, initial box C3 and put the declaration certificate aside under security with other rejected absent declaration certificates. [Schedule 3 (5)(6)(c) CEA]

5.10 Check that the absent declaration certificate has been signed by the issuing officer. If signed, or the declaration on the reverse side of the certificate envelope (EF012a) has been completed, tick the “Yes” box at A1 in the office use section of the declaration certificate and set it aside for processing through the enrolment checks (see Subpart 2).

5.11 If the absent declaration certificate has not been signed by the issuing officer, and the reverse side (EF012a) has not been completed by the issuing division (see Part 23, Subpart 1), prepare and fax an EF041 to that division.

5.12 On receipt of an EF041 the DRO is to immediately examine the counterfoils for the relevant polling place, complete the EF041 details by either confirming the existence of the record or otherwise, then return the EF041 by fax without delay to the division of origin. [Schedule 3(8) CEA]

5.13 The required steps before completing and returning the Form EF041 are:

- check whether a relevant counterfoil exists;
- if the relevant counterfoil does not exist, ask the OIC of the polling place at which the vote was issued. If the OIC certifies in writing that the declaration vote was in fact issued, insert that statement into the counterfoil binder (EF015); and
- if no record or certification of issue can be obtained, determine whether the ballot paper was properly issued.

5.14 On receipt of the returned EF041 the DRO takes the following action:

- if it is confirmed that a record of issue exists, the EF041 is attached to the relevant declaration certificate, tick the “Yes” box at A1 in the office use section of the declaration certificate and set it aside for processing through the enrolment checks (see Subpart 2); or
- if no record or certification of issue can be obtained, the DRO must determine whether the ballot paper was properly issued. If not satisfied, tick the “Rejected” box at C2 in the office use section of the declaration certificate, initial box C3 and put the declaration certificate aside under security with other rejected absent declaration certificates. [Schedule 3(8) CEA]

## 6. Initial check of provisional declaration certificates

# **Scrutinies - Preliminary Scrutiny Enrolment Check**

## **Part 28 Subpart 2**

6.1 The procedures for processing provisional declaration certificates are the same as for processing absent declaration certificates, except as detailed below.

6.2 If the provisional declaration certificate was not signed by the issuing officer, refer to the relevant record of declaration votes folder(EF015) to confirm that the provisional vote declaration certificate was issued at the polling place. [s.232(2) CEA]

6.3 If a relevant counterfoil exists, the DRO should complete the EF012a declaration on the back of the declaration certificate before proceeding to the enrolment checks.

6.4 If the details do not appear, the provisional declaration certificate is set aside for further investigation with the OIC of the polling place at which the provisional vote was issued. If the OIC certifies in writing that the provisional vote was in fact issued, attach that statement to the back of the provisional declaration certificate and set it aside for processing through the enrolment checks.

# Scrutinies - Preliminary Scrutiny

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#### 7. Initial check of pre-poll vote declaration certificates

7.1 The procedures for processing pre-poll declaration certificates are the same as for processing absent declaration certificates, except as detailed below.

7.2 To be accepted for further processing, a pre-poll declaration certificate should be issued for your division and have been issued by a pre-poll voting officer, a DRO or an ARO in Australia or at an overseas location.

7.3. If the pre-poll declaration certificate was not signed by the issuing officer, make the necessary enquiries to confirm that the pre-poll declaration certificate was issued by a DRO, ARO or pre-poll voting officer. [Schedule 3 (8) CEA].

7.4 If the pre-poll vote was issued by your division and a counterfoil record exists, the DRO should complete the EF012a declaration on the back of the declaration certificate and set it aside for processing through the enrolment checks.

7.5 If the record is not found or the declaration certificate was issued overseas, by another division, or by a pre-poll centre, the pre-poll declaration certificate is set aside for further investigation. If the DRO can obtain a written certification (eg EF041) that the pre-poll declaration certificate was in fact issued, attach such certification to the back of the pre-poll declaration certificate and set it aside for processing through the enrolment checks.

7.6 All declaration certificates for Antarctic electors forwarded as per Part 23, Subpart 7, should be checked to ensure they have been signed by the AEO for Tasmania. If so, proceed to the enrolment checks. If not, refer the authenticity of the declaration certificate to the AEO for Tasmania. [s.260(1)(e), Schedule 3 (6)(d) CEA]

#### 8. Initial check of postal vote declaration certificates

8.1 Postal vote applications awaiting the receipt of postal vote certificates, should be stored (under security) until the relevant postal vote declaration certificates are received. At each postal vote preliminary scrutiny produce all postal vote applications for which declaration certificates have not yet been received. [Schedule 3(2) CEA]

8.2 Completed postal vote declaration certificates are stored in alphabetical order under security pending the arrival of an application. The DRO should make every effort to locate missing applications. If an application is not found the declaration certificate and the relevant EF053 (if held) are both to be marked "no application received" and a copy of the enrolment form must be obtained for signature matching purposes. [s.266(1)(c) CEA]

8.3 Postal vote declaration certificates must be rejected if the voter's actions have prevented the privacy flap from being removed or have otherwise prevented the details on the declaration certificate from being read.

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8.4 Where postal ballot papers have been inserted between the privacy flap and the declaration certificate itself, the ballot papers must be placed in a “spoilt or discarded ballot paper envelope” (EF027) which is to be marked to indicate that the ballot papers have been discarded. The ballot papers must not be unfolded or examined. The declaration certificate is then processed through the preliminary scrutiny in the normal manner, without regard to the lack of ballot papers within.

#### 9. Ensure that the vote was recorded before the close of the poll

9.1 Declaration certificates posted by the voter to the DRO for the division for which they are enrolled, must be:

- posted (eg bear a postmark) before the poll closes; and
- received by the DRO before the end of the period of 13 days immediately succeeding the close of the poll. [s.266(1)(b) CEA]

9.2 Declaration certificates completed and witnessed on or before polling day and received by an ARO, any DRO or overseas ARO before the close of the poll regardless of any other date on the declaration certificate, must be admitted to the preliminary scrutiny whether or not the poll has been declared. The CEA does not specify a time limit for the receipt of such certificates by the DRO who conducts the preliminary scrutiny. [ss.194(3), 195(1), 266(1)(c) CEA]

9.3 Where the certificate is postmarked and the postmark is legible:

- if the postmark includes a date after polling day, tick the “No” box at A3 in the office use section of the declaration certificate, tick the “Rejected” box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal declaration certificates; [Schedule 3 (6)(e) & (7) CEA] or
- if the postmark includes a date on or before polling day, tick the “Yes” box at A3 in the office use section of the declaration certificate and set it aside for further processing.

9.4 Where the certificate is not postmarked (or the postmark is not legible) but the date witnessed is noted on the certificate:

- if the date witnessed is on or before polling day, tick the “Yes” at A3 in the office use section of the declaration certificate and set it aside for further processing; or
- if the date witnessed is after polling day, circle the date in red and tick the “No” box at A3 in the office use section of the declaration certificate, tick the “Rejected” box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal declaration certificates. [Schedule 3(7) CEA]

9.5 Where there is no legible postmark and no date of witness:

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- if the date of receipt (in a divisional office or polling place) which is noted or stamped on the declaration certificate is on or before polling day, circle the date in red, tick the "Yes" box at A3 in the office use section of the declaration certificate and set it aside for further processing;
- if the date of receipt (in a divisional office) which is noted or stamped on the certificate is after polling day, circle the date in red and tick the "No" box at A3 in the office use section of the declaration certificate, tick the "Rejected" box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal declaration certificates;
- if there is no date of receipt stamped or noted on the certificate, check the date of receipt which was noted on the application or EF053, write that date on the certificate, tick the "Yes" box at A3 in the office use section of the declaration certificate and set it aside for further processing; or
- If there is no date at all and the DRO is not satisfied that it was received on or before polling day, tick the "No" box at A3 in the office use section of the declaration certificate, tick the "Rejected" box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal declaration certificates. [Schedule 3(7) CEA]

#### **10. Compare signature of voter on postal vote declaration certificate with signature of applicant on postal vote application**

10.1 It is unlikely for any 2 signatures of the one person to be identical. Dissimilarities can always be found in signatures signed by a person at different times and circumstances. DROs should exercise caution in reaching a decision to reject a declaration certificate on the grounds of dissimilarity of signatures.

10.2 The standard to be applied by DROs in reaching decisions on the similarity of signatures is one of a "balance of probabilities" rather than "beyond reasonable doubt". That is: is it more likely than not that the signature on the declaration certificate is that of the elector, rather than the signature of another person?

10.3 Compare the signature of the voter on each postal vote declaration certificate with the signature of the voter on the relevant application, and allow scrutineers to inspect both signatures. [Schedule 3 (3) CEA]

10.4 If signatures are apparently the same, tick the "Yes" box at A4 in the office use section of the declaration certificate and set it aside for further processing.

10.5 If signatures are not apparently the same or the application is missing or not signed, the declaration certificate together with the application MUST be referred to the DRO for a decision. The DRO must be satisfied that the declaration certificate was signed by the elector, before admitting to further processing. Where the DRO is not satisfied that the signature on the application and declaration certificate match, a copy of the enrolment form must be obtained as quickly as possible for comparison purposes, so that an informed decision can be made. A declaration certificate should not be rejected if

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the DRO is satisfied it is signed by the elector, regardless of what is on the application. [Schedule 3 (6)(a)]

10.6 If the signature is challenged by a scrutineer the DRO is to note the decision in regard to the challenge on the declaration certificate (beside the signature of the voter) and add initials and the date.

10.7 If the DRO's decision in accordance with Schedule 3(3) of the CEA is to accept the declaration certificate it is to be set aside for further processing. If the DRO's decision is to reject the declaration certificate, circle the signature in red and tick the "No" box at A4 in the office use section of the declaration certificate, tick the "Rejected" box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal declaration certificates. [Schedule 3 (3) & (5) CEA]

10.8 Postal vote declaration certificates may be identified where the voter's signatures on the declaration certificate and application do not match and it can be established that two voters mistakenly signed each other's declaration certificate. Where signatures of the voters on the declaration certificates can be cross matched with the signatures on the applications, the declaration certificates can be accepted for further processing. Each declaration certificate should be notated in red (adjacent to the voter's signature) "cross matched with ....." (application number of the cross matched application).

10.9 Check that the declaration certificate is signed by the voter or has been signed by a marksman. Check that the voter has not signed elsewhere on the declaration certificate (eg in or above the witness box). If signed, tick the "Yes" box at A1 in the office use section of the declaration certificate and set it aside for further processing.

10.10 If not signed, circle the omission, tick the "No" box at A1 in the office use section of the declaration certificate, tick the "Rejected" box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal vote declaration certificates. [Schedule 3 (6)(a) CEA]

10.11 At the preliminary scrutiny, there may be a postal vote declaration certificate which appears to have been signed by a marksman. This is usually identified by an "X" in the space for the signature of a voter. Declaration certificates signed by a marksman should have the words "his mark" or "her mark" near the voter's mark. The absence of the word "his mark" or "her mark" does not invalidate the declaration if the DRO is satisfied that the mark is the mark of the voter.

10.12 A person who holds a power of attorney for a voter is not permitted to sign for a voter.

10.13 Check that the declaration certificate is signed by a witness. If so, tick the "Yes" box at A2 in the office use section of the declaration certificate and set it aside for further processing. If the declaration certificate is not signed by an authorised witness, circle the omission, tick the "No" box at A2 in the office use section of the declaration certificate, tick the "Rejected" box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal vote declaration certificates. [Schedule 3 (6)(a) CEA]

10.14 It is not necessary for the title of the authorised witness to be stated on the certificate. If the DRO is convinced that the witness is not qualified to be an authorised witness (eg a candidate) the DRO is to circle the witness' signature, tick the "No" box at A1 in the office use section of the declaration

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certificate, tick the “Rejected” box at C2, initial box C3 and put the declaration certificate aside under security with other rejected postal vote declaration certificates. The reason for rejection is to be notated in red on the certificate. [s.193, Schedule 3(6)(a) CEA]

10.15 A marksman cannot act as an authorised witness. [s.194(1)(c) CEA]

#### **11. Check of registered general postal voters’ declaration certificates from electors certified as “unable to sign”**

11.1 The check of these postal vote declaration certificates is identical to the check of postal vote declaration certificates issued to able bodied applicants except that:

- the comparison of signatures from application to declaration certificate will differ. A “dummy” application (see Part 14, Subpart 2) will be included with the other applications for all general postal voters registered under CEA s.184A(2)(e) & (f); and
- when a “dummy” application is located during the comparison of signatures phase, the section for “signature of voter” on the declaration certificate will have had “section 184A(2)(e) or (f)” recorded in red (see Part 14, Subpart 2). Scrutineers should be permitted to inspect the register of general postal voters if they so wish. The presence or absence of a signature or mark of the voter on a declaration certificate from a section 184A(2)(e) or (f) registered general postal voter is not to be considered in determining the acceptance or rejection of such a declaration certificate. [s.194(1)(b) CEA]

11.2 The signature of an authorised witness is required on a certificate from a section 184A(2)(e) or (f) registered general postal voter. [s.194(1)(c) CEA]

11.3 If the voter has signed the declaration certificate, the registration as a general postal voter should be reviewed at a later date.

# Scrutinies - Preliminary Scrutiny Enrolment Check

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## Subpart 2 - Scrutinies - Preliminary Scrutiny - Enrolment Check

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  3. Address based checks
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  7. Final check of rejected declaration certificates
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- Attachment A - Admission and rejection criteria for declaration votes cast by electors deleted from the roll by objection action



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

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#### 1. Initial processing

1.1 Ensure all declaration certificates of the same type which have passed the entitlement checks (see Subpart 1) are in alphabetical order of the elector's surname to check against the relevant divisional office certified list.

1.2 Electors who voted with a special hospital, or remote mobile team must have their names highlighted in the certified list used to mark off postal votes prior to the commencement of the preliminary scrutiny of postal vote declaration certificates (see Part 8, Subpart 5).

1.3 Details of electors who had an absent vote with a hospital mobile team, at a special hospital, or with a remote mobile team, must be entered into ELMS - Post Election system by the issuing division as soon as the details are known, to avoid delaying the preliminary scrutiny process in the receiving divisions. Receiving divisions access these details to highlight the postal certified list - other certified lists are not to have these entries highlighted.

1.4 All deletions from the divisional note book roll must be transferred to every declaration certificate certified list by highlighting the deleted name (see Part 8, Subpart 2) before the marking off process begins. Any match with a highlighted entry must be investigated to determine authenticity of the vote (see Subpart 1).

1.5 Any additions to the divisional note book roll, either through error correction, delayed establishment of eligibility to enrol or as a consequence of industrial dispute affecting Australia Post [s.102(4A) CEA] are deemed to be part of the official roll of electors for the election. A list of electors added to the note book roll should be checked against the sorted declaration certificates before any other checks are undertaken.

#### 2. Process declaration certificates through the relevant divisional office certified list

2.1 All declaration certificates (except provisionals) are initially checked against the relevant divisional office certified list. To expedite the marking off process, consider splitting each certified list into parts equal to the number of staff involved in the process. Special care must be taken to ensure that the separate parts of each list are returned to the correct binder after the marking off process is completed.

2.2 Provisional declaration certificates should initially be checked against RMANS records and only those identified as enrolled in your division will be checked and marked against the appropriate certified list.

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2.3 If it becomes apparent that multiple declaration certificates have been lodged by the same elector, these must be admitted to the further scrutiny if they are otherwise admissible, except for postal declaration certificates lodged by electors who also voted at or with a remote mobile polling team.

2.4 When checking elector details against certified lists and enrolment records, consider:

- the inclusion of a “former name” on the declaration certificate;
- different spelling of signature, if legible, to printed name. The signature is likely to be spelt correctly. If the spelling on the certified list is the same as for the signature but different from that on the declaration certificate, the declaration certificate should be amended in red;
- shortening, variations or anglicisation of a given name (eg Bill for William, Stavros to Steve);
- a check must be made of any possible change of name (eg by marriage). This may become apparent when checking RMANS in the “Elector enquiry - by address” screen eg a date of birth and given names match is found for the declared enrolled address;
- reversal in the order of given names and family name; and
- different spelling of names (eg phonetic spelling of the elector’s name where the issuing officer appears to have completed these details).

2.5 Postal vote declaration certificates lodged by electors who voted with a hospital mobile polling team [s.224 CEA], at a special hospital [s.225 CEA], or with a remote mobile polling team [s.227 CEA], must be excluded from the further scrutiny [ss.226(6), 227(11) CEA]. The previously undertaken highlighting of the entries for the electors concerned will aid the identification of such electors. These electors are nevertheless marked off the postal certified list. After marking off the elector’s entry in the certified list, tick the “No” box at B1 in the office use section of the declaration certificate and notate the declaration certificate in red with “s.226/227”, tick the “Rejected” box at C2 and initial box C3. Photocopy the declaration certificate for multiple voter investigation purposes, then put it aside under security with other rejected postal vote declaration certificates.

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2.6 Subject to paragraph 2.4, if name and address match the entry in the certified list, the elector's vote must be admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- if a declaration certificate has "silent elector" in the address field the DRO must verify the elector's signature against the register of silent electors;
- tick the "Yes" box at B1 in the office use section of the declaration certificate;
- mark the certified list in the correct manner;
- tick the "This Div" box at C1 in the office use section of the declaration certificate to indicate that the declaration certificate is admitted to further scrutiny and add initials at C3; and
- set the declaration certificate aside under security with other admitted certificates pending further scrutiny. Declaration certificates must not be opened at this time.

2.7 If the elector cannot be clearly matched with an entry in the certified list, tick the "No" box at B1 in the office use section of the declaration certificate and put the declaration certificate aside under security pending the RMANS enrolment records checks.

2.8 If a silent elector or a section 235(d) CEA (name already marked) voter is not found on the certified list the declaration is to be processed in the same manner as a provisional vote.

### 3. Address based checks

3.1 All declaration certificates with the "No" box at B1 in the office use section ticked, must be checked against the address records in RMANS - Declaration Scrutiny subsystem. This is to identify those electors whose names are illegible on the declaration certificate or for whom other variations in the order or spelling of names has occurred. A match of the date of birth is required. Care must be taken to ensure that admission/rejection decisions are based on records that were current as at the close of the roll. Silent electors cannot be verified using address based checks - their addresses should not appear on the declaration certificate.

3.2 Where the DRO is uncertain whether a declaration voter matches a record on the State/Territory enrolment records, a copy of the relevant enrolment form must be sought for confirmation.

3.3 If a match with a current enrolment record is found, the RMANS - Declaration Scrutiny subsystem will advise whether the record confers eligibility for admission of the declaration vote to further scrutiny.

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## Enrolment Check

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3.4 If the matched record was current as at the close of the roll and the enrolled address was in this division, the elector's vote must be admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the "Yes" box at B2 in the office use section of the declaration certificate, cross out the tick in the "No" box at B1 and tick the "Yes" box there;
- mark the certified list in the correct manner;
- tick the "This Div" boxes at B3 and C1 in the office use section of the declaration certificate to indicate that the declaration certificate is admitted to further scrutiny and add initials at C3; and
- set the declaration certificate aside under security with other admitted declaration certificates pending further scrutiny. Declaration certificates must not be opened at this time.

3.5 If the matched record was current as at the close of the roll and the enrolled address was in another division in this State/Territory, the elector's vote must be partially admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the "Yes" box at B2 in the office use section of the declaration certificate, tick the "Other Div" boxes at B3 and C1 to indicate that the declaration certificate is partially admitted to further scrutiny and add the sub-division code at B3;
- record the elector's details on an appropriate Form EF033, tick the "Advised" box at C1 in the office use section of the declaration certificate and add initials at C3; and
- set the declaration certificate aside under security with other partially admitted certificates pending further scrutiny of the Senate and/or referendum ballot papers. [Schedule 3(10)(c) CEA] Declaration certificates must not be opened at this time.

3.6 If a matched enrolment record was not current as at the close of roll, tick the "Yes" box at B2 of the office use section of the declaration vote certificate and tick the "This Div" or "Other Div" box at B3, as appropriate. Complete the subdivision code details at B3, note the date of the enrolment transaction (in red) on the declaration certificate and proceed to the elector deletions history checks.

3.7 If no match is found during this check, tick the "No" box at B2 of the office use section of the declaration certificate and proceed to the name based checks.

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## Enrolment Check

### Part 28 Subpart 2

#### 4. Name based checks

4.1 All declaration certificates with the “No” box at B2 in the office use section ticked, must be checked against the elector name records in RMANS - Declaration Scrutiny subsystem. This is to identify those electors whose claimed address(es) on the declaration certificate do not match the latest enrolment records. A match of the date of birth is required. Care must be taken to ensure that admission/rejection decisions are based on records that were current as at the close of the roll.

4.2 Where the DRO is uncertain whether a declaration voter matches a record on the State/Territory enrolment records, a copy of the relevant enrolment form must be sought for confirmation of a match.

4.3 If a match with a current enrolment record is found, the RMANS - Declaration Scrutiny subsystem will advise whether the record confers eligibility for admission of the declaration vote to further scrutiny.

4.4 If the matched record was current as at the close of the roll and the enrolled address was in this division, the elector’s vote must be admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- if a declaration certificate has “silent elector” in the address field the DRO must verify the elector’s signature against the register of silent electors;
- tick the “Yes” box at B3 in the office use section of the declaration certificate, cross out the tick in the “No” box at B1 and tick the “Yes” box there;
- mark the certified list in the correct manner;
- tick the “This Div” boxes at B3 and C1 in the office use section of the declaration certificate to indicate that the declaration certificate is admitted to further scrutiny and add initials at C3;
- tick box E if the claimed permanent address is outside the subdivision of enrolment and the elector is not now there; and
- set the declaration certificate aside under security with other admitted certificates pending further scrutiny. Declaration certificates must not be opened at this time.

4.5 If the matched record was current as at the close of the roll and the enrolled address was in another division in this State/Territory, the elector’s vote must be partially admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;

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## Enrolment Check

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- if a declaration envelope has “silent elector” in the address field the DRO must refer a copy of the certificate to the DRO for the elector’s enrolled division to verify the elector’s signature against the register of silent electors;
- tick the “Yes” box at B3 in the office use section of the declaration certificate, tick the “Other Div” boxes at B3 and to indicate that the declaration certificate is partially admitted to further scrutiny and add the sub-division code at B3;
- record the elector’s details on an appropriate Form EF033, tick the “Advised” box at C1 in the office use section of the declaration certificate and add initials at C3;
- tick box E if the claimed permanent address is outside the sub-division of enrolment and the elector is not now there; and
- set the declaration certificate aside under security with other partially admitted declaration certificates pending further scrutiny of the Senate and/or referendum ballot papers. [Schedule 3(10)(c) CEA] Declaration certificates must not be opened at this time.

4.6 If a matched enrolment record was not current as at the close of roll, tick the “Yes” box at B3 of the office use section of the declaration certificate and tick the “This Div” or “Other Div” box at B3, as appropriate. Complete the subdivision code details at B3 and proceed to the elector deletions history checks.

4.7 If no match is found during this check, tick the “No” box at B3 of the office use section of the declaration vote certificate and proceed to the elector deletions history checks.

## 5. Elector deletion history checks

5.1 Elector history of deletions records must be checked for every declaration certificate where:

- the current enrolment record stems from a post close of roll transaction; or
- the “No” box at B3 in the office use section of the declaration certificate was ticked to indicate that a match was not found on the current elector file.

These checks are made using RMANS - Declaration Scrutiny subsystem. This can also be useful where particulars on the declaration certificate do not match the deleted enrolment records. Care must be taken to ensure that matches involving records depicting different dates of birth are correct. Care must also be taken to ensure that admission/rejection decisions are based on records that were current as at the close of the roll. Usually these will be the most recent deletions records.

5.2 Where the DRO is uncertain whether an elector who cast a declaration vote matches a record on the State/Territory deleted enrolment records that would permit the declaration vote to be admitted to further scrutiny, or reinstatement, a copy of the relevant enrolment form must be sought for confirmation of a match.

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## Enrolment Check

### Part 28 Subpart 2

5.3 If a match with a deleted enrolment record is found, the RMANS - Declaration Scrutiny subsystem will advise whether the record confers potential eligibility of the declaration vote for admission to further scrutiny.

5.4 If the matched record was a current enrolment as at the close of the roll (ie the deletion occurred after the close of the roll) and the enrolled address was in this division, the elector's vote must be admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- if a declaration envelope has "silent elector" in the address field the DRO must verify the elector's signature against the register of silent electors;
- tick the "Yes" box at B4 in the office use section of the declaration certificate and complete the "Del Code", "Date Deleted" and "Subdivision Code" fields, cross out the tick in the "No" box at B1 and tick the "Yes" box there;
- mark the certified list in the correct manner;
- tick the "No" box at B5 in the office use section of the declaration certificate (to indicate that reinstatement is not required), tick the "This Div" box at C1 to indicate that the declaration certificate is admitted to further scrutiny and add initials at C3;
- tick box E if the claimed permanent address is outside the sub-division of enrolment and the elector is not now there; and
- set the declaration certificate aside under security with other admitted declaration certificates pending further scrutiny. Declaration certificates must not be opened at this time.

5.5 If the matched record was a current enrolment as at the close of the roll (ie the deletion occurred after the close of the roll) and the enrolled address was in another division, the elector's vote must be partially admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- if a declaration envelope has "silent elector" in the address field the DRO must verify the elector's signature against the register of silent electors;
- tick the "Yes" box at B4 in the office use section of the declaration certificate and complete the "Del Code", "Date Deleted" and "Subdivision Code" fields;
- tick the "No" box at B5 in the office use section of the declaration certificate (to indicate that reinstatement action is not required);
- tick box E if the claimed permanent address is outside the sub-division of enrolment and the elector is not now enrolled there;

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- tick the “Other Div” box at C1 to indicate that the declaration certificate is partially admitted to further scrutiny;
- record the elector’s details on an appropriate EF033, tick the “Advised” box at C1 in the office use section of the declaration certificate and add initials at C3; and
- set the declaration certificate aside under security with other partially admitted declaration certificates pending further scrutiny of the Senate and/or referendum ballot papers. [Schedule 3(10)(c) CEA] Declaration certificates must not be opened at this time.

5.6 Declaration certificates where the elector:

- cannot be found on any current enrolment file; or
- appeared on the current file after the close of the roll as a new enrolment,

must be checked through the history of elector deletions records to determine whether the elector was previously enrolled and, if so, whether the reason for removal from the roll was justified given the information declared on the declaration certificate. [Schedule 3(12) & (13) CEA]

5.7 The check of history of elector deletions must extend back two electoral events, ie from and including the first day of roll production after the close of rolls for the second last general election (not including a by-election), separate Senate election, or separate referendum, or to the last federal redistribution of the State or Territory if that was more recent. For the next election, the check of history of elector deletions will extend back to the following dates:

WA	<b>27 February 1990</b>	(CoR update 1990 election)
NT	<b>27 February 1990</b>	(CoR update 1990 election)
SA	<b>17 January 1992</b>	(Redistribution date)
NSW	<b>31 January 1992</b>	(Redistribution date)
TAS	<b>1 April 1992</b>	(Redistribution date)
ACT	<b>30 September 1994</b>	(Redistribution date)
QLD	<b>1 December 1994</b>	(Redistribution date)
VIC	<b>20 December 1994</b>	(Redistribution date)

[Schedule 3(12), (13) & (14) CEA]

- any deletions occurring before these cut-off dates do not confer eligibility for admission of a declaration vote to further scrutiny.

5.8 While the provisions of Schedule 3 CEA apply to the above dates, redistribution data was not loaded into RMANS until 15 February 1992 for NSW, and 27 July 1992 for Tasmania. Special care must therefore be taken in these two States where elector deletions occurred between the date of the redistribution and the date the redistribution data was loaded into RMANS (ie the subdivision code attached to an elector removed from the roll in



# Scrutinies - Preliminary Scrutiny

## Enrolment Check

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TAS at any time between 1 April 1992 and 26 July 1992 will not necessarily have been correct).

5.9 Where the most recent deletion record was an alteration or transfer, the declaration vote should not be rejected simply because the transaction occurred before the cut-off date. Deletion transactions of those types indicate that the elector should appear on the roll somewhere, possibly under a different name. Unless the transfer was to another State or Territory, the elector may not belong to the class of electors referred to in Schedule 3(12) CEA.

5.10 If a match is found with a record for another division deleted before the close of the roll (whether deleted before or after the cut-off date) and the deletion transaction was not a transfer or alteration, the declaration vote cannot be admitted to further scrutiny. The CEA makes no provision for the admission of declaration votes from deletions records for other divisions. The required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the "Yes" box at B4 in the office use section of the declaration certificate and complete the "Del Code", "Date Deleted" and "Subdivision Code" fields;
- if no current enrolment record was found, tick box E; and
- tick the "Rejected" box at C2, initial box C3 and set the declaration certificate aside under security with other rejected declaration certificates of the same type pending preparation of an advice to the elector and subsequent parcelling. [Schedule 3 (10)(d) & (11)(c) CEA]

5.11 If a match is found with an elector record deleted before the cut-off date and the most recent pre close of roll enrolled address was in this division and the deletion transaction was not a transfer or alteration, the declaration vote cannot be admitted to further scrutiny. The required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the "Yes" box at B4 in the office use section of the declaration certificate and complete the "Del Code", "Date Deleted" and "Subdivision Code" fields;
- if the claimed permanent address is within the subdivision of the last enrolment, tick the "Yes" box at B5 in the office use section of the declaration certificate, to indicate that reinstatement action is required, otherwise tick box E (where the elector was incorrectly deleted from the roll for your division and still lives in the same subdivision, the elector can be reinstated under section 105(2) CEA. Refer to GEM for reinstatement procedures. Reinstatement is not retrospective and the vote cannot be admitted to further scrutiny under these circumstances); and
- tick the "Rejected" box at C2, initial box C3 and set the declaration certificate aside under security with other rejected declaration certificates of the same type

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## Enrolment Check

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pending preparation of an advice to the elector and subsequent parcelling.  
[Schedule 3 (10)(d) & (11)(c) CEA]

5.12 If no match is found with a deleted elector record during this check, the declaration vote is to be rejected. The required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the “No” box at B4 in the office use section of the declaration certificate;
- if no current enrolment record was found, tick box E; and
- tick the “Rejected” box at C2, initial box C3 and set the declaration certificate aside under security with other rejected declaration certificates of the same type pending preparation of an advice to the elector and subsequent parcelling.  
[Schedule 3 (10)(d) & (11)(c) CEA]

#### 6. Procedures for deletion type investigations

6.1 The following procedures (by deletion type) must be used when investigating certificates where the most recent pre close of roll match for an elector concerns a deletion from the State/Territory roll since the cut-off date or a transfer or alteration deletion at any time before the close of the roll.

6.2 If the declaration vote is eligible for admission to further scrutiny, the required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the “Yes” box at B4 in the office use section of the declaration certificate and complete the “Del Code”, “Date Deleted” and “Subdivision Code” fields;
- tick the “Yes” box at B5 in the office use section of the declaration certificate to indicate that reinstatement is required (even if a current enrolment record was found);
- tick box E if the claimed permanent address is outside the subdivision of last enrolment and the elector is not now enrolled at that address;
- tick the “This Div” box at C1 to indicate that the declaration certificate is admitted to further scrutiny and add initials at C3; and
- set the declaration certificate aside under security with other admitted declaration certificates pending further scrutiny. [Schedule 3 (10)(b) & (11)(b) CEA]  
Declaration certificates must not be opened at this time.

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6.3 If the declaration vote is not eligible for admission to further scrutiny, the required action is:

- note any variation of name and/or address details in red above the existing details;
- tick the “Yes” box at B4 in the office use section of the declaration certificate and complete the “Del Code”, “Date Deleted” and “Subdivision Code” fields;
- tick the “No” box at B5 in the office use section of the declaration certificate (to indicate that reinstatement is not required) and, if a current enrolment record was not found, tick box E; and
- tick the “Rejected” box at C2 and initial box C3 and set the declaration certificate aside under security with other rejected declaration certificates of the same type pending preparation of an advice to the elector and subsequent parcelling. [Schedule 3 (10)(d) & (11)(c) CEA]

6.4 If the declaration certificate is to be admitted for further scrutiny the deleted elector’s name must be reinstated to the official roll for this division (ie RMANS), unless a new enrolment form has been received from the elector. [s.105(4) CEA] Any declaration votes admitted to further scrutiny as a result of history of deletions matches, and for which the electors concerned do not appear on a certified list, must be kept separate from those from electors found on certified lists or the State/Territory roll. [Schedule 3 (10)(b) & (11)(b) CEA] All electors eligible for reinstatement as a result of admission to further scrutiny from the deletion records for your division must be added to the certified list (ie notebook roll) for the election. The number of reinstatements must also be included in the ELMS - Post Election system.

6.5 The following deletion types will be identified during RMANS investigations:

- objections;
- alterations;
- transfers;
- deaths; and
- duplications.

#### 6.6 OBJECTIONS

Regardless of what information is provided on the certificate, the elector's name is to be taken to have been correctly removed by objection if the elector was removed:

- as not naturalised, pursuant to s.93(1) CEA (RMANS code OA);
- as being of unsound mind, convicted of an offence punishable by imprisonment for 5 years or more, or has been convicted of treason or treachery and has not been pardoned, pursuant to s.93(8) CEA (RMANS code OB);
- for loss of entitlement to enrolment as an eligible overseas elector, pursuant to s.94(14) CEA (RMANS code OC);
- for loss of entitlement to enrolment as the spouse or child of an eligible overseas elector, pursuant to s.95(14) CEA (RMANS code OD or OE);
- for loss of entitlement to enrolment as an itinerant elector, pursuant to s.96(10) CEA (RMANS code OF); or
- by objection on the ground of non-residence (RMANS code OH or OR) and previous correspondence confirms departure from the subdivision, or the elector re-enrolled in another subdivision at any time before the close of the roll.

6.7 If the elector was removed by objection on the ground of non-residence and there is no previous correspondence from the elector, or answer to the objection, confirming departure from that subdivision and the elector had not re-enrolled in another subdivision at any time before the close of the roll, refer to Attachment A to determine whether to admit or reject the declaration vote.

#### 6.8 ALTERATIONS AND TRANSFERS

If the first record found for an elector is an alteration or transfer deletion, (RMANS code A or C) refer to the subsequent records to identify the most recent record for the elector before the close of the roll and complete the preliminary scrutiny on the basis of that record.

6.9 In some cases, it may become apparent that the alteration or transfer should not have been made (ie the division that processed the alteration or transfer linked the enrolment form with the wrong elector). If the transaction was made in error and:

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

- occurred after the cut-off date, and the elector was previously enrolled in your division, the declaration vote should be admitted to further scrutiny and the elector reinstated to the roll for your division;
- occurred before the cut-off date and the elector was previously enrolled in your division, the declaration vote cannot be admitted to further scrutiny, but the elector should be reinstated to the roll for your division; or
- the elector was previously enrolled in another division, the declaration vote should be rejected.

6.10 In rare cases, an enrolment alteration or transfer may have failed. This will be indicated by the absence of the more recent record associated with the transaction. If a new enrolment id is:

- not shown, eligibility for admission to further scrutiny can only be determined on the basis of the information appearing on the declaration certificate; or
- shown (but queries on that id produce no response), a copy of the enrolment form must be obtained to determine eligibility for admission to further scrutiny.

#### 6.11 DEATHS

Where an elector's name is found on the history of deletions after the cut-off date as a death deletion (RMANS code M), the elector's signature on the declaration certificate must be compared with that appearing on a copy of the elector's enrolment form. If the transaction was made in error and:

- occurred after the cut-off date and the elector was previously enrolled in your division, the declaration vote should be admitted to further scrutiny and the elector reinstated to the roll for your division;
- occurred before the cut-off date and the elector was previously enrolled in your division, the declaration vote cannot be admitted to further scrutiny, but the elector should be reinstated to the roll for your division; or
- the elector was previously enrolled in another division, the declaration vote should be rejected.

6.12 If a valid death deletion occurred after the close of the roll and the vote was cast before the elector died, the declaration vote should be admitted to further scrutiny if it is admissible in all other respects.

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## Enrolment Check

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6.13 If the deletion transaction was valid and the vote was cast after the elector's death (regardless of when the death deletion occurred), the rejected declaration certificate should be referred to the Australian Federal Police for investigation as a case of possible impersonation.

#### DUPLICATIONS

6.14 If the elector is found on the history of deletions in RMANS as having been removed as a duplication (RMANS code D), copies of both enrolment cards referred to on the duplication deletion card will need to be examined. Signature comparisons between both enrolment forms and the declaration certificate should be made in order to determine whether the transaction was correct. If the transaction was made in error and:

- occurred after the cut-off date, and the elector was previously enrolled in your division, the declaration vote should be admitted to further scrutiny and the elector reinstated to the roll for your division;
- occurred before the cut-off date and the elector was previously enrolled in your division, the declaration vote cannot be admitted to further scrutiny, but the elector should be reinstated to the roll for your division; or
- the elector was previously enrolled in another division, the declaration vote should be rejected.

6.15 If the deletion transaction was valid, the preliminary scrutiny should proceed on the basis of whichever of the duplicate records most closely matches the details on the declaration certificate. If the current record does not match the details on the declaration certificate, an enrolment amendment transaction will be required.

#### 7. Final check of rejected declaration certificates

7.1 All declaration certificates intended to be rejected at preliminary scrutiny must be rechecked by the DRO or another experienced permanent officer before any final decision is made. [Schedule 3 (24) & (25) CEA]

7.2 If the initial processing of these declaration certificates was carried out by an election casual, redo all the steps outlined in Parts A, B and C of the office use section of the declaration certificate. After examining the facts, make a final determination on each such certificate and record the outcome in Part D of the declaration certificate.

7.3 If the initial processing was carried out by an experienced permanent staff member, examine each declaration certificate to ensure that all appropriate steps have been followed and recorded in the office use section of Parts A, B and C of the declaration certificate and record the final determination in Part D of the declaration certificate.

# Scrutinies - Preliminary Scrutiny

## Enrolment Check

### Part 28 Subpart 2

#### 8. Adjournments to preliminary scrutiny

8.1 Officers engaged at the preliminary scrutiny of declaration certificates are responsible for the custody of the unopened certificates and must keep them under security while the scrutiny continues.

8.2 When it is necessary to adjourn the preliminary scrutiny, all declaration certificates must be placed in appropriately labelled ballot boxes (eg RPS, for State check, admitted - own division, not yet processed) sealed and continually kept under security. The seal numbers must be recorded in the election journal.

#### 9. Completion of preliminary scrutiny

9.1 At the completion of the preliminary scrutiny of declaration certificates, the certificates will have been sorted into 4 categories for each type of declaration vote; [Schedule 3 (10) & (11) CEA]

- rejected RPS;
- admitted for further scrutiny - own division (on certified list);
- admitted for further scrutiny - own division (reinstated); and
- admitted for further scrutiny - enrolled for other divisions (ie the Senate and/or referendum ballot paper(s) only are to be counted).

9.2 When the further scrutiny is not being conducted concurrently, the ballot boxes containing the declaration certificates accepted for further scrutiny are to be locked and sealed. Details of the seal numbers should be recorded in the election journal. Scrutineers should be invited to verify the seal numbers and sign the election journal. If no scrutineers are present, then have the entries in the journal witnessed by any staff member present.

9.3 All declaration certificates rejected at the preliminary scrutiny are to be parcelled and sealed (label 11) for each type of declaration. [Schedule 3(16) CEA]

9.4 Before parcelling, consider photocopying any declaration certificate which requires enrolment action or follow-up.

# Miscellaneous

## Referendum - Special Points

Part 43 Subpart 1

Attachment A

### ADMISSION & REJECTION CRITERIA FOR DECLARATION VOTES CAST BY ELECTORS DELETED FROM THE ROLL BY OBJECTION ACTION

<b>Claimed Permanent Address</b>	<b>Date Moved There</b>	<b>Claimed Enrolled Address</b>	<b>Admit or Reject</b>	<b>If Admitted, Eligible Address for Reinstatement</b>
Subdivision of Deletion	Not Relevant	Subdivision of Deletion	Admit	Claimed Permanent Address
Subdivision of Deletion	Not Relevant	Not Subdivision of Deletion	Reject	
Not Subdivision of Deletion	Not Relevant	Not Subdivision of Deletion	Reject	
Not Subdivision of Deletion	Later than 1 month before the close of the roll	Subdivision of Deletion	Admit	Claimed Enrolled Address
Not Subdivision of Deletion	1 month or more before the close of the roll	Subdivision of Deletion	Reject	
Not Subdivision of Deletion	Not Answered	Not Relevant	Reject	
Not Subdivision of Deletion	Later than 1 month before the close of the roll	Not Answered	Admit	Address of Last Deletion
Not Subdivision of Deletion	1 month or more before the close of the roll	Not Answered	Reject	

- If the elector does not disclose a claimed permanent address or claims not to have one, the claimed enrolled address is taken to be the same as the elector's permanent address.
- If the elector gives a date of moving that includes only the month and year, the date of moving is taken to be the last day of the month.



# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

## Subpart 3 - Scrutinies - Further Scrutiny

### Contents

1. General
2. Start the further scrutiny
3. Withdraw ballot papers from declaration certificates
4. Withdraw ballot papers from ballot boxes
5. Parcel the empty declaration certificates
6. Scrutiny of ballot papers
7. Adjournments to further scrutiny
8. Challenges to ballot papers
9. Parcel ballot papers

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

#### 1. General

1.1 Further scrutinies should be kept to the minimum number possible allowing for manageable levels (say 1500 - 2000) of declaration certificates to be opened/counted and the time and staff available. Ensure that different types of declaration certificates are kept separated during further scrutinies.

1.2 DROs should aim to carry out one final further scrutiny of say 100 ballot papers which should not be carried out until all declarations of that type have been through all stages of the preliminary scrutiny.

1.3 The DRO should carry out only one further scrutiny for each type of partially admitted declaration vote.

1.4 Before starting the scrutiny, brief the scrutineers (see Part 25).

#### 2. Start the further scrutiny

2.1 After the preliminary scrutiny of declaration certificates, the admitted declaration certificates were sorted into three categories for each type of declaration: [s.266(3), Schedule 3(10) & (11) CEA]

- those declaration certificates containing votes for your own division where the elector's name was on the certified list or was added to the note book roll;
- those declaration certificates containing votes for your own division where the elector's name was reinstated; and
- partially admitted declaration certificates.

2.2 Batch the declaration certificates in bundles of say 50 or 100 and check count removing any mis-sorted rejected declaration certificates in the process. Total the number of declaration certificates in the count and record the number on a result slip obtained from the ELMS - Post Election system.

#### 3. Withdraw ballot papers from declaration certificates

3.1 In the presence of scrutineers (if any) open the declaration certificates. A letter-opening machine may be used to open the postal vote declaration certificates. Keep declaration certificates in their bundles of 50 or 100 and retain in alphabetical order.

3.2 Withdraw the ballot papers from the declaration certificates. In order to preserve the secrecy of the ballot keep the declaration certificates face down when withdrawing the ballot papers. Put the ballot papers in a ballot box without unfolding or inspecting the ballot papers. Put aside each bundle of empty declaration certificates pending balancing with the ballot papers which were withdrawn from those declaration certificates. [s.266(3), Schedule 3(17 & 18) CEA]

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

3.3 Staff engaged in opening declaration certificates and withdrawing ballot papers must be instructed on the importance of ensuring that all ballot papers are withdrawn from each declaration certificate.

#### **4. Withdraw ballot papers from ballot boxes**

4.1 When all the ballot papers from a bundle have been placed in a ballot box they can then be withdrawn and unfolded.

4.2 The ballot papers are to be check counted in order to reach a balance with the opened declaration certificates. If a balance of each bundle of ballot papers (against the declaration certificates) is not achieved, a check of the inside of the declaration certificate and a check count of the opened declaration certificates must be made to ensure that all ballot papers have been withdrawn. Any discrepancy eg missing ballot papers or adjustments to the number of declaration certificates in a bundle should be reported to the supervisor and recorded on the result slip.

4.3 If a ballot paper is found to have been left in a declaration certificate, that ballot paper must be placed in the ballot box and included in the count with the next bundle of ballot papers.

4.4 If the House of Representatives ballot papers are from partially admitted declaration certificates, they must be excluded from the count. Such ballot papers must be parcelled with the rejected declaration certificates from the same preliminary scrutiny. [Schedule 3 (19) & (20)].

#### **5. Parcel the empty declaration certificates**

5.1 Without delaying the start of the scrutiny of ballot papers, declaration certificates from which ballot papers have been withdrawn are to be retained in alphabetical order of voter's name. Parcel and label (No. 10) the declaration certificates. Seal the parcel and sign across the seals. Invite scrutineers to sign across the seals.

5.2 Before parcelling, consider photocopying any declaration certificate which requires enrolment follow-up. Do not delay the scrutiny to do this.

#### **6. Scrutiny of ballot papers**

6.1 The further scrutiny should be completed in the following order - House of Representatives, Senate and Referendum.

6.2 Start the scrutiny by allocating bundles of ballot papers to the staff who will sort them into formal first preferences and informals. For House of Representatives ballot papers, a TCP count will be required. The TCP worksheet is obtained from ELMS - Post Election system.

6.3 The officer conducting the scrutiny must ensure that all formal votes are allocated to the correct bundles (eg flick the bundles checking for the figure 1 against the candidate) and that no formal votes are put with the informals.

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### Part 43 Subpart 1

6.4 The combined total of votes for candidates, informal, missing and disallowed ballot papers must equal the number of declaration certificates in the scrutiny.

6.5 The results of the scrutiny are recorded on a result slip and entered into ELMS - Post Election system.

#### **7. Adjournments to further scrutiny**

7.1 When it is necessary to adjourn the further scrutiny the declaration vote ballot papers must be put in an appropriately labelled ballot box which is sealed. The seal numbers must be recorded in the election journal and may be witnessed by scrutineers if present.

#### **8. Challenges to ballot papers**

8.1 If a scrutineer challenges the formality of a ballot paper it must be referred to the DRO or officer conducting the scrutiny for decision. The DRO or officer conducting the scrutiny will endorse "admitted" or "rejected" on the back of the ballot paper and add initials and date. The decision of the DRO or officer conducting the scrutiny cannot be challenged at this scrutiny. [s.267 CEA]

#### **9. Parcel ballot papers**

9.1 The formal and informal ballot papers from each count should then be parcelled, labelled and sealed. The DRO signs across the seals and invites scrutineers to witness this by countersigning. The parcel should then be placed in security.

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## Subpart 4 - Scrutinies - Advice to Electors

### Contents

1. General
2. Start the further scrutiny
3. Withdraw ballot papers from declaration certificates
4. Withdraw ballot papers from ballot boxes
5. Parcel the empty declaration certificates
6. Scrutiny of ballot papers
7. Adjournments to further scrutiny
8. Challenges to ballot papers
9. Parcel ballot papers

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## Referendum - Special Points

### Part 43 Subpart 1

#### 1. General

1.1 Further scrutinies should be kept to the minimum number possible allowing for manageable levels (say 1500 - 2000) of declaration certificates to be opened/counted and the time and staff available. Ensure that different types of declaration certificates are kept separated during further scrutinies.

1.2 DROs should aim to carry out one final further scrutiny of say 100 ballot papers which should not be carried out until all declarations of that type have been through all stages of the preliminary scrutiny.

1.3 The DRO should carry out only one further scrutiny for each type of partially admitted declaration vote.

1.4 Before starting the scrutiny, brief the scrutineers (see Part 25).

#### 2. Start the further scrutiny

2.1 After the preliminary scrutiny of declaration certificates, the admitted declaration certificates were sorted into three categories for each type of declaration: [s.266(3), Schedule 3(10) & (11) CEA]

- those declaration certificates containing votes for your own division where the elector's name was on the certified list or was added to the note book roll;
- those declaration certificates containing votes for your own division where the elector's name was reinstated; and
- partially admitted declaration certificates.

2.2 Batch the declaration certificates in bundles of say 50 or 100 and check count removing any mis-sorted rejected declaration certificates in the process. Total the number of declaration certificates in the count and record the number on a result slip obtained from the ELMS - Post Election system.

#### 3. Withdraw ballot papers from declaration certificates

3.1 In the presence of scrutineers (if any) open the declaration certificates. A letter-opening machine may be used to open the postal vote declaration certificates. Keep declaration certificates in their bundles of 50 or 100 and retain in alphabetical order.

3.2 Withdraw the ballot papers from the declaration certificates. In order to preserve the secrecy of the ballot keep the declaration certificates face down when withdrawing the ballot papers. Put the ballot papers in a ballot box without unfolding or inspecting the ballot papers. Put aside each bundle of empty declaration certificates pending balancing with the ballot papers which were withdrawn from those declaration certificates. [s.266(3), Schedule 3(17 & 18) CEA]

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3.3 Staff engaged in opening declaration certificates and withdrawing ballot papers must be instructed on the importance of ensuring that all ballot papers are withdrawn from each declaration certificate.

#### **4. Withdraw ballot papers from ballot boxes**

4.1 When all the ballot papers from a bundle have been placed in a ballot box they can then be withdrawn and unfolded.

4.2 The ballot papers are to be check counted in order to reach a balance with the opened declaration certificates. If a balance of each bundle of ballot papers (against the declaration certificates) is not achieved, a check of the inside of the declaration certificate and a check count of the opened declaration certificates must be made to ensure that all ballot papers have been withdrawn. Any discrepancy eg missing ballot papers or adjustments to the number of declaration certificates in a bundle should be reported to the supervisor and recorded on the result slip.

4.3 If a ballot paper is found to have been left in a declaration certificate, that ballot paper must be placed in the ballot box and included in the count with the next bundle of ballot papers.

4.4 If the House of Representatives ballot papers are from partially admitted declaration certificates, they must be excluded from the count. Such ballot papers must be parcelled with the rejected declaration certificates from the same preliminary scrutiny. [Schedule 3 (19) & (20)].

#### **5. Parcel the empty declaration certificates**

5.1 Without delaying the start of the scrutiny of ballot papers, declaration certificates from which ballot papers have been withdrawn are to be retained in alphabetical order of voter's name. Parcel and label (No. 10) the declaration certificates. Seal the parcel and sign across the seals. Invite scrutineers to sign across the seals.

5.2 Before parcelling, consider photocopying any declaration certificate which requires enrolment follow-up. Do not delay the scrutiny to do this.

#### **6. Scrutiny of ballot papers**

6.1 The further scrutiny should be completed in the following order - House of Representatives, Senate and Referendum.

6.2 Start the scrutiny by allocating bundles of ballot papers to the staff who will sort them into formal first preferences and informals. For House of Representatives ballot papers, a TCP count will be required. The TCP worksheet is obtained from ELMS - Post Election system.

6.3 The officer conducting the scrutiny must ensure that all formal votes are allocated to the correct bundles (eg flick the bundles checking for the figure 1 against the candidate) and that no formal votes are put with the informals.

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6.4 The combined total of votes for candidates, informal, missing and disallowed ballot papers must equal the number of declaration certificates in the scrutiny.

6.5 The results of the scrutiny are recorded on a result slip and entered into ELMS - Post Election system.

#### **7. Adjournments to further scrutiny**

7.1 When it is necessary to adjourn the further scrutiny the declaration vote ballot papers must be put in an appropriately labelled ballot box which is sealed. The seal numbers must be recorded in the election journal and may be witnessed by scrutineers if present.

#### **8. Challenges to ballot papers**

8.1 If a scrutineer challenges the formality of a ballot paper it must be referred to the DRO or officer conducting the scrutiny for decision. The DRO or officer conducting the scrutiny will endorse "admitted" or "rejected" on the back of the ballot paper and add initials and date. The decision of the DRO or officer conducting the scrutiny cannot be challenged at this scrutiny. [s.267 CEA]

#### **9. Parcel ballot papers**

9.1 The formal and informal ballot papers from each count should then be parcelled, labelled and sealed. The DRO signs across the seals and invites scrutineers to witness this by countersigning. The parcel should then be placed in security.



## **PART 32**

### **Fresh Scrutiny - House of Representatives**

#### **Contents**

1. Requirement for fresh scrutiny of House of Representatives ballot papers
2. Preparation for fresh scrutiny
3. Commencement of fresh scrutiny
4. Advise candidates of fresh scrutiny arrangements
5. Training of staff
6. Fresh scrutiny - ordinary vote ballot papers
7. Allocate polling places and check count of ordinary vote ballot papers
8. Scrutiny of used ballot papers
9. Challenges to ballot papers
10. Two candidate preferred (TCP) distribution
11. Completion of fresh scrutiny
12. Fresh scrutiny of mobile team and declaration vote ballot papers
13. Parcelling of ballot papers

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### Part 43 Subpart 1

#### 1. Requirement for fresh scrutiny of House of Representatives ballot papers

1.1 A fresh scrutiny of ordinary House of Representatives ballot papers will include a fresh scrutiny of the “two candidate preferred” (TCP) distribution and must be undertaken by the DRO. [ss.274(2A), 274(7)(b) CEA]

1.2 Although not required under the CEA it is Commission policy to conduct a fresh scrutiny of all declaration vote ballot papers.

#### 2. Preparation for fresh scrutiny

2.1 The fresh scrutiny of House of Representatives ballot papers should (if at all possible) be conducted in the divisional office.

2.2 Sufficient casual staff should be recruited to allow the fresh scrutiny to be completed as quickly as possible. The number of staff to be employed will vary according to the number of candidates, polling places in the division, and the post polling day timetable.

2.3 Where a divisional office does not have sufficient tables and chairs for staff involved in the fresh scrutiny, arrangements should be made to hire them (Part 5, Subpart 2).

2.4 Sufficient stationery items such as finger stalls, rubber bands, removable coloured dots (used to identify exhausted ballot papers etc), result slips and ELMS TCP worksheets should be on hand for the fresh scrutiny.

#### 3. Commencement of fresh scrutiny

3.1 The fresh scrutiny of ballot papers is to be conducted in 2 stages:

- the first stage, which involves the fresh scrutiny of ordinary ballot papers from counting centres within the division, should commence early in the week following polling day (refer post polling day timetable); and
- the second stage, which involves the fresh scrutiny of declaration vote ballot papers, should not commence until the bulk of these declaration votes has been received and counted.

#### 4. Advise candidates of fresh scrutiny arrangements

4.1 Candidates should already have been advised of general scrutiny arrangements (see Part 15). Candidates or their nominated representatives should also be advised once the time, place and number of staff involved in the fresh scrutiny has been decided.

#### 5. Training of staff

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### Part 43 Subpart 1

5.1 For the first stage of the fresh scrutiny one or more officers should be trained as supervisor(s). The supervisor(s) will be responsible for allocating work, monitoring performance, recording results and returning ballot papers to security.

5.2 Casual assistants should be fully briefed on the conduct of the fresh scrutiny before commencing. The briefing could include a set of written instructions.

5.3 The rights and responsibilities of scrutineers (see Parts 25 and 26) should be clearly explained to casual assistants before scrutineers are permitted entry to the scrutiny area.

## **6. Fresh scrutiny - ordinary vote ballot papers**

6.1 Ordinary vote ballot papers undergoing fresh scrutiny must be scrutinised and parcelled by polling place/mobile team, and retained in readiness for the distribution of preferences. [s.274(7) CEA]

## **7. Allocate polling places and check count of ordinary vote ballot papers**

7.1 The supervisor(s) of the fresh scrutiny shall withdraw from security sufficient sealed parcels of ordinary vote House of Representatives ballot papers to allocate one polling place to each person or team (eg 1 person for small polling places, 2 for medium sized, more for large).

7.2 Each person or team should be provided with the statements for House of Representatives result of count and TCP worksheet in the OIC's general return. [s.274(2)(d) CEA]

7.3 In the presence of scrutineers (if any) each person or team will open the ballot paper parcel (taking care to preserve the label) and check that it contains:

- a separate parcel of first preference votes for each candidate;
- a parcel of informal ballot papers;
- a parcel of unused ballot papers; and
- where applicable, parcels of spoilt and/or discarded ballot papers. The OIC's return will indicate if spoilt and/or discarded ballot papers are to be found.

7.4 If any parcel is missing, the discrepancy must be immediately reported to the DRO for investigation.

7.5 Each person or team will unseal the parcel containing ballot papers (taking care to preserve the packaging cards) and:

- check count the number of ballot papers in each parcel. There is no necessity to physically check count unbroken, shrink-wrapped ballot papers. A physical count of ballot papers on numbered butts is not necessary as the number remaining in each bundle is evident from the numbered butts; and

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- check count the number of spoilt and/or discarded ballot papers.

7.6 Any significant discrepancy must be brought to the attention of the DRO.

#### **8. Scrutiny of used ballot papers**

8.1 Each formal ballot paper must be scrutinised to ensure that it contains a first preference vote for the candidate to whom it has been sorted, and that the vote is formal. Any ballot paper which shows a formal first preference for some other candidate or is informal must be transferred to the correct parcel.

8.2 Each ballot paper previously counted as informal must be scrutinised to ensure that it is informal. Any ballot paper found to be formal must be transferred to the correct candidate's parcel.

8.3 The person nominated as supervisor is to record the result of the count on a House of Representatives result slip.

#### **9. Challenges to ballot papers**

9.1 If a scrutineer challenges the formality of a ballot paper it must be referred to the DRO for decision. Having made the decision the DRO is to write or stamp "admitted at fresh scrutiny" or "rejected at fresh scrutiny" on the back of the ballot paper and add initials and date. The decision of the DRO at the fresh scrutiny cannot be further challenged at this scrutiny. [s.267(1) CEA]

9.2 If during consideration of a challenged ballot paper the DRO notices that the ballot paper would exhaust during the distribution of preferences (eg a numbering of 1, 2, 3, 3, 5, 6) and if the ballot paper is in other respects formal, the DRO should notate on the back of the ballot paper "admitted at further scrutiny - exhausts after ....." and add initials and date.

#### **10. Two candidate preferred (TCP) distribution**

10.1 At the completion of the fresh scrutiny of first preference votes for a polling place, a fresh scrutiny of the TCP distribution is to be conducted.

10.2 The ballot papers for the two selected candidates are set aside. The ballot papers for each remaining candidate are sorted, to the two selected candidates or exhausted, by examining the next available preference. Each ballot paper is sorted to the selected candidate with the next available preference. These papers must be kept in their original first preference bundles.

10.3 After all votes have been distributed to the two selected candidates or exhausted, stick a removable coloured dot in the top right corner of all exhausted ballot papers. This will facilitate the identification of additional exhausted ballot papers during the distribution of preferences. The process of amending records will be easier.

10.4 Record the TCP result on a post election TCP worksheet.

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#### **11. Completion of fresh scrutiny**

11.1 At the completion of the fresh scrutiny the used ballot papers are to be counted, bundled into 50s and secured to the respective packaging cards by rubber bands.

11.2 The total number of ballot papers in each parcel must be recorded on the packaging card.

11.3 The DRO must be confident that the fresh scrutiny totals are correct, and that any difference between the fresh scrutiny totals and the OIC's return can be substantiated.

11.4 Once satisfied that the fresh scrutiny totals are correct the new figures are to be transferred to the OIC's general return. The fresh scrutiny figures for each category of ballot paper should be written in red adjacent to the OIC's figures.

11.5 Once the fresh scrutiny for each polling place is completed, the House of Representatives post election polling place results and the TCP results must be entered into ELMS - Post Election system.

#### **12. Fresh scrutiny of mobile team and declaration vote ballot papers**

12.1 The fresh scrutiny of votes from mobile teams should commence once all polling places have been completed.

12.2 The fresh scrutiny of declaration votes should not commence until the bulk of the declaration votes has been received and counted.

12.3 The fresh scrutiny of mobile team and declaration vote ballot papers is carried out in the same manner as for polling places.

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### 13. Parcelling of ballot papers

13.1 Unless the distribution of preferences (see Part 33) is to commence immediately, the DRO should seal each parcel and sign across the seal, adding initials and date. Any scrutineers present should be invited to countersign.

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## PART 33

### Subpart 1 -      **Distribution of Preferences - House of Representatives - Provisional**

#### **Contents**

1.      Direction to undertake provisional distribution of preferences
2.      Scrutineers
3.      Distribution of preferences

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## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Direction to undertake provisional distribution of preferences

1.1 In order to obtain an indication of the probable result in close divisions, the AEO for a State or Territory may direct a DRO to conduct a provisional distribution of preferences. [s.276 CEA]

1.2 The AEO's direction will be in writing, specifying the manner and extent to which the distribution shall be conducted.

1.3 The AEO's direction may require:

- a distribution of preferences for the minor candidates to three or more leading candidates, to determine who is next to be excluded; or
- progressive exclusion in a specified order.

#### 2. Scrutineers

2.1 Scrutineers are entitled to be present at a provisional distribution of preferences and have the same rights as at any other scrutiny. Decisions made by a DRO with regard to a challenged ballot paper should be recorded on the back of the ballot paper as "admitted" or "rejected" by the DRO. [s.267(1) CEA]

2.2 Ballot papers which have been challenged at a provisional distribution of preferences may again be challenged at a further scrutiny or distribution of preferences.

#### 3. Distribution of preferences

3.1 At the completion of the fresh scrutiny of a polling place or mobile team, the first preference results for the major candidates should be recorded on the provisional ballot paper transfer record (EF074) as well as the fresh scrutiny tally sheet.

3.2 The parcels containing the first preference votes for the major candidates should then be returned to the parcel for the polling place.

3.3 Unless the AEO's direction specifies otherwise, there is no need to exclude progressively; the ballot papers of the minor candidates should be distributed direct to the major candidates, recording the results of the distribution as you go (ie for each minor candidate).

3.4 Whatever the method of distribution, the following requirements must be kept in mind:

- the exclusion is conducted on a polling place/team basis;
- controls via ballot paper transfer slips (EF075) are essential to ensure that first preference votes for the different candidates are not amalgamated; and



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- if the distribution is done progressively, care must be taken to ensure that the correct order of exclusion is followed. In some polling places the candidate with the fewest number of votes may not be the first exclusion.
- 3.5 On completion, first preference votes for each candidate must then be returned to the appropriate packaging card and placed in their appropriate polling place parcel. The parcel should then be sealed, endorsed by the DRO and returned to security.
- 3.6 Results of the provisional distribution of preferences should be relayed to the AEO as per the directions received.

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### Subpart 2 - Distribution of Preferences - House of Representatives

#### Contents

1. Requirement for distribution of preferences
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3. Commencement of distribution
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11. Election of candidate
12. Receipt of late ballot papers
13. Final exclusion
14. Parcelling of ballot papers
15. Deadlocked elections

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### Part 43 Subpart 1

#### **1. Requirement for distribution of preferences**

1.1 Following the fresh scrutiny, a distribution of preferences is required to distribute preferences until only 2 candidates remain in the count. [s.274(7)(d)(ii)]

1.2 In most divisions this will provide the 2 party preferred vote. If the last 2 candidates are not the government and major opposition party candidates the Electoral Commissioner may direct the DRO to conduct another distribution, called a scrutiny for information. [s.277 CEA]

#### **2. Preparations for distribution of preferences**

2.1 The distribution of preferences should be conducted in the divisional office, if practicable.

2.2 The casual assistants involved in the fresh scrutiny should, where possible, be used for the distribution of preferences.

2.3 If the distribution cannot be completed in one day, and it is necessary to adjourn the distribution of preferences, all parcels must be re-sealed in accordance with Part 32.

2.4 Furniture and stationery requirements (eg boxes of labels) etc should be assessed well in advance of the distribution of preferences (see Part 32).

#### **3. Commencement of distribution**

3.1 The distribution of preferences must not take place until after the fresh scrutiny of all ordinary and all declaration ballot papers on hand has been completed and the approval of the Electoral Commissioner or AEO has been received. [s.275 CEA]

3.2 Before starting the distribution of preferences the DRO must be satisfied that any outstanding declaration votes (which could be included in the further scrutiny) will not affect the result of the election or the order of exclusion of candidates (ie the number of outstanding declaration votes is less than the difference between any two candidates).

#### **4. Advise candidates of distribution of preferences arrangements**

4.1 Candidates should have been advised of general scrutiny arrangements (see Part 15). Candidates or their nominated representatives should also be advised once the time, place and number of staff involved in the distribution of preferences have been decided.

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#### 5. Training of staff

5.1 Election casuals should be fully briefed on the conduct of the distribution of preferences.

5.2 The rights and responsibilities of scrutineers (see Parts 25 and 26) should be clearly explained to election casuals before scrutineers are permitted entry to the scrutiny area.

5.3 Scrutineers must be briefed on the procedures for the conduct of the distribution of preferences.

5.4 One election casual may be trained to assist in completing the documents recording the distribution of preferences.

#### 6. Determine first candidate to be excluded

6.1 The candidate with the fewest first preference votes after the fresh scrutiny will be the first candidate to be excluded. That candidate's ballot papers are distributed to the remaining candidates according to the second preference, if any. [s.274(7)(d)(i) CEA]

6.2 Once the candidate to be excluded has been identified, print the distribution of preferences result slip and polling place labels for the first exclusion from ELMS - Post Election system.

6.3 If at the first exclusion two or more candidates have an equal number of votes, the DRO shall decide which candidate is to be excluded. The CEA gives the DRO no guidelines on how to make this decision. [s.274(0) CEA] Accordingly, the DRO must seek the advice of the AEO before proceeding. Details of any such decision should be recorded in the election journal.

#### 7. Distribute preferences of excluded candidate

7.1 The supervisor of the distribution of preferences is to progressively withdraw from security sufficient sealed parcels of ballot papers to allocate one polling place or declaration vote count to each person or team. In early exclusions, as there will only be a few ballot papers to be transferred, it may be more efficient for one person to work independently.

7.2 Each person or team is to be provided with the distribution of preferences result slip for the particular polling place/declaration vote count.

7.3 Open the parcel(s), in the presence of scrutineers (if any), for the polling place/declaration vote count being transferred and extract the bundle(s) for the candidate being excluded.

7.4 Check count the ballot papers for the candidate being excluded to confirm that the number of ballot papers agrees with the total on the distribution of preferences result slip label.

7.5 Distribute the ballot papers to the candidate who has received the next preference. At the first exclusion the ballot paper is sorted to the candidate with the number 2. If there is no second preference

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(eg 1, 3, 3, 4, 5) or if there is more than one second preference (eg 1, 2, 2, 3, 4) the ballot paper is set aside within the parcel as exhausted.

7.6 Second or subsequent exclusions will not only include first preference votes for the excluded candidate but also ballot papers transferred at earlier exclusions. In these cases where the next preference on a ballot paper to be transferred is directed to an excluded candidate, that preference shall be disregarded and the ballot paper transferred to the next available preference for a continuing candidate.

## 8. Challenges to ballot papers

8.1 If at any stage of the distribution a scrutineer challenges the formality of a ballot paper it must be referred to the DRO for decision. Having made the decision the DRO will write or stamp "admitted at distribution of preferences" or "rejected at distribution of preferences" on the back of the ballot paper and add initials and date. The decision of the DRO at the distribution of preferences cannot be further challenged during this process.

8.2 If a scrutineer challenges a ballot paper which exhausts (ie it is not numbered consecutively) but is formal in all other respects, the DRO should write "admitted at distribution of preferences - exhausts after .... preference" on the back of the ballot paper and add initials and date.

## 9. Informals and mis-sorts found during distribution of preferences

9.1 If an informal ballot paper is found during the distribution of preferences the DRO shall place it in the bundle of informal ballot papers for the polling place/declaration vote count and adjust the first preference votes and TCP distribution on the relevant fresh scrutiny result slips.

9.2 If a mis-sorted ballot paper is identified during the distribution of preferences the DRO shall place it in the bundle of ballot papers for the correct candidate and make the necessary adjustments to the relevant forms. The revised results must then be corrected (in red) in the OIC's general return and entered into ELMS - Post Election system.

9.3 If the order of exclusion will change by the reallocation of a mis-sorted ballot paper, it is necessary to restore the ballot papers for all polling places and declaration vote counts to the last exclusion unaffected by the mis-sort and proceed with the exclusion of the correct candidate. When the adjustment is made in ELMS - Post Election system, the system will check to see if the adjustment affects the order of exclusion and if so, will delete all exclusions after the last unaffected exclusion.

## 10. Completion of an exclusion

10.1 Once the ballot papers for the excluded candidate have been distributed to the continuing candidates (and any adjustments made) the ballot papers for each candidate and exhausted are counted.

10.2 Exhausted ballot papers should be counted and bundled with an exhausted ballot paper slip and returned to the parcel.

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10.3 The result of the distribution must be recorded on the distribution of preferences result slip.

10.4 The number of ballot papers transferred to the continuing candidates, plus exhausted, must equal the number of ballot papers for the excluded candidate as shown on the distribution of preferences result slip for the polling place/declaration vote count. If a balance is not achieved, the DRO must check the distribution and that the correct result slip has been used. If a balance is still not obtained a complete recount of all ballot papers for that polling place/declaration vote count is required. If a discrepancy is confirmed, details must be recorded in the election journal and all the necessary adjustments made.

10.5 Once counted and the totals confirmed, the parcels of ballot papers for the excluded candidate are placed with the respective continuing candidates for that polling place/declaration vote count. Envelopes containing exhausted ballot papers remain in the parcel for that polling place/declaration vote count.

10.6 The parcel is returned to security in readiness for the next exclusion.

#### **11. Election of candidate**

11.1 Following the exclusion of a candidate, new totals for each continuing candidate are calculated by ELMS - Post Election system to determine if any candidate has an absolute majority. If a candidate has achieved an absolute majority then that candidate is elected and the figures as at that exclusion are used by the DRO for the declaration of the poll.

11.2 Before calculating an absolute majority the total formal votes must be reduced by the number of exhausted ballot papers as at that exclusion. [s.274(10) & (11) CEA]

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### Part 43 Subpart 1

11.3 Despite the fact that a candidate has received an absolute majority further exclusions are carried out until there are only 2 candidates left in the count. The two candidate preferred result of the distribution of preferences for each polling place and declaration vote scrutiny must be the same as the result for the TCP distribution.

#### **12. Receipt of late ballot papers**

12.1 If, after the distribution of preferences has been completed, declaration certificates are received containing ballot papers eligible for the further scrutiny, the envelopes are to be opened and the ballot papers scrutinised (twice).

12.2 Ballot papers in the late declaration vote count are then distributed in the same manner as described above and using the result slips generated from the system for each exclusion.

#### **13. Final exclusion**

13.1 At the completion of the final exclusion, ELMS - Post Election system will check to ensure the votes for the remaining two candidates and exhausted agrees with the TCP results from the TCP distribution for each polling place/declaration vote count.

13.2 After all distributions for each polling place/declaration vote count have been entered into ELMS - Post Election system, confirm the winning candidate elected and confirm the completion of the distribution of preferences.

#### **14. Parcelling of ballot papers**

14.1 At the completion of the final distribution, all parcels for each polling place/declaration vote count are to be sealed with the DRO signing across the seal(s) and adding title and date. Any scrutineers present should also be invited to countersign across the seal(s).

#### **15. Deadlocked elections**

15.1 If in the final count two candidates have an equal number of votes there shall be an immediate recount (ie scrutiny) of all ballot papers and a re-examination of all declaration certificates rejected at the preliminary scrutiny. If after the recount a candidate has received an absolute majority, that candidate shall be elected. If the recount confirms the deadlock the DRO shall give the Electoral Commissioner notice in writing that the election cannot be decided. [s.274(9A), (9B) & (9C) CEA]

15.2 A DRO shall not vote in an election for the division in respect of which s/he is appointed. [s.274(13) CEA]

**PART 34**

**Recount - House of Representatives**

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13. Record recount results
14. Parcel ballot papers
15. Action by AEO upon receipt of parcel
16. Action by DRO upon receipt of parcel from the AEO
17. Open sealed parcel(s) from AEO
18. Return referred ballot papers to their appropriate parcel
19. Recount - distribution of preferences
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21. Re-seal parcels

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## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Recount - when and why

1.1 A recount may be conducted in the following circumstances: [s.279 CEA]

- on the request of a candidate, preferably in writing, setting out the reasons for the request. The DRO is not obliged to agree to such a request but should immediately notify and discuss the request with the AEO;
- on the initiative of the DRO due to the close result; or
- at the direction of the Electoral Commissioner or AEO.

1.2 Although a recount may involve counting and rechecking the formality of some or all the ballot papers previously scrutinised for that division: [s.279 CEA]

- it does not include rechecking any declaration certificates admitted or rejected from the further scrutiny; and
- the direction for a recount may require that only a particular candidate's ballot papers or the informals are to be rechecked and counted.

1.3 When a recount is to be conducted it must be undertaken before the declaration of the poll.

#### 2. Preparation for the recount

2.1 Determine where the recount will be conducted. If the space in the divisional office is insufficient to conduct the recount in an efficient and organised manner, arrange suitable alternative accommodation. During a recount candidates usually use their full entitlement of scrutineers, therefore a larger area is necessary.

2.2 Select several supervisors to assist you with the organisation and control of the count and arrange sufficient election casuals to complete the exercise in one day. The number used for the fresh scrutiny can be used as a guide.

2.3 Scrutineers are permitted on the basis of one per candidate per person involved in the count.

#### 3. Prepare material

3.1 Ensure there are sufficient stationery items on hand.

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#### **4. Advise candidates of recount arrangements**

4.1 Advise each candidate by phone or facsimile and confirm in writing the time and place fixed for the recount and the number of scrutineers permitted to represent them. [s.279A CEA]

4.2 If the opening of parcels and subsequent re-sorting of ballot papers is to be immediately followed by a distribution of preferences (which will almost certainly be the case unless there are only two candidates), the advice to the candidates must include this information, as well as the number of officers who will be engaged in the count. This is to allow the candidates to have scrutineers present for the distribution of preferences.

#### **5. Training of staff**

5.1 Advise supervisors and election casuals of the reason for the recount being held and their specific duties. You may wish to supply them with some written instructions.

#### **6. Appointment and briefing of scrutineers**

6.1 All scrutineers who propose to attend for the first time must present a completed appointment form to the DRO. One completed form is sufficient for all House of Representative scrutinies. These forms should be filed in alphabetical order and retained pending the Electoral Commissioner's instruction (see Part 36).

6.2 The DRO must brief all scrutineers prior to their entering the scrutiny. Points to consider are:

- how the recount will be conducted;
- basic formality and informality provisions (see Part 27);
- rights and responsibilities of scrutineers (see Part 25); and
- ballot papers may be challenged at any stage of the recount and may be referred to the AEO for decision on formality.

6.3 Make available copies of the Scrutineers' Handbook and issue each scrutineer with a badge.

#### **7. Allocate sealed parcels for recount**

7.1 The supervisor of the recount shall progressively withdraw from security sufficient sealed parcels of ballot papers to allocate one polling place or declaration vote scrutiny to each team.

7.2 It is preferable that all staff involved in the recount should work in teams of at least two persons.

#### **8. Open sealed parcels**

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8.1 In the presence of an officer of the Australian Public Service and scrutineers (if present) break the seals on the parcels. Preserve any outer wrapping and seals. [s. 279B(1) CEA]

#### **9. Re-sort ballot papers**

9.1 As each parcel is opened, re-sort ballot papers into first preference order for each candidate.

9.2 Transferred ballot paper slips used during the distribution of preferences will clearly show those ballot papers to be re-sorted.

9.3 Informal ballot papers should not need any re-sorting.

#### **10. Re-examine ballot papers for each candidate**

10.1 Ballot papers in the count must now be re-examined for formality. [s.280 CEA] For detailed formality provisions see Part 27, Subpart 2.

10.2 Any ballot paper which shows a formal first preference for another candidate or is informal should be transferred to the correct parcel. These adjustments will also need to be shown in ELMS - Post Election system. TCP figures may need adjusting.

#### **11. Challenges to ballot papers**

11.1 If a scrutineer makes a challenge as to the formality/informality of a ballot paper it must be referred to the DRO for decision. The DRO will write or stamp "admitted/rejected at recount" on the back of the ballot paper and add initials and date. The DRO may reverse any previous decision concerning the formality of ballot papers. [ss.267, 274(7)b, 280 CEA]

#### **12. Referral of ballot papers to the AEO**

12.1 The DRO must refer any ballot paper to the AEO for decision at the request of a scrutineer. The DRO may also, on their own initiative, refer a ballot paper to the AEO for decision. [s.281(1) CEA]

12.2 The procedures for the DRO to follow when referring ballot papers to the AEO are:

- write or stamp "referred for AEO decision" on the back of the ballot paper;
- retain a photocopy of the ballot paper and keep with the polling place parcel for information purposes. Clearly mark as a copy;
- place ballot papers in an envelope and endorse the envelope with:
  - the name of the division and polling place/declaration vote scrutiny,
  - the number of ballot papers enclosed in the envelope, and
  - the date;

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### Part 43 Subpart 1

- record the number of ballot papers referred to the AEO in the election journal; and
- seal the envelope, sign across the seal and invite any scrutineers present to countersign the seals. [s.279B(5) CEA]

12.3 Place each envelope in an outer wrapping, which is then sealed and sent by hand or courier service to the AEO.

12.4 Send also a separate advice of the number of ballot papers referred for decision and the method of despatch.

12.5 Where practicable, have the AEO attend the scrutiny near the completion of the recount to enable referred ballot papers to be scrutinised and admitted or rejected as the case may be.

### **13. Record recount results**

13.1 After completing the recount for each candidate, record the totals in column 2 of the recount result sheet.

13.2 The number of ballot papers referred to the AEO must also be recorded at the foot of column 2 on the recount result sheet.

13.3 The DRO should compare the interim recount figures for the division with those on the result sheet compiled at the fresh scrutiny of House of Representatives ballot papers. Ballot papers referred to the AEO must be accounted for when determining the total number of ballot papers in the count.

13.4 If the total number of ballot papers for a polling place differs from the total at the previous count (including informal figures), the ballot papers must be recounted again, in order to establish a balance with the fresh scrutiny and/or the distribution of preferences figures. If a balance still cannot be obtained (after rechecking the recount figures), the DRO should accept the recount figure and record details in the election journal, and the new figures in ELMS - Post Election system.

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#### 14. Parcel ballot papers

14.1 Return ballot papers, with the exception of those referred to the AEO, to their original parcels. Seal each parcel with official tape, label no.12 and endorse each as follows:

“Interim total for (candidate) following recount

(number) first preferences

Signature of DRO

Witness

(scrutineer)

date”

14.2 The DRO signs across each seal and invites any scrutineers present to countersign.

#### 15. Action by AEO upon receipt of parcel

15.1 The AEO must acknowledge in writing receipt of the parcel of challenged ballot papers. [s.279B(12) CEA]

15.2 In the presence of an officer of the Australian Public Service, and any scrutineer appointed by a candidate, the AEO shall: [s.279B(7-10) CEA]

- open the parcel and scrutinise the ballot papers;
- mark the back of each ballot paper “admitted” or “rejected” according to the decision and initial and date;
- restore the ballot papers to their original cover (envelope), re-fasten and re-seal the cover (envelope), re-fasten in the original parcel wrapping and endorse thereon:
  - the number of ballot papers contained; and
  - a statement that such ballot papers have been the subject of decision by the AEO and add signature and date;

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- request those present to add their signatures; and
- place the parcel in a new cover, fasten and seal the parcel and return by hand or courier service to the DRO. [s.279B(10) CEA]

15.3 The AEO shall advise the DRO in writing as to the number of ballot papers admitted or rejected. [s.279B(11) CEA]

#### **16. Action by DRO upon receipt of parcel from the AEO**

16.1 The DRO will:

- acknowledge receipt of the parcel(s) in writing to the AEO and place them in security; [s.279B(12) CEA] and
- advise the candidates of the time and date that the parcel(s) will be opened.

#### **17. Open sealed parcel(s) from AEO**

17.1 In the presence of scrutineers (if any) the DRO must open the parcel(s) from the AEO preserving as far as practicable the outer wrapping, the endorsement by the AEO and the seals. Only one scrutineer per candidate for each person involved in this process is entitled to be present at this time. [s.264(2) CEA]

17.2 Open one envelope at a time, withdraw the ballot papers and, according to the AEO's decision, sort the ballot papers into first preferences for each candidate and informals.

17.3 Any adjustments must be entered in ELMS - Post Election system.

#### **18. Return referred ballot papers to their appropriate parcel**

18.1 The DRO will open the sealed parcel(s) of ballot papers for the relevant polling place/declaration vote scrutiny, preserving seals and endorsements as far as practicable, and return ballot papers to the parcel(s). Adjust, where necessary, the interim recount figures shown on the original cover of the parcels.

18.2 Unless the recount distribution of preferences is to start immediately the ballot papers should be re-parcelled and re-sealed in the original covers and then parcelled and sealed in a new cover. The DRO should sign on the new covers, add an endorsement of the fact and date of the recount and invite any scrutineers to countersign.

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#### 19. Recount - distribution of preferences

19.1 A distribution of preferences will occur at the direction of the AEO, or, in accordance with any previous direction by the AEO (see Part 33, Subpart 2).

19.2 DROs should plan to complete the recount distribution of preferences as a single exercise without adjournment. This will avoid the need to re-seal parcels after each stage (exclusion) of the distribution.

#### 20. Procedures for recount - distribution of preferences

20.1 The general procedures for a distribution of preferences are set out in Part 33, Subpart 2. In a recount distribution of preferences, a number of different requirements apply. These differences are set out below.

20.2 All parcels to be opened must be opened in the presence of an officer of the Australian Public Service, as well as any scrutineers present.

20.3 Scrutineers may still challenge the formality of a ballot paper and also request that ballot papers be referred to the AEO during a recount distribution of preferences. [ss.267, 279(5) CEA.

20.4 If a scrutineer makes a challenge to the formality of a ballot paper during the recount distribution of preferences, it must first be referred to the DRO for decision. The DRO will write or stamp on the back of the ballot paper:

- “admitted at recount - distribution of preferences” or “rejected at recount - distribution of preferences” (depending on the decision regarding formality);  
  
or
- “admitted at recount - distribution of preferences - exhausts at ... preference” (if the challenge is one concerning preferences).

20.5 If a scrutineer challenges a ballot paper which exhausts but is formal in all other respects, the DRO endorses on the back of the ballot paper “admitted at recount distribution of preferences, exhausts after .... preference”, adds initials and date. Although it is unlikely, a scrutineer could request that the ballot paper be referred to the AEO for decision. [ss.267(1), 274(8), 281 CEA.

20.6 Where decisions on challenged ballot papers result in the transfer of the ballot papers to another parcel, the appropriate alterations must be made to endorsements on parcels and to the recount result sheet and ballot paper transfer recount figures. The ballot papers are then placed in their correct parcels.

20.7 Any adjustments must be entered in ELMS - Post Election system. The TCP figures may need adjusting.



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### Part 43 Subpart 1

20.8 If, during the exclusion of any candidate, ballot papers are challenged and referred to the AEO for a decision, the distribution of preferences does not continue beyond this exclusion until those ballot papers are returned from the AEO. It is preferable, therefore, that the AEO should be readily available to make immediate determinations on challenged ballot papers.

#### **21. Re-seal parcels**

21.1 When a result has been achieved, seal and label all parcels. Endorse each parcel with a description of the contents, sign across the seals and invite scrutineers to countersign. Then place the parcels in security. [s.274(12) CEA]

**PART 35**

**Senate Fresh Scrutiny and Method of Despatch of Senate Ballot  
Papers to State Head Office**

**Contents**

1. Before polling day
2. On election night
3. Fresh scrutiny day
4. Senate - first fresh scrutiny
5. After the parcels have been opened
6. Detailed scrutiny procedures
7. After fresh scrutiny
8. Senate - second fresh scrutiny - GVT and informal ballot papers
9. Amalgamation
10. After amalgamation
11. Despatch of ballot papers to State head office

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### Part 43 Subpart 1

#### 1. Before polling day

1.1 The CEA requires that one fresh scrutiny of Senate ballot papers, previously counted at polling places on polling night, be conducted by DROs. An additional scrutiny of Group Voting Ticket (GVT) and informal ballot papers is to be conducted after the first fresh scrutiny. [s.273(5) CEA] An additional scrutiny of non Group Voting Ticket ballot papers will be conducted by head office.

1.2 Plan to have staff, premises and materials ready by the time determined by State head office as the starting time for the fresh scrutiny. DROs should plan to start the first fresh scrutiny late in the week following polling day.

1.3 If premises other than the divisional office are used for the scrutinies, arrange for secure transport of ballot papers to and from the divisional office. It is imperative to maintain security of ballot papers during a scrutiny. At the end of each day's scrutiny the ballot papers must be stored securely in the divisional office - unless special arrangements have been approved by State head office. Transport of ballot papers between a divisional office and the scrutiny room must be carefully controlled.

1.4 State head office will advise the candidates to contact individual DROs in order to arrange for scrutineers to be present. [ss.264(2), 265(b)&(c) CEA]

#### 2. On election night

2.1 Senate ballot papers are to be stored in a secure location - each parcel of ballot papers (ie from each polling place) is to be stored in the sealed parcels as received from the polling place.

#### 3. Fresh scrutiny day

##### 3.1 Staff

- Before the time advertised for starting the fresh scrutiny, admit staff, sign the staff on and provide them with a written record of local instructions.

##### Training

- Senate supervisors should be trained earlier. Subordinate staff are then trained.

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#### Scrutineers

- Admit scrutineers, accept appointment forms (each scrutineer must produce - or have submitted previously - a completed form signed by a Senate candidate), brief the scrutineers and provide each with a written copy of the points contained in the briefing. One appointment form is sufficient for future attendances at all Senate scrutinies in the division. [s.265(b)&(c) CEA]

3.2 A candidate is not entitled to be represented at the scrutiny by a number of scrutineers that is greater than the number of officers who are engaged in a scrutiny or the counting of ballot papers. [s.264(2) CEA]

#### **4. Senate - first fresh scrutiny**

4.1 Produce the sealed parcels of ballot papers. Permit scrutineers to observe the parcels and seals. Allocate parcels as necessary and start the scrutiny.

#### **5. After the parcels have been opened**

5.1 Each person or team will unseal each parcel (ie packaging cards) containing ballot papers. The packaging cards must be retained for future reference.

5.2 Check count all unused ballot papers within each parcel. The count is checked against the OIC's general return (EF027).

5.3 Check that the spoilt and discarded ballot papers balance to the figures entered in the return.

5.4 Any amended figures must be entered in RED in the OIC's general return.

5.5 After the check count has been completed for each polling place the fresh scrutiny starts. At this stage the formality of every ballot paper is to be checked (see Part 27). Any variations ( + or - ) as a result of this are to be first noted on the respective packaging cards, then at the finish of each counting centre the fresh scrutiny figures must be transferred from the packaging cards and entered on the fresh scrutiny result of count. Any ballot paper that has a break in the sequence of numbers or a duplication of numbers must have a mark-off slip attached and is put aside for supervisor/DRO decision. Confirmation of doubtful numbers is to be treated similarly by using confirmation slips.

5.6 Queries on formality from scrutiny staff or scrutineers (as distinct from challenges by scrutineers) are to be referred to the supervisor/DRO (see Part 26). Mark-off slips are to be attached to ballot papers which are referred for a decision.

5.7 If the formality of a ballot paper is challenged by a scrutineer it will be necessary for the ballot paper to be referred to the DRO for a decision. This decision ("admitted" or "rejected") plus the DRO's initials and the date are to be placed on the back of the ballot paper. If the DRO is not at the premises

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where the scrutiny is being conducted the supervisor will place the ballot paper in an envelope endorsed with the name of the polling place and place the envelope in a ballot box. [s.267(1) CEA]

5.8 The DRO must visit the Senate fresh scrutiny at regular intervals in order to adjudicate on the formality of ballot papers. After the decision has been made the ballot paper must be returned to the respective polling place for inclusion with the candidate/informal parcel.

#### 6. Detailed scrutiny procedures

6.1 The Senate ballot papers are sorted into 3 categories.

#### 6.2 CATEGORY 1 - GROUP VOTING TICKET ONLY

This category is used for group ticket votes where the voters have marked their preference by the use of a figure "1", the word "one" or a tick or a cross in only one square, with or without other numbers in the other squares, above the line. The first fresh scrutiny total is indicated in the relevant box on the category card.

6.3 If a voter has attempted to vote in the bottom section as well as the top section, the bottom section takes precedence if it is formal (or an admitted formal). In these cases the ballot paper is a non-group ticket vote category 2. If the bottom section is informal and the top section is formal, the ballot paper is a category 1 vote.

#### 6.4 CATEGORY 2 - NON-GROUP VOTING TICKET

Each AEO will issue instructions on the categories to be used. As a minimum non-group ticket votes should be broken into two sub-categories:

- **Block votes**

There is usually a significant percentage of electors who number the boxes consecutively from the top of the group to at least the end of that group's column (block votes). For the eventual distribution of preferences there is an advantage in sorting those block vote ballot papers for at least the major parties into a separate category. The AEO will advise which parties/groups should be sorted into this block vote category; and

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- **Non-block votes**

All non-GVT votes where the numbers used do not follow the voting order of the parties/groups nominated by the AEO (above) to the end of the column and all other formal non-GVT votes comprise the rest of category 2.

The first fresh scrutiny total is indicated in the relevant box on the category card.

#### 6.5 CATEGORY 3 - INFORMAL BALLOT PAPERS.

For detailed definitions of formality provisions see Part 27.

6.6 The first fresh scrutiny total is indicated in the relevant box on the category card.

#### 7. After fresh scrutiny

7.1 The supervisor must transfer the fresh scrutiny figures from the category cards onto the fresh scrutiny result of count.

7.2 The supervisor is to allocate a parcel containing the ballot papers for a polling place which has undergone a first scrutiny. The second scrutiny should be undertaken by staff who did not perform the first scrutiny for that polling place.

#### 8. Senate - second fresh scrutiny - GVT and informal ballot papers

8.1 The second scrutiny means that staff are to perform another complete scrutiny of all GVT and informal ballot papers for the polling place.

8.2 Points to watch:

- formality is to be checked again;
- check that each ballot paper is in the correct category and in the correct pile of ballot papers for that candidate;
- informals are to be checked again; and
- when counting ballot papers in each category, staff are to watch the first preference mark (ie count on the "1"s). This will not apply with informals. Any mis-sortings are to be noted on the relevant category card.

8.3 The final figures entered on the second fresh scrutiny result of count are those that will be advised to head office.

8.4 Enter each polling place result of count figures into ELMS - Post Election system.

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#### 9. Amalgamation

9.1 The amalgamation of ballot papers can be conducted in alphabetical order of polling place. Discrepancies are to be investigated and resolved by the DRO. Second fresh scrutiny result of count slips, the OIC's general return (in red) and ELMS - Post Election system are to be amended where necessary.

#### 10. After amalgamation

10.1 Non-group ticket ballot papers (category 2) are to be forwarded to State head office for transfer of preferences. The remainder, categories 1 and 3, are to be retained in the divisional office under security. The non-group ticket ballot papers (category 2) are to be despatched in the manner detailed below.

#### 11. Despatch of ballot papers to State head office

11.1 Non-group ticket ballot papers are to be despatched to State head office as instructed by the AEO.

11.2 A consignment note is to be used to identify the contents. In addition, a fax is to be sent at the time of despatch giving complete details of the despatch:

- number of ballot papers in each box;
- total number of boxes; and
- method of despatch.

A fresh scrutiny result of count for the division should be placed in the first box.

11.3 State head office will confirm by fax the receipt of the boxes containing ballot papers.

11.4 State head office staff will check the ballot papers received from each division. This check will confirm numbers of ballot papers and formality. Any discrepancies found will be advised to the DRO who will be required to amend divisional records.

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## **PART 36**

### **Destruction of Election Material**

#### **Contents**

1. Destruction of election material



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## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Destruction of election material

1.1 Under section 24 of the *Archives Act 1983* it is illegal to destroy Commonwealth records without authority. A Commonwealth record is any material or product that is generated by a government body. Examples include such items as computer disks, printouts, magnetic tapes, files, maps, models, pamphlets, nomination forms and ballot papers. A penalty of \$2,000 or six months in jail can be imposed on any person who breaches the requirements of this section.

1.2 DROs must seek the formal approval of their archival officer in State head office prior to the destruction of any material.

1.3 Instructions covering the disposal of any election material are contained in one of the following:

- *Commonwealth Electoral Act 1918*; [s.393A]
- General Disposal Authorities;
- Regional Disposal Authority 625; and
- Records Disposal Authority 830.

1.4 If the material you wish to dispose of is not covered by any of the above, contact your State archival officer.

**PART 37**

**Declaration of the Poll**

**Contents**

1. Preliminary arrangements
2. Declaration of the poll
3. Prepare a statement of the result of the election for the Electoral Commissioner

Attachment A - Declaration of the poll

Attachment B - Progress results of counting of votes for the House of Representatives election

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## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Preliminary arrangements

1.1 After completion or near completion of all scrutinies and, if necessary, the distribution of preferences (provided the potential number of votes yet to be counted cannot affect the results of the poll), the DRO will, at the place of nomination, publicly declare the poll. [s.284(1) CEA]

1.2 Before declaration of the poll the DRO should have calculated (as accurately as possible) the total number of outstanding ballot papers; this information would be obtained from ELMS - Post Election system (which will list outstanding declaration votes) and any other outstanding ballot papers from a remote mobile polling team. The DRO should be able to show that the votes recorded on outstanding ballot papers could not possibly affect the result of the election (or, in the case of a distribution of preferences, the order of exclusion of candidates). [s.284(2)(c) CEA]

1.3 The DRO must seek the approval of the AEO before declaring the poll. [s.284 (2) CEA]

1.4 DROs should have counted as many votes as possible before arranging to declare the poll.

1.5 To obtain approval to declare the poll, a DRO must forward a written request to the AEO, setting out the result of the count at that time, the number of outstanding ballot papers and a statement indicating that the number of outstanding ballot papers could not possibly affect the result of the poll (or the order of exclusion of any candidate).

1.6 A DRO may declare the poll, with the AEO's approval when a candidate has a number of votes equal to more than 50% plus 1 of the total enrolment, or, if all scrutinies have not been completed, at least 50% plus 1 of the total formal first preference votes remaining in the count plus the number of declaration votes outstanding.

1.7 The DRO should consult with the successful candidate in order to arrange a mutually convenient time to publicly declare the results of the poll. After agreement has been reached with the successful candidate, the other candidates should be advised.

1.8 After arrangements have been made with the candidates, the DRO must advise the AEO (through the Area Manager/Director Operations) of the date and time at which the poll will be declared.

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### Part 43 Subpart 1

#### **2. Declaration of the poll**

2.1 At the declaration of the poll the DRO acts as chairperson. Although there is no legal requirement for any of the candidates to speak at the ceremony, it is normal practice to extend this courtesy to all candidates present.

2.2 In order to conduct the ceremony in a structured manner the DRO should advise candidates present of how the declaration of the poll will be conducted, before the start of the ceremony.

2.3 The DRO should declare the poll, using the format in Attachment A.

2.4 Following the DRO's declaration of the poll, the successful candidate speaks first, followed by other candidates, in descending order of votes polled.

2.5 After all candidates present have been given the opportunity to speak, the DRO should conclude the declaration of the poll.

2.6 The DRO should print a copy of the report, first preferences by division, from ELMS - Post Election system and, if appropriate, provide a copy of the distribution of preferences to candidates, the media and any other persons present. A DRO may complete a table showing the result of the election (as shown in Attachment B).

2.7 As soon as the declaration of the poll is completed the DRO must enter the details into ELMS - Post Election system. The system generated statement to the Electoral Commissioner of the result of the House of Representatives election (EF038) should be forwarded to the AEO.

#### **3. Prepare a statement of the result of the election for the Electoral Commissioner**

3.1 As soon as practicable after all votes cast in the House of Representatives election have been dealt with, the DRO must prepare a statement to the Electoral Commissioner showing the total number of first preference votes received by each candidate at the election. The report can be generated from ELMS - Post Election system (statement of first preference votes - EF038a) as soon as all votes cast in the election for the House of Representatives have been dealt with. [s.284(2A)]

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Attachment A

### DECLARATION OF THE POLL

Ladies and Gentlemen, my name is      and I am the Divisional Returning Officer for the division of      .  
It is my duty this morning/afternoon to declare the poll for the House of Representatives election for the division of      .

On      (date)      a writ was issued by His/Her Excellency the Governor-General (or the Speaker of the House of Representatives in the case of a by-election) commanding the Electoral Commissioner to cause an election to be held for a member to serve in the House of Representatives of the Parliament of the Commonwealth of Australia for the division of      . At the close of nominations on      (date), the following candidates had nominated:

- (Here state the candidates' names as they appear on the ballot paper - including each candidate's political party if any).

The election was held on      (date)      and the results of the counting of votes to the present time are:

- (Here list the names of the candidates in ballot paper order, giving the first preference votes received by each candidate. If a distribution of preferences was necessary, the names of the two or more final candidates remaining in the count, with the number of votes, should be given.)

The votes I have listed are not necessarily the final figures for each candidate; I anticipate that there are      (number)      votes still to be received in my office to be counted. These votes will not affect the result of the election.

Accordingly, under the provisions of section 284 of the Commonwealth Electoral Act, I declare      (name of winner)      duly elected as the member to serve in the House of Representatives of the Parliament of the Commonwealth of Australia for the division of      .

I now call on      (candidate)      to address this meeting. (Each candidate is invited to speak, in the order determined in 2.3 above).

This concludes the declaration of the poll - I wish to offer my congratulations to (successful candidate).

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## Part 43 Subpart 1

## Attachment B

**PROGRESS RESULTS OF COUNTING OF VOTES FOR THE HOUSE OF REPRESENTATIVES  
ELECTION FOR THE DIVISION OF \_\_\_\_\_**

Candidates	Number of First Preference Votes	% Formal Votes
Sub Total		100%
Informal Votes		
Total Votes		

**PART 40**

**Scrutiny for Information - House of Representatives**

**Contents**

1. General
2. Conduct of the scrutiny for information

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## Referendum - Special Points

### Part 43 Subpart 1

#### 1. General

1.1 The scrutiny for information is in effect a transfer of preferences to achieve an ALP/Coalition result. The procedures to be followed may be the same as those detailed in Part 33, however the direction from the Electoral Commissioner will advise the method to be used. The Electoral Commission may direct a DRO to conduct a scrutiny for information. [s.277 CEA]

#### 2. Conduct of the scrutiny for information

2.1 A scrutiny for information may be conducted to examine the second and later preferences in the manner specified in the notice from the Electoral Commissioner.



# Miscellaneous Referendum - Special Points

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## PART 41

### Subpart 1 - Compulsory Voting - Preparation of the Non-Voters Roll

#### Contents

1. The apparent non-voter report
2. Verification of non-voters
3. Enter initial excuse code where apparent failure to vote notices will not be issued
4. Issue apparent failure to vote notices

Attachment A - Schedule of reasons code

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

#### 1. The apparent non-voter report

1.1 This report gives the full name and enrolled address, date of birth, special category codes, RMANS identifier number and postal address of each apparent non-voter.

1.2 All non-voter action should be entered in the RMANS non-voters system.

1.3 The non-voters system consists of 4 menus:

- Set post election event id -

Before any non-voters processing can occur the electoral event must be selected, eg 1993 Federal election.

If the event is not selected before going on to process non-voters, this screen will be displayed the first time you enter another menu.

- Add a non-voter -

This facility allows you to enter an elector who was incorrectly omitted, eg a scribble or a smudge on the certified list that may have been read by the scanner as a mark showing an elector as having voted.

Add a non-voter facility is only available on or before the cut-off date for the first notices.

- Update a non-voter -

This facility allows you to update initial excuses, replies, penalties, payment method and court details for each non-voter.

Once an elector has been updated no further notices will be produced and the results codes entered will be used to produce the EF069 statistics (see Part 41 Subpart 2).

- EF069 - Compulsory voting action enquiry -

This report shows the statistics for each category in a single division. The statistics will be automatically updated from the information processed through the update a non-voter facility.

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#### 2. Verification of non-voters

2.1 Using the reports and reconciliation report from the scanning system the DRO is to verify that the number of non-voters generated by the scanning system closely matches the number expected (Part 8, Subpart 7). The number expected may be calculated by subtracting the number of ballot papers issued to voters from the number of voters enrolled for the division.

2.2 The reconciliation report should be carefully examined to determine if the DRO is to undertake further investigation. Any major discrepancy revealed should be discussed and resolved in conjunction with the Scanning Centre Manager. It is the responsibility of the DRO to ensure that no incorrect apparent failure to vote notices are forwarded to voters.

#### 3. Enter initial excuse code where apparent failure to vote notices will not be issued

3.1 Entries will be made on the apparent non-voter report for non-voters who the DRO does not propose to issue failure to vote notices.

3.2 Codes detailed at Attachment A are to be used to enter the initial excuse fields against non voters. They will then be included in the non-voter statistical summary (EF069). Entries of initial excuse codes are to be made until the cut-off point is reached for issue of the first apparent failure to vote notices.

3.3 Elector information booklets (EF016) are to be reviewed before despatching apparent failure to vote notices. Excuses recorded by a polling official do not automatically exempt a voter from receiving an apparent failure to vote notice. Pages from elector information booklets which contain information relating to other divisions are to be forwarded without delay to assist those divisions in processing their apparent non-voter reports.

3.4 If there is any doubt as to the validity of the information in the elector information booklet (EF016), the DRO should send an apparent failure to vote notice.

3.5 Where the DRO has determined not to issue an apparent failure to vote notice, the papers supporting the decision not to issue the non voters notice must be retained.

3.6 Electors who applied for and were sent postal ballot papers and from whom a postal certificate was not received (ie not marked on the special certified lists, or not rejected at preliminary scrutiny) are to be treated as apparent non-voters and sent an apparent failure to vote notice.

3.7 Electors who applied for postal ballot papers too late for ballot papers to be issued, (sections 184(5) and 188(2) refer) are to be treated as apparent non-voters and sent an apparent failure to vote notice.

3.8 Electors whose postal vote applications were defective (and who did not return a correctly completed application) are to be treated as apparent non-voters and sent an apparent failure to vote notice.

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3.9 DROs should consider the possibility that electors may have been overseas on polling day (by checking the address to which ballot papers were to be sent, on the postal vote application). If the DRO is satisfied that the elector was overseas on polling day, the voter is not to be treated as a non-voter. These electors are to be marked "OS - A6(b)", in the initial excuse code. [s.245(4)(b) CEA]

3.10 In circumstances where a combination(s) of the literacy level, cultural background and remoteness exists, or where the elector is a new citizen or first time voter, and these factors can be identified prior to issue of non-voter notices, a discretion may be applied to accept that a valid and sufficient reason for not voting has been provided. The electors are marked "OV - A4(d)", in the initial excuse code. Where such action is taken under these circumstances, the situation must also be dealt with for educational purposes, on a personal or community basis. This may involve community education sessions or a personal letter to explain the compulsory nature of voting.

3.11 Silent electors who failed to vote are to be identified and be manually issued with an apparent failure to vote notice by the DRO.

3.12 The DRO must make certain that all the remaining apparent non-voters are sent an apparent failure to vote notice.

#### **4. Issue apparent failure to vote notices**

4.1 Apparent failure to vote notices must be posted no later than 3 months after polling day [s.245(3) CEA]. A minimum of 21 days must be allowed for voters to reply.

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## Attachment A

### Schedule of Reasons Code

EF069 Category	Reasons	Initial Excuses Code	CEA
A2	Added as incorrectly omitted	AD	
A3	Scanning errors or incorrectly included	SE	
A4(a)	Voter for whom a medical certificate has been provided	MC	
A4(b)	Voter in a nursing home or similar facility, where someone in authority has certified in writing that the voter was incapable of voting	IC	
A4(c)	A letter or information in the elector information booklet (EF016) received where the DRO considers the excuse is valid and sufficient.	VS	
A4(d)	Other valid reasons	OV	
A5	Voter listed on an EF033 received from another division and the elector voted for that division	VA	
A6(a)	Elector deceased	DE	
A6(b)	Elector overseas	OS	
A6(c)	Duplicate deletion	DU	
A6(c)	Elector known as ineligible to vote	KN	
A6(c)	Elector who has been objected off the roll	OB	
A6(d)	Eligible overseas elector or kin	OE	
A6(e)	Antarctic elector	AN	s.245(17)
A6(f)	Itinerant elector	IT	s.245(17)
A7	Declaration certificates votes rejected at preliminary scrutiny eg not signed	RS	

# Miscellaneous Referendum - Special Points

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### Subpart 2 - Compulsory Voting - Processing of Replies

#### Contents

1. Process replies - apparent failure to vote notices
  2. Forms returned undelivered
  3. Elector claims to have voted
  4. Valid and sufficient reasons
  5. Reasons not valid and sufficient - warning issued
  6. Reasons which are not valid and sufficient - penalty notice issued
  7. Payment received with apparent failure to vote notices
  8. Replies awaiting further information
  9. Issue penalty notice
  10. Payments received with the penalty notice
  11. Non-reply by elector to penalty notice
  12. Issue second (marked final) apparent failure to vote notices
  13. Prosecution policy
  14. DRO makes decision regarding prosecution
  15. Preparation of documents for compulsory voting prosecutions
  16. Direction by Electoral Commissioner
- Attachment A - A review of High Court and Supreme Court decisions on the meaning of valid and sufficient reason
- Attachment B - fine notice reminder - second notice
- Attachment C - warning letter
- Attachment D - additional information - did vote
- Attachment E - additional information - aged
- Attachment F - additional information - car breakdown
- Attachment G - additional information - sick

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#### 1. Process replies - apparent failure to vote notices

1.1 Stamp the date of receipt on replies to apparent failure to vote notices as they are received. Sort forms into the following categories and endorse reply result code and sub reason in the “office use” section of the apparent failure to vote notice.

Categories	Codes
Category B.5 - forms returned undelivered	RU
Category C.2 - voted - substantiated	VO
Category C.3 - voted - not substantiated	VU
Category C.4 - excuses accepted as valid and sufficient	VS and sub reason code
Category C.5 - warnings issued	WI
Category C.6 - excuses not accepted as valid and sufficient	PI
Category C.7 - payment received with apparent failure to vote notice	PP
Category C.8 - replies awaiting further information	FI

1.2 The DRO has the responsibility for determining whether or not an elector's reason for not voting is valid and sufficient. The DRO should refer to the Court decisions in Attachment A as a general principle as to what constitutes a valid and sufficient reason. The DRO should also refer to the Electoral Commissioner's direction at paragraph 16..

1.3 Non-voter details are then input into RMANS - update a non-voter screen. Updating an elector will stop any further notices being produced automatically. The codes entered will be used to update EF069 figures automatically.

1.4 A reply category can be altered due to further information, eg C8 to C4 or C8 to C2, the non-voters details are to be amended in RMANS and the reply noted and sorted accordingly.

- Amending details in update a non-voter (apart from RU) will discontinue the automatic generation of non-voting notices. Changes to enrolment reflect in the non-voter system.

1.5 Replies should be sorted in alphabetical order by surname and by determined category.

#### 2. Forms returned undelivered

2.1 Sort the envelopes returned undelivered by post into:



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- returned undelivered;
- refused by elector;
- insufficient postal address;
- envelopes marked “elector deceased” or “elector overseas”; and
- other various reasons.

2.2 The returned undelivered envelopes should be sorted into alpha order and input into RMANS - update a non-voter.

2.3 The electors whose envelopes are returned marked “refused” should be sent a second apparent failure to vote notice. If this second notice is also returned marked “refused”, the matter should be dealt with as outlined in the AEC prosecution policy. No entry in RMANS - update a non-voter, is to be made for the first letter refused.

2.4 The insufficient postal address envelopes should be sorted into alpha order of surname/family name and then checked against RMANS address details.

- If the elector's residential address is different to the postal address, reissue the notice to the residential address.
- If no information is obtained to aid in postal delivery the elector may be contacted by phone.

2.5 Using RMANS update a non-voter, insert in the details field the date the new apparent failure to vote notice was sent and “insufficient postal address”. Allow a further 21 days for a reply.

2.6 Any envelopes returned undelivered are to be entered into the RMANS - update a non-voter system using appropriate codes.

### **3. Elector claims to have voted**

3.1 Check replies against relevant certified list, if a marking is found endorse reply with “Certified List No. ...”

3.2 If elector had a declaration vote, confirm declaration envelope is present and endorse reply “Dec Envelope sighted”. If necessary, contact any other division concerned to establish claim, endorse reply accordingly.

3.3 A breakdown of claims to vote which have been substantiated are to be recorded on the scanning monitoring report (EF105). A copy of this report must be sent to the State scanning manager.

3.4 All elector claims to have voted, whether substantiated or not, are to be entered with the appropriate code in the RMANS - Update a Non-Voter system.

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#### 4. Valid and sufficient reasons

4.1 Sort into alpha order.

4.2 Determine sub-reason code and notate reply. Enter details into the RMANS - update a non-voter system.

#### 5. Reasons not valid and sufficient - warning issued

5.1 Sort into alpha order.

5.2 Issue warning letter (see Attachment C).

5.3 Input into RMANS - update a non-voter.

#### 6. Reasons which are not valid and sufficient - penalty notice issued

6.1 Sort into alpha order.

6.2 Input details into RMANS - update a non-voter.

6.3 Issue penalty notice.

#### 7. Payment received with apparent failure to vote notices

7.1 Receive payment, prepare and post receipt.

7.2 Record details of monies received on the apparent failure to vote notice ie. receipt number, amount and date.

7.3 Cheques and money orders shall immediately on receipt be crossed and marked not negotiable.

7.4 Record details in the bank deposit book and bank monies received.

7.5 Record details in RMANS - update a non-voter system.

7.6 Where there is a valid and sufficient reason received with the payment and the reason is accepted, arrange for a refund of the payment in accordance with the Electoral Commissioner's Financial Directions. [Adjust details in RMANS if necessary to show the valid and sufficient reason.](#)

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7.7 Where a cheque is dishonoured:

- advise non-voter payment not received;
- request replacement of fine and advise that receipt has been cancelled;
- the official receipt is to be cancelled.

## 8. Replies awaiting further information

8.1 Every effort should be made to make a determination on the information available, however, it may be necessary to write to electors to establish facts and circumstances. Suggested letters are available as Uniplex standard letters.

## 9. Issue penalty notice

9.1 Where it has been decided to send a penalty notice, (reason not valid and sufficient) enter the code (PI) in the result code point. Enter the date of posting and the reply by date. Allow 14 days for reply. Penalty notices are prepared manually through Uniplex standard letters.

9.2 The apparent failure to vote notice should be endorsed to show the date on which the penalty notice was despatched and also the date due for payment. This will enable timely followup of outstanding payments,

## 10. Payments received with the penalty notice

10.1 Stamp date of receipt on penalty notice as they are received and attach payment to apparent failure to vote notice.

10.2 Record the date of receipt of penalty notice in update a non-voter. This is the same as initial payment except reply is inserted as "penalty reply date". Transfer replies where penalty paid to separate batch.

10.3 Where elector has marked agreement to pay penalty but no payment has been received, record this and issue letter requesting payment and delete the reply date from the elector's record in the update screen.

## 11. Non-reply by elector to penalty notice

11.1 If the elector does not reply by the due date, send a second notice letter through Uniplex standard letters (Attachment B). Allow 7 days for reply. Check RMANS before despatch in case enrolment has changed. Mark the apparent failure to vote notice to indicate the date on which notice was despatched and input the date in update a non-voter details field.

11.2 If no reply is received to this notice, the DRO will be required to make a decision regarding prosecution action.

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#### **12. Issue second (marked final) apparent failure to vote notices**

12.1 The date for posting of second notices is set by the Computer Services Manager (CSM) after consultation with the AEO and Operations staff.

12.2 Prior to the production of second notices those electors remaining on the non-voter system without a result are compared to the RMANS database to identify deaths, deletions and changes in enrolment status. Changes such as death or deletion automatically attract attachment of a reason code to that elector and result in no notice being sent.

12.3 Issue a second apparent failure to vote notice (marked final notice) by certified mail. The RMANS non-voter system is updated on-line by the CSM.

#### **13. Prosecution policy**

13.1 The current AEC prosecution policy document is held in each divisional office and must be applied.

#### **14. DRO makes decision regarding prosecution**

14.1 The DRO has the responsibility of deciding whether to proceed with prosecution after consideration of the facts and AEC prosecution policy.

14.2 The DRO should check all outstanding apparent failure to vote cases and unpaid fine cases in RMANS.

14.3 Where the DRO decides not to proceed with prosecution the RMANS non-voter record should be marked.

#### **15. Preparation of documents for compulsory voting prosecutions**

15.1 Each head office will issue procedures for prosecutions in that State/Territory.

15.2 It should be noted that any proceedings against electors for failure to vote - s.245(10) - must be discontinued if the prescribed penalty is received by the DRO before the issue of the summons.

15.3 Approval for withdrawal of a summons should be sought through your area manager.

**C O N F I D E N T I A L**

**16. Direction by Electoral Commissioner**

16.1 This memorandum is an instruction comprising guidelines for the acceptance or rejection of valid and sufficient reasons for failure to vote. It is issued for the direction of Australian Electoral Officers and Divisional Returning Officers.

16.2 The following set of valid and sufficient reasons is to be observed:

- (a) emergency situations - eg adverse weather, transport breakdowns, fire, flood, road accident, unforeseen medical operation, sudden sickness;
- (b) death of an elector or death or illness of a close relative;
- (c) in an inaccessible location and unable to reach any voting facility in time (this reason may not necessarily be available to electors who claim to be travelling in remote areas where a short detour would enable them to vote);
- (d) overseas on polling day even if elector could have recorded a postal vote prior to departure;
- (e) religious objection; and
- (f) prevented from voting by polling official error or by faulty mail service in the case of postal voting.

16.3 In principle, the DRO must be satisfied in each case that the person was precluded from voting through circumstances beyond his or her control and was thereby not able to take advantage of any of the range of voting facilities provided, or that the reason for not voting was substantial and satisfactory and there was an absence of a countervailing answer.

16.4 In circumstances where a combination(s) of the literacy level, cultural background and remoteness exists, or where the elector is a new citizen or first time voter, a discretion may be applied to accept that a valid and sufficient reason for not voting has been provided. Where this discretion is applied, the situation must be dealt with for education purposes. This may involve community education sessions or personal letters to explain the compulsory nature of voting.

16.5 Some reasons which would not be valid and sufficient under this principle are the following:

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- (a) any reason related to the voter's objection to compulsory voting, the candidates, parties or issues in the election;
- (b) illness or approaching maternity - mobile and postal voting available;
- (c) old age - in 1983 the JSC considered and rejected non-compulsory voting for the aged (whether or not enforcement would proceed as far as a prosecution is another question);
- (d) imprisonment - if postal voting or mobile polling available and regarding the particular circumstance of the imprisonment;
- (e) illiteracy - Act provides for assistance;
- (f) family wedding - not justified; and
- (g) interstate electors who could have cast a vote before polling day.

16.6 If in doubt as to the facts and circumstances related to any given reason, and this may well be the case with 16.4(a) and 16.4(c), the DRO should:

- check the person's previous voting record;
- seek further information from the person; and/or
- seek clarification or confirmation from third parties such as the NRMA, hospitals, police etc.

In undertaking these elementary investigations the DRO should keep cost and efficiency factors in mind.

16.7 With respect to 16.6(c), old age of itself is not to be regarded as a bar to prosecution. However, elderly inmates of nursing homes and similar institutions who, through infirmity of mind and/or body, may have real difficulties in discharging their obligation to vote, need not be prosecuted.

16.8 Where ineligibility to vote is the response to a voting infringement notice then no further action should be taken in respect of non-voting, but there should be follow-up action in respect of the enrolment and in particular how the enrolment was effected with a view to ascertaining whether there is a basis for a prosecution for a false declaration.

16.9 This Direction is considered to be an exempt document under the Freedom of Information Act 1982, and is not to be made available to the public.

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### Attachment A

## A review of High Court and Supreme Court decisions on the meaning of valid and sufficient reason

Section 245(15)(old section 245(12) and (old section 128A(12)) of the Commonwealth Electoral Act provides inter alia that "Every elector who ... fails to vote at an election without a valid and sufficient reason for such failure... shall be guilty of an offence". This section examines the interpretations which have been accorded to the phrase "valid and sufficient reason" by Justices of the High Court, and Judges of the Supreme Courts of Victoria, Queensland and the Australian Capital Territory.

### Judd v McKeon (1926) 38 C.L.R. 380

Judd was charged with failing to vote without a valid and sufficient reason. On being required to state the reason why he had not voted at the election, Judd had made the following declaration - "Without prejudice to my legal rights, if any:- All the political parties and their candidates participating in the election support and do all in their power to perpetuate capitalism with its exploitation of the working class, war, unemployment, prostitution, &c. The Socialist Labour Party, of which I am a member, stands for the ending of capitalism and the inauguration of socialism - and, consequently, its members are prohibited from voting for the aforementioned supporters of capitalism. The Socialist Labour Party has paid and lost hundreds of pounds in Federal election deposits for its candidates. The unjust penalty of £25 on each candidate penalises us if we participate in a Federal election, and your letter suggests that we will be penalised if we don't. Is this fair?"

Judd was convicted in the Central Police Court in Sydney and fined ten shillings. On appeal to the High Court, it was held by Knox C.J., Isaacs, Gavan, Duffy, Rich and Starke JJ. (Higgins J. dissenting) that Judd's reasons were not "valid and sufficient" within the meaning of section 128A. Knox C.J., Gavan, Duffy and Starke JJ. remarked "These reasons do not purport to express the views of the appellant but those of the party to which he belongs; and in that view his only excuse, which is clearly insufficient, is that his party prohibits him from voting." They went on to say "But if the reasons be taken as representing the individual views of the appellant they amount to no more than the expression of an objection to the social order of the community in which he lives. In our opinion such an objection is not a valid and sufficient reason for refusing to exercise his franchise."

The judgment of Isaacs J. is of far greater assistance to those charged with the administration and enforcement of section 128A. He observed that "It is strictly not necessary to offer any opinion as to what is imported by the words valid and sufficient reason, because the only reason here advanced is so directly opposed to all compulsion [that is, compulsory voting] that it is in open contradiction to sec. 128A, whatever limitation be given to the words referred to." He went on to say "... a valid and sufficient reason means some reason which is not excluded by law and is, in the circumstances, a reasonable excuse for not voting. If it [that is, the reason] be, as in this case, an open challenge to the very essence of the enactment, it is, of course, excluded by law and not valid. So also, if there be any express provision of any law with which the alleged reason is in conflict ..."

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On the other hand he accepted that in appropriate cases legal reasons may constitute a valid and sufficient reason "But the reason may be compulsive obedience to law which makes voting practically impossible."

More on the practical level he gave some examples of what he would regard as valid and sufficient reasons - "Physical obstruction, whether of sickness or outside prevention, or of natural events, or accident of any kind, would certainly be recognised by law in such a case. One might also imagine cases where an intending voter on his way to the poll was diverted to save life, or to prevent crime, or to assist at some great disaster, as a fire: in all of which cases, in my opinion, the law would recognize the competitive claims of public duty."

He then sounded a warning - "These observations are not, of course, suggested as exhaustive, but as illustrative, in order to dispel the idea that personal physical inability to record a vote is the only class of reasons to be regarded as valid. The sufficiency of the reason in any given instance, is a pure question of fact dependent on the circumstances of the occasion."

The judgment of Rich J. was short and to the point. He observed - "The reason must be valid - sound in law and fact; and, if valid, must be sufficient - substantial and satisfactory in the absence of countervailing answer. The appellant's excuse does not fall within this category."

#### **Lubcke v Little [1970] V.R. 807**

In the Magistrates' Court, Little testified that as to the candidates for election he had no preference, and for this reason he had no vote to register. The Stipendiary Magistrate held that this established for the defendant a valid and sufficient reason for failing to vote.

The Supreme Court of Victoria did not agree. Crockett J. observed - "In my opinion, the respondent does not by his possession of a genuinely held inability to form a preference (if one assumes for this purpose that the evidence justified a finding of fact to this effect) thereby gain immunity from the sanction imposed by s.128A(12) if he fails to vote. The voting is certainly preferential (s.124), but it does not follow that a subjective incapacity on the part of a voter to determine that he prefers one candidate in an election to another affords a valid and sufficient reason for failing to vote."

#### **Faderson v Bridger (1971) 126 C.L.R. 271**

Faderson was convicted in a Magistrates' Court at Bendigo. He had given evidence before the magistrate to the effect that he could not do as the ballot paper would have required him to do, as he had no preference, and if he had been forced to state his preference he would have been telling a lie.

The matter finally reached the High Court where all three members of the Court affirmed that Judd v McKeon was still good law. Barwick C.J. (with whose judgment McTiernan J. and Owen J. agreed) stated - "The first thing I should like to say is that the finding of the magistrate that the appellant did not have any preference amongst the candidates, in my opinion, does not carry the appellant to the point where it can be said that he could not mark the ballot paper in an order of preference. However much



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the elector may say he has no personal preference for any candidate, that none of them will suit him, he is not asked that question nor required to express by his vote that opinion. He is asked to express a preference amongst those who are available for election. That is to state which of them, if he must have one or more of them as Parliamentary representatives, as he must, to mark down his vote in an order of preference of them."

#### **Krosch v Springell; ex parte Krosch [1974] Qd.R. 107 13.**

Springell was prosecuted under section 63(10)(a) of the Queensland Elections Act. At the polling booth he had handed to the presiding officer a letter reading: "I do not consider that any of the candidates standing for the seat of Rockhampton are worthy of my vote. This also applies to the parties they represent. The main problems of the day, such as the environmental crisis, the population explosion and the economic problems associated with these are non-issues. Instead we have been treated to mudslinging, noise pollution [sic], tree desecration and polemical discussions of trivia. An informal vote is not an effective means of registering my protest, I have therefore chosen not to vote, and I shall also refuse to pay any fines imposed on me."

The Stipendiary Magistrate dismissed the complaint. The Supreme Court of Queensland overruled the Magistrate. Wanstall S.P.J. (with whose judgment Williams J. and Andrews J. agreed) was of the opinion that notwithstanding the somewhat different language of the Commonwealth and Queensland legislation the words "valid and sufficient" still have to be determined in accordance with the law laid down by the High Court in *Judd v McKeon*.

#### **O'Brien v Warden (1981) 37 A.C.T.R. 13**

Warden failed to vote at an election for the Australian Capital Territory House of Assembly on 2 June 1979. Warden stated to the Magistrate that he arrived in Canberra after a trip overseas on 23 May 1979. At the time he knew nothing about any of the 24 candidates. There was not enough time before the election [on 2 June] in which he could find out sufficient information to enable him to decide on an order of preference which, in accordance with the law, he was required to show by his marking of the ballot paper. The Magistrate held that he had shown a valid - and sufficient reason for failing to vote, and dismissed the charge.

Blackburn C.J. in the Supreme Court of the Australian Capital Territory overruled the Magistrate. His Honour reviewed the judgments in *Judd v McKeon*, and concluded: "In my opinion the true basis of this case is that the absence, from the mind of the elector, of any preference for any candidate over any other is not a valid and sufficient reason for failing to vote."

He continued: "In *Lubcke v Little* [1970] VR 807, it seems to me, if I may say so, that Crockett J took the same view as I do of what *Judd v McKeon* actually decided. The fine shade of difference between the facts of the two cases is that in *Judd v McKeon* the elector's absence of preference was the result of his equal disapproval of all the candidates, whereas in *Lubcke v Little* the report only shows that in fact the elector had no preference, without showing the reason why he had no preferences; for all that the reader can tell, he may have thought all the candidates equally desirable as members of

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Parliament. At any rate, Crockett J came to the same conclusion, namely that the elector had no valid or sufficient excuse.”

Returning to the reasons advanced by Warden; His Honour went on -”... In my opinion the Act does not oblige the elector to make a true expression of his preference among the candidates. On one view he must make an expression of apparent preference; on another he need not express himself intelligibly or at all.

The decided cases prevent me from thinking that the legislature intended to spare the consciences of those to whom to vote insincerely is distasteful. A fortiori, there can be no reason to think that it intended to spare from the inconvenience of a visit to the polling booth those for whom to comply with the Act is a meaningless formality, objectionable only because it is a waste of time.

It seems, therefore, that ... the fact that he [that is, the elector] has for whatever reason - no preference to express, is not a rational excuse for failing to perform it, and therefore not a “valid and sufficient reason” within the meaning of that phrase in s 128A(12) of the Act.”

His Honour rejected the idea that by using such general words as valid and sufficient reason the Parliament simply intended to create an “out” to be used whenever someone thought it appropriate. “Counsel objected that it was not logically necessary to make the question whether the elector’s reason was valid and sufficient depend upon whether it was rationally related to the content of his legal obligation. The legislature, in other words, may have intended merely to provide a broadly worded escape clause which the courts could apply with rough justice. If this be correct (and I doubt it) then in my opinion it would be quite unjust to Messrs Judd and Little, each of whom toiled earnestly but fruitlessly to reach a concluded preferential judgment on their respective candidates, to excuse this respondent, who was spared that intellectual travail because of the absence of material to which he could apply his mind.”

### **Blakeney v Coates**

The latest decided case in which there was any consideration of what might or might not constitute a valid and sufficient reason for not voting was the decision of the Supreme Court of Western Australia in *Blakeney v Coates*. To the extent that the majority judgments determined the question in the light of the particular Western Australian provisions which created the duty to vote, the decision was of no direct relevance in the Commonwealth area. The various judgments did, however, discuss the applicability to the Western Australian legislation of the principles set out in *Judd v McKeon*.

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

**Attachment B**

## **Fine notice reminder - second notice**

Dear .....

I recently sent you a letter indicating that your response for having failed to vote was not valid and sufficient and I have not yet received a reply.

In case you have overlooked this matter I am enclosing a further notice and am allowing an extension of time for return of the form and payment of the fine.

If you fail to reply within seven days I intend to issue a summons to have the matter dealt with by a magistrates court. The maximum penalty is fifty dollars plus court costs.

Yours faithfully

.....  
Divisional Returning Officer

Date: ..... / ..... / .....

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

## Attachment C

### Warning letter

Dear .....

I have considered the reason provided in your correspondence for failing to vote at the election/referendum held on ..... / ..... / ..... . Although I consider that your reason is not fully valid and sufficient, I propose to take no further action in this matter.

However, please be warned that if you fail, without a valid and sufficient reason, to vote at any future Commonwealth election or referendum you will render yourself liable to a penalty not exceeding fifty dollars.

Yours faithfully

.....  
Divisional Returning Officer

Date: ...../...../.....

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

Attachment D

## Additional information - did vote

Dear .....

Thank you for your reply advising that you voted (or attempted to vote) at the election/referendum held on ...../...../.....

So that I can check my records, would you please supply the additional information I need by completing the section below and return it to me in the reply paid envelope provided.

Your early reply would be appreciated.

Yours faithfully

.....  
Divisional Returning Officer

-----

DIVISION OF \_\_\_\_\_

ROLL NO \_\_\_\_\_

I attended the Polling Place at:  
(eg school/hall, street, suburb/town) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approximate time \_\_\_\_\_

Any other relevant information \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

Signature of Elector

Date

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

Attachment E

## Additional information - aged

Dear .....

Thank you for your reply stating your reason for failing to vote at the election/referendum held on ...../...../.....

Being aged is not in itself a sufficient reason for failing to vote in Commonwealth elections or referendums. Before I can decide whether you have a valid and sufficient reason for failing to vote, I need to know if you were also ill or infirm on ...../...../....., or if you had some other reason for not voting.

To enable me to make my decision could you please provide me with additional details by completing the section below and return it to me in the reply paid envelope provided. If you are not able to fill out the details yourself, another person may complete the form on your behalf.

Your early reply would be appreciated.

Yours faithfully

.....  
Divisional Returning Officer

-----  
DIVISION OF \_\_\_\_\_ ROLL NO \_\_\_\_\_

Further details are:

I am aged and ill/infirm YES/NO

or

I did not vote because

---

---

---

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

Signature of Elector or representative

Date



# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

Attachment F

## Additional information - car breakdown

Dear .....

Thank you for your reply giving your reason for failing to vote at the election/referendum held on  
.../.../.....

Unfortunately your reply did not give me enough information to enable me to decide whether your  
reason is valid and sufficient under the provisions of the Commonwealth Electoral Act.

Please supply me with further details by completing the section below and returning it to me in the reply  
paid envelope provided.

Your early reply would be appreciated.

Yours faithfully

.....  
Divisional Returning Officer

-----  
DIVISION OF \_\_\_\_\_ ROLL NO \_\_\_\_\_

Approximate date and time of departure \_\_\_\_\_

Route taken (eg name of highway/main roads/towns) \_\_\_\_\_

\_\_\_\_\_  
Location of breakdown (eg distance from nearest township)

\_\_\_\_\_  
Nature of breakdown \_\_\_\_\_

Approximate date and time of repair \_\_\_\_\_

Any other relevant information (eg was NRMA, RACV, etc in attendance)

\_\_\_\_\_

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

---

Signature of Elector

---

Date

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

Attachment G

## Additional information - sick

Dear .....

Thank you for your reply giving your reason for failing to vote at the election/referendum held on ...../...../.....

Unfortunately your reply did not give me enough information to enable me to decide whether your reason is valid and sufficient under the provisions of the Commonwealth Electoral Act.

Please supply me with further details by completing the section below and returning it to me in the reply paid envelope provided.

Your early reply would be appreciated.

Yours faithfully

.....  
Divisional Returning Officer

-----

DIVISION OF \_\_\_\_\_

ROLL NO \_\_\_\_\_

Was medical attention required?

YES/NO

Duration of illness

\_\_\_\_\_

Any other relevant information (eg name of doctor who attended you)

\_\_\_\_\_

\_\_\_\_\_

# Miscellaneous Referendum - Special Points

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---

Signature of Elector

---

Date

# **Miscellaneous Referendum - Special Points**

Part 43 Subpart 1

## **Subpart 3 - Compulsory Voting - Prosecution**

### **Contents**

1. Policy

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Policy

1.1 Reference should be made to the AEC's Prosecution Policy, issued in January 1996. Each State head office will also supply local procedures for processing of prosecutions in that State.

1.2 Routine compulsory voting offences may proceed to prosecution by way of averment under s.388 of the *Commonwealth Electoral Act 1918* and do not necessarily require the services of the Director of Public Prosecutions.

1.3 In making the necessary averments the DRO may quite properly act on the basis of the apparent non-voters report. It is not necessary to establish a prima facie case, but simply to acquire sufficient reliable information in order to lay the averment.

1.4 Section 245(15) - "Every elector who:

- (a) fails to vote at an election without a valid and sufficient reason for such failure; or
- (b) makes a statement in response to a penalty notice or to a notice under subsection (9) that is, to his or her knowledge, false or misleading in a material particular;

is guilty of an offence.

- Penalty: \$50."

1.5 As soon as the DRO has completed all investigations into outstanding non-voters and is ready to issue summonses, the Area Manager/Director Operations should be notified so that the Authority to Institute Proceedings can be requested.

1.6 All summonses issued will be in relation to section 245(15)(a). No charges should be made under s.245(15)(b) without the approval of the area manager. Summonses will be pre-printed for s.245(15)(a) only.

1.7 Failure to reply to a voting infringement notice is to be treated as failure to vote and prosecuted as such. Exhaustive investigations must not be undertaken, even for cases which might possibly be contested.

1.8 There is always a risk that some prosecutions may fail because defendants may give evidence that although they did not reply, they did in fact vote. This risk does not warrant discontinuation of proceedings.

1.9 Whilst it is not the policy of the Commission to withdraw a summons after its issue, in some cases it may be prudent. If there is any uncertainty, DROs should contact their area manager.

1.10 In a prosecution for failure to vote the DRO must be satisfied that a proper basis exists for the averments in any particular case, but does not require that admissible evidence be available to establish each matter averred. The averment should contain the following information:

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

- the person was an enrolled elector at the time of the election; and
- did fail to vote without a valid and sufficient reason.

1.11 In failure to vote prosecutions the DRO or informant will be required to attend court and may be required to give evidence (and/or explain the relevant legislation). However, if the DRO/informant is not available it is quite appropriate for another officer to take their place.

1.12 DROs are not to contact the Director of Public Prosecutions office. If legal advice or representation is required contact should be made through their area manager.

1.13 Prosecution reports are no longer forwarded to the police by the Commission or the courts and, as a result, no conviction is recorded on police files.

1.14 Court details and decisions should be input into the RMANS non voting subsystem as soon as confirmed/advised. These details are updated by selecting the elector, then pressing <F6>. The fields to be completed are:

- Court date - the date of the hearing. This date must be a future date;
- Court venue - text of 20 characters;
- Court reason code - the outcome of the hearing. Help is available by pressing "?" then pressing <send>;
- Amount fined - show here only amount of fine; insert digits in format \_\_ \_\_. cc;
- Total costs - show here all associated costs awarded by court; insert digits in format \_\_ \_\_ - cc;
- Length of time to pay - text of 10 characters, eg one month;
- Amount paid;
- Last payment date.

1.15 If a person is found guilty in court (usually in their absence) and we subsequently receive information from them which proves that they were wrongly convicted, the DRO has the authority to request that the court take no further action in the recovery of fines/costs.

## **PART 42**

### **Multiple Voting**

#### **Contents**

1. Introduction
2. Preparation of report
3. Checking apparent multiple mark and personation report
4. Despatch of letters to apparent multiple voters
5. Process replies
6. Referral to Australian Federal Police
7. Follow-up failure to reply
8. Report on multiple voting action



# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Introduction

1.1 Because of the importance of investigating all apparent multiple voters, multiple voter letters should be despatched as soon as possible after the election and before the non-voters notices.

1.2 The apparent multiple mark and personation report (MV1) will be produced when all certified lists for the election/referendum have been scanned; which is after all declaration certificates have been marked on the special certified lists.

1.3 Any evidence of possible serious improprieties, such as more than 2 marks after checks for scanning errors, should be reported to State head office immediately and investigations commenced.

1.4 In a close election the DRO should consider the possible effect of multiple voting on the election. If the outstanding MV2 replies could have an effect on the result of the election, and if any delay in the declaration of the poll is envisaged, consult the AEO. The declaration of the poll cannot be unduly delayed as the writ has to be returned within the appointed time. The Australian Electoral Commission may (in these cases) find it necessary to file a petition with the Court of Disputed Returns disputing the election. This petition must be filed in the registry of the High Court within 40 days after the return of the writ.

1.5 In a close election it is possible that scrutineers may wish to examine apparent multiple voter reports. These reports are not to be supplied on request and are exempt from disclosure under the FOI Act. Any requests made under the FOI Act must be forwarded to the Access and FOI Officer in Central Office.

#### 2. Preparation of report

2.1 The scanning of certified lists will be conducted by the AEC scanning system.

2.2 Upon return of the division's certified lists and the apparent multiple mark report, the DRO should immediately investigate each entry on the report.

2.3 The report indicates the certified list numbers upon which each apparent multiple mark has been detected by the scanning system.

2.4 A DRO may receive 2 or more similar (absent/absent or postal/postal) declaration votes. Where this occurs, take manual multiple voter action and add these cases to the multiple voter report.

# Miscellaneous

## Referendum - Special Points

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#### 3. Checking apparent multiple mark and personation report

3.1 The apparent multiple mark and personation report is to be carefully checked to confirm that a voter's name has been marked as having voted on more than one certified list. This is done by examining each certified list in which a voter is noted as having voted.

3.2 The scanning system may pick up marks other than actual votes - scribble, smudges, printing spots etc. Where such marks are found the report should be notated to ensure that incorrect multiple voter letters are not sent.

3.3 The certified list cover (EF008) and elector information sheet (EF016) for the relevant polling place are to be checked in case a polling official has recorded that a voter's name was marked off in error. If such information is located on a form EF016, it should be transferred to the inside cover of the relevant certified list (EF008).

3.4 If a clear scanning or polling official error is detected (eg evidence is found that a polling official has marked off a name in error), the names of such voters are to be crossed off the apparent multiple mark and personation report. Full details of such actions are to be recorded against that marking on the apparent multiple mark report. The list upon which the voter actually voted should be clearly indicated.

3.5 Where at least one of the otherwise unresolved multiple markings pertains to a declaration certificate, the sealed parcels of declaration certificates are to be opened and declaration certificates located.

3.6 The declaration certificates should be photocopied and returned to their parcels. The declaration certificates must be compared to ensure that signatures match. If the signatures are different, the DRO should obtain a copy of the voter's enrolment form in order to compare signatures. The circumstances of the vote cast by the person whose signature is not that of the elector, should then be investigated.

3.7 Where a declaration and an ordinary vote mark is recorded on the report, the DRO will obtain a copy of the elector's enrolment form to compare signatures and details. Where signatures do not match further investigation will be required. Such investigation should include checking for incorrect duplicate deletion, incorrect matches in enrolment processing, etc.

3.8 The fact that a second (or further) declaration certificate is not opened is not to be regarded as a mitigating circumstance.

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3.9 Where a voter was marked off a declaration certified list and the declaration certificate cannot be located, this indicates an error was made in marking off the names of declaration certificate voters on the special certified lists. In such cases, the names of the voters are to be crossed off the apparent multiple mark report. Full details of such actions are to be recorded against that entry on the apparent multiple mark report.

3.10 When parcels of declaration certificates have been re-sealed following investigations for multiple voter purposes, the DRO should ensure that the re-sealed parcel is endorsed that it was opened and re-sealed for the purposes of conducting apparent multiple mark investigations. This should be recorded in the election journal.

3.11 Do not assume any polling official or clerical error, or match apparent multiple voters with apparent non-voters.

#### **4. Despatch of letters to apparent multiple voters**

4.1 The letters to apparent multiple voters (MV2) are to be despatched to each person still remaining on the apparent multiple mark and personation report. The letters to apparent multiple voters are to be despatched by ordinary mail.

#### **5. Process replies**

5.1 As replies to notices are received, the DRO is to assess the voters' responses, make a decision on further action and record details on the apparent multiple voting and personation report.

5.2 Where the DRO is not satisfied with the voter's response, or the voter admits to voting more than once, an apparent multiple voter case report (MV4) is to be sent to the AEO with the DRO's recommendation.

5.3 Where a voter admits to voting more than once, but the DRO considers that extenuating circumstances exist, the DRO should record the particulars on the form MV4 which is to be sent to the AEO.

5.4 If the voter claims to have voted only once, but at a polling place which does not correspond to either of those shown on the apparent multiple mark and personation report, the DRO should examine the certified lists from the polling place where the voter claimed to have voted, and should record the result on form MV4. The DRO should also consider the possibility that the voter was confused as to polling place names.

5.5 If the DRO is satisfied with the voter's response (eg the voter denies voting more than once and a match can be made with a non-voter response) the MV1 listing is to be noted and no further action taken. The consolidated list of voters is helpful in these cases. Voters should be sent an acknowledgement.

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

5.6 If the voter claimed to have voted only once, at one of the polling places listed on the MV1 (and the DRO has no other information on which to refute the claim) the entry on the MV1 list should be marked as “evidence inconclusive” and no further action taken. These voters may be sent an acknowledgement.

5.7 If the DRO requires further information, the voter should be contacted by letter.

#### **6. Referral to Australian Federal Police**

6.1 When a form MV4 is being despatched to the AEO with a recommendation that a case be referred to the AFP for further investigation, the following documents should also be included:

- form MV4
- a photocopy of the form MV2 (or MV3);
- a photocopy of any declaration certificates involved; and
- photocopies of any other relevant documents or correspondence.

#### **7. Follow-up failure to reply**

7.1 If a reply is not received from an apparent multiple voter within 2 weeks of the despatch of form MV2, a reminder letter (Form MV3) is to be sent by ordinary mail.

7.2 Where apparent multiple voters fail to respond to the reminder letter the matter must be referred to the AEO. Under no circumstances should DROs attempt to investigate. Such attempts run the risk of compromising an AFP investigation.

#### **8. Report of multiple voting action**

8.1 During the processing of apparent multiple marks, the DRO must enter details in the report of multiple voting action (MV5) and submit it to Head office at the end of each month.

# Miscellaneous Referendum - Special Points

Part 43 Subpart 1

## PART 43

Subpart 1 -

Miscellaneous - Referendum - Special Points

### Contents

1. Referendum
2. Writ for a referendum
3. Advertising polling places
4. Close of rolls
5. Antarctic electors
6. Polling day
7. Pamphlets
8. Election and referendum held on the same day
9. Ballot papers
10. Method of voting
11. Appointment of scrutineers
12. Scrutiny - counting of votes

# Miscellaneous

## Referendum - Special Points

### Part 43 Subpart 1

#### 1. Referendum

1.1 A proposed law for the alteration of the Constitution must be passed by an absolute majority of both Houses of Parliament before it can be submitted to the voters in each State and Territory. A referendum can be initiated by either House of Parliament. In certain circumstances, a proposed alteration may be submitted to a referendum if it is passed on two separate occasions by only one House of Parliament. [Constitution s. 128]

1.2 Referendums for more than one proposed law can be held on the same day.

1.3 The proposed law must be submitted to the voters in each State and Territory not less than 2 months nor more than 6 months after its passage through both Houses of Parliament. [Constitution s. 128]

1.4 At the referendum, the proposed law must be approved by a double majority:

- an overall national majority of all formal votes cast (including votes cast in the Territories) throughout Australia; and
- a majority of formal votes cast in a majority of the States, ie at least 4 of the 6 States (Territories are not considered as States),

before it can be presented to the Governor-General for Royal assent. [Constitution s. 128]

#### 2. Writ for a referendum

2.1 The Governor-General issues the writ for a referendum. It is deemed to be issued at 6 pm. [s.7&8(3) R(MP)A]

2.2 The original of the writ is sent to the Electoral Commissioner and a copy is sent to the Governor of each State and to the Administrator of the Northern Territory and Chief Minister of the Australian Capital Territory. [s.12 R(MP)A]

2.3 The Australian Electoral Officer for each State or Territory will:

- make available copies of the proposed law at all offices of the Electoral Commission;
- advertise the details of the writ in at least two newspapers circulating in the State or Territory; and
- advise each DRO of the details of the writ. [s.14 R(MP)A]

2.4 Each DRO shall immediately organise for the conduct of the referendum(s). [s.14 R(MP)A]

**3. Advertising polling places**

3.1 An advertisement setting out all polling places in each division must be placed in a newspaper circulating in that division at least once after the issue of the writ. The advertisement must also list those polling places abolished since the last election. The placement of these advertisements is the responsibility of the head office advertising co-ordinator. [s.16 R(MP)A]

**4. Close of rolls**

4.1 The close of rolls for a referendum will be 7 days after the issue of the writ. The rolls close at 8 pm on the day fixed for the close of rolls. [s.9(1) R(MP)A]

**5. Antarctic electors**

5.1 The time fixed for registration as an Antarctic elector when a referendum is held on its own, differs from the time fixed for registration when a general election is held (or when a general election is held at the same time as a referendum).

5.2 When a referendum is held on its own, voters have until 11 days after the issue of the writ to register as Antarctic electors. [s.74(2) R(MP)A]

**6. Polling day**

6.1 Polling day will be a Saturday which is not less than 33 days nor more than 58 days after the issue of the writ. [s.9(2) R(MP)A]

6.2 The Governor-General has the power to postpone polling day for a referendum. [s.10(1) R(MP)A]

6.3 The voting at a referendum will be held on the same day throughout Australia. [s.15 R(MP)A]

**7. Pamphlets**

7.1 Any arguments for and against the proposed law (authorised by a majority of those Members of Parliament who voted for and against each proposed law) must be forwarded to the Electoral Commissioner within four weeks of the passage of the proposed law through both Houses of Parliament. The text of each argument must not exceed 2000 words - or average more than 2000 words if more than one question is to be asked at the referendum. [s.11(1) R(MP)A]

7.2 The Electoral Commissioner will print and post a pamphlet to every voter in Australia not later than 14 days before polling day. The pamphlet will contain those arguments FOR and AGAINST the proposed law and the text

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(or statement) of those proposed changes to the Constitution. [s.11(1) R(MP)A]

7.3 The arguments in relation to all the proposed laws will be printed in the one pamphlet. [s.11(3) R(MP)A]

7.4 Each DRO should keep some pamphlets on hand for voters who have not received a pamphlet through the mail.

## 8. Election and referendum held on the same day

8.1 Where an election and referendum are held on the same day:

- polling staff appointed for the conduct of the election are deemed to be appointed for the referendum; [s.23(a) R(MP)A]
- the same polling places and ballot boxes can be used for both the election and the referendum; [s.23(b) R(MP)A]
- the questions which need to be put to the voters are those contained in section 229 of the Commonwealth Electoral Act. The OIC may ask the voter a supplementary question - "have you already voted at this referendum?" [s.31(1)(2)&(3) R(MP)A]
- the same certified list may be used for both the election and the referendum; [s.23(c) R(MP)A] and
- the same declaration certificates for postal, absent, section and provisional votes will be used to contain the ballot papers for the election(s) and referendum(s). [s.40 R(MP)A]

## 9. Ballot papers

9.1 Where an election and referendum are held together, the referendum ballot paper must be a different colour from that of the ballot paper for the election. [s.23(b) R(MP)A]

9.2 Where two or more referendums are held on the same day:

- the referendum questions will be printed on the one ballot paper, ie two or more questions would appear on the ballot paper; [s.25(2) R(MP)A]
- the initials of the issuing officer need only appear once, on the back of the ballot paper; [s.25(3)(a) R(MP)A]
- writing or marks which identify the voter invalidate all the votes on the ballot paper; [s.25(3)(b) R(MP)A] and



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- other grounds of formality and informality are applied separately to each referendum question, ie it is possible to have some formal and informal votes on the same ballot paper (see Part 27). [s.25(3)(c) R(MP)A]

#### 10. Method of voting

10.1 Voters will indicate their vote by:

- writing "YES" in the space provided, if they approve; or
- writing "NO" if they do not approve of the proposed law. [s.24 R(MP)A]

10.2 Where there is more than one referendum on the ballot paper, the voter must answer each question separately.

#### 11. Appointment of scrutineers

##### DURING THE HOURS OF POLLING

11.1 The Governor-General, or a person authorised by him, may appoint one scrutineer at each polling place in Australia. [s.27(1) R(MP)A]

11.2 The Governor of a State, or a person authorised by him, may appoint one scrutineer at each polling place in that State. [s.27(2) R(MP)A]

11.3 The Administrator of the Northern Territory, or a person authorised by him, may appoint one scrutineer at each polling place in the Northern Territory. [s.27(3) R(MP)A]

11.4 The registered officer of a registered political party may appoint persons to act as scrutineers during voting at a referendum at each place in Australia where voting is being conducted, but not more than one scrutineer for each party will be allowed at each polling place at any one time.

##### DURING THE SCRUTINY - COUNTING OF VOTES

11.5 The Governor-General, or a person authorised by him, may appoint one scrutineer at each counting centre in Australia. [s.89(2) R(MP)A]

11.6 The Governor of a State, or a person authorised by him, may appoint one scrutineer at each counting centre in that State. [s.89(3) R(MP)A]

11.7 The Administrator of the Northern Territory or a person authorised by him, may appoint one scrutineer at each counting centre in the Northern Territory. [s.89(4) R(MP)A]

11.8 In the Australian Capital Territory, scrutineers at polling places and counting centres can only be appointed by the Governor-General.

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11.9 The registered officer of a registered political party may appoint persons to act as scrutineers during voting at a referendum at each place in Australia where voting is being conducted, but not more than one scrutineer for each party will be allowed at each polling place at any one time.

11.10 Counting centre means any premises (including a divisional office) at which a scrutiny or counting of votes is to be, or is being, conducted. [s.89(5) R(MP)A]

#### **12. Scrutiny - counting of votes**

12.1 Where two or more referendums are printed on the one ballot paper, each referendum shall be considered separately for the purpose of the scrutiny.

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## **Subpart 2 - Miscellaneous - Referendum - Fresh Scrutiny**

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2. Conduct of fresh scrutiny

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#### 1. Requirement for fresh scrutiny

1.1 A fresh scrutiny of referendum ballot papers is required when so ordered by the Electoral Commissioner.

#### 2. Conduct of fresh scrutiny

2.1 The fresh scrutiny of referendum ballot papers is similar to that for the House of Representatives ballot paper (see Part 32).

2.2 Ensure that there is a bundle for each of the following categories:

One question referendum

- Yes
- No
- Informal

or

More than one question referendum

- all Yes
- all No
- all Informal
- mixtures.

2.3 The “mixtures” will be counted individually for each question and the results added to all “YES”, “NO” or “INFORMAL” to get a total for each question, plus all unused, spoilt and discarded ballot papers. Any discrepancies should be immediately reported to the DRO for investigation.

2.4 If a scrutineer makes a challenge as to the formality of a ballot paper, it must be referred to the DRO for decision. The DRO will write or stamp “allowed at fresh scrutiny” or “rejected at fresh scrutiny” on the ballot paper in relation to the particular question(s) and add initials and the date. The decision of the DRO at the fresh scrutiny cannot be further challenged at this scrutiny.

2.5 When determining formality, the DRO must specify the question number for which a determination has been made eg Question 1, allowed at fresh scrutiny.

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## **Subpart 3 - Miscellaneous - Redistribution - Divisional Office Implications**

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3. Exchange of records, materials and information between divisions

Attachment A - Records and material to be transferred

# Miscellaneous - By-Elections

## Variations from General Elections

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#### **1. Review all polling places**

1.1 After a redistribution all polling places in a State or Territory must be abolished and re-gazetted for their post-redistribution divisions.

1.2 This must occur before any other gazettal action can take place.

1.3 As soon as possible after the new boundaries have been determined, all existing polling places in your division should be reviewed.

1.4 The DRO should consider all possible changes which may affect the voting patterns in the division. Points to be considered are:

- check that the existing polling places are adequate and whether possible voting changes may affect the number of issuing points; and
- check population centres and growth areas.

#### **2. Review electoral roll review walks**

2.1 All material relating to electoral roll review walks which are affected by the redistribution, and which are to be split or handed over to an adjoining division, should be prepared and forwarded to the new division.

#### **3. Exchange of records, materials and information between divisions**

3.1 DROs in adjoining divisions must consult with each other to exchange all information concerning arrangements for the conduct of the next election.

3.2 Records relating to each transferred polling place (eg staffing, OIC returns, previous election statistics), should be despatched to the new division.

3.3 Stocks of election material prepared for polling places should be transferred to the new divisions wherever appropriate.

3.4 Each despatch of material or records between divisions must be accompanied by a written advice listing the items being transferred.

3.5 A list of records and material to be transferred between divisions is given at Attachment A.

# Miscellaneous - By-Elections

## Variations from General Elections

Part 43 Subpart 4

### Attachment A

#### Election Records and Arrangements

1. Election records
2. Polling staff lists (including staff assessments)
3. Previous election statistical returns (those not included in AEC published election statistics)
4. OIC's returns and polling place floor plans

#### Election Material - by Polling Places

1. Prepared and domiciled material still suitable for the new division
2. Ballot boxes and voting screens - where appropriate, records of number, type and place of storage

#### Office Records

1. Records of special category electors
2. Electoral roll review walks and associated records
3. Electoral agent records where used
4. Records of:
  - (a) post offices
  - (b) police stations
  - (c) Court-houses
  - (d) newspapers
  - (e) non private dwellings etc reviewed by mail
  - (f) high schools
  - (g) establishments for display material eg shopping centres, libraries
  - (h) hospitals, nursing homes especially mobile polling institutions
  - (i) caravan parks etc.
5. Cadastral maps, shire maps etc

# **Miscellaneous - By-Elections Variations from General Elections**

Part 43 Subpart 4

## **Subpart 4 - Miscellaneous - By-Elections - Variations from General Elections**

### **Contents**

1. Effect on other divisions
2. Polling place staffing (including pre-poll voting centres and mobile polling)
3. Casual assistance in divisional office
4. Central office role

Attachment A - A suggested plan for the use of divisional and State head office staff at a by-election



# Miscellaneous - By-Elections

## Variations from General Elections

Part 43 Subpart 4

### 1. Effect on other divisions

1.1 At the close of rolls for a Commonwealth by-election all divisional offices must remain open until 8pm local time to accept enrolment forms. That is, 8pm local time in the State in which the division conducting the by-election is located and no later than 8pm local time in any other State (see Part 1, Subpart 1, paragraph 10 & 11 GEM). [ss.101(2)&(3), 102(2A)&(4) CEA]

1.2 Close of rolls enrolment procedures apply also in a by-election.

1.3 At a by-election, polling places for the division conducting the by-election are the only polling places required to be open on polling day. [s.244 CEA]

1.4 All divisional offices are to offer postal and pre-poll voting facilities for a by-election during normal office hours. No pre-poll voting facilities will be provided on polling day by any division except the one conducting the election.

1.5 The divisional office conducting the election must remain open until 6pm on the day before polling day to issue pre-poll votes. [s.184(5) CEA]

### 2. Polling place staffing (including pre-poll voting centres and mobile polling)

2.1 Under normal circumstances, there would be no requirement for pre-poll voting centres.

2.2 Absent voting is not conducted at a by-election unless two or more by-elections are conducted in the same state on the same day. [ss.222(1), 244 CEA]

2.3 The number of ordinary votes cast is fewer than the number taken at a general election (around 85%). The number of staff required would also be less.

2.4 Congestion is likely to be eased in polling places during a by-election (no absent voting, only one ballot paper etc).

2.5 The scrutiny of only House of Representatives votes in each polling place is an easy task during a by-election. In addition, there are fewer parcels to be prepared and sealed for return to the DRO.

2.6 Staff numbers engaged in mobile polling duties (hospitals, special hospitals and remotes) would not normally be reduced during a by-election.

### 3. Casual assistance in divisional office

3.1 The amount of casual assistance required in a divisional office will be considerably less than required for a general election for the following reasons:

- no absent votes to be counted;
- few enquiries from voters in other divisions;

- House of Representatives ballot papers only to be counted at all divisional office scrutinies;
- less staffing required to cater for the receipt of figures from polling places;
- less material to be despatched to polling places;
- less staff required to deal with the return and check-in of material from polling places; and
- no despatch of declaration and postal votes to other divisions.

3.2 Increased resources may be required for greater numbers of postal and pre-poll votes and for non-voter action.

3.3 It would be normal for experienced staff from other divisions and head office to help with a by-election (this would not be as likely in a country division). These staff could be used as supervisors and should be deployed in accordance with a plan prepared in consultation with the Area Manager/Director Operations. An example of such a plan is at Attachment A.

#### **4. Central office role**

4.1 Central office participation includes the despatch to each voter enrolled in the division a brochure setting out:

- a map of the division;
- a list of polling places and their addresses; and
- information regarding entitlements to pre-poll voting (and facilities to be provided).

**Attachment A**

**A SUGGESTED PLAN FOR THE USE OF DIVISIONAL AND STATE HEAD OFFICE  
STAFF AT A BY-ELECTION**

	<b>Duties to be performed</b>	<b>Dates and times required</b>
Task "A"	Polling Place Liaison Officer	8 am - 8 pm polling day
Task "B"	Check in of material from polling places	6 pm - 10 pm polling day
Task "C"	Supervising or engaged in the pre-poll and postal vote preliminary scrutiny	6 pm – midnight polling day
Task "D"	Supervising or engaged in the pre-poll and postal vote further scrutiny	9 am - 4 pm Sunday following polling day
Task "E"	Supervise re-check, TCP and distribution of preferences	9 am - 5 pm Sunday
Task "F"	Supervising or engaged in the preliminary scrutiny of provisional vote declarations	9 am - 4 pm Sunday following polling day
Task "G"	Supervising or engaged in the re-sorting of useable material to polling place pigeon holes. In addition, this officer will supervise the destruction of obsolete material	9 am - 4 pm Sunday following polling day
Task "H"	Supervising or engaged in the preliminary and further scrutinies of pre-poll, postal and provisional votes	9 am - 5 pm Monday following polling day