



**Tasmanian
Electoral Commission**

**1st Annual Report
2005-2006**

First Annual Report 2005–2006

To The Honourable Donald George Wing,
President of the Legislative Council, and

The Honourable Michael Robert Polley,
Speaker of the House of Assembly

We have the honour to submit this first report of the Tasmanian Electoral Commission for presentation to the Parliament pursuant to the provisions of section 13 of the *Electoral Act 2004*.

The report covers the period from 16 February 2005 to 30 June 2006.

Yours sincerely



Richard Bingham
CHAIRPERSON



Bruce Taylor
ELECTORAL COMMISSIONER



Liz Gillam
MEMBER

15 November 2006

Tasmanian Electoral Commission
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CHAIRPERSON'S INTRODUCTION

The Tasmanian electoral system provides the essential underpinning for the democratic good health of our community, and it is sometimes easy to overlook how important this is to our way of life. Tasmania is fortunate indeed to have a strength of democracy which represents an aspiration of many other people and communities around the world.

As well as rewriting our most basic electoral laws, the *Electoral Act 2004* established the Tasmanian Electoral Commission as an independent body with responsibility for the administration of those laws. The Commission's existence thus reflects a recognition by the Tasmanian Parliament of the importance of a fair and efficient electoral system, and the responsibility entrusted to the Commission is significant.

To this point, the Commission's emphasis has necessarily been on providing the essentials associated with the introduction of the new Act, and its basic processes. For the most part, the Act has proven to be very effective, and a credit to those involved in its preparation and passage.

For the future, the Commission will focus on continuing to conduct those elections for which it is responsible, and taking advantage of technological and other developments to improve our electoral system. There will also be some challenges in dealing with the privacy obligations associated with access to the electoral roll.

However, in carrying out its functions in the future, the Commission will be conscious that the basic electoral framework that has been established in Tasmania over the years is an excellent one.

The Tasmanian Electoral Commission enjoys a close working relationship with its Australian counterpart. The use of a joint electoral roll, and cooperation on staffing at election times, is important for a small State, and provides a seamless service for the people of Tasmania. I am grateful for this assistance in the Commission's work.

I'd also like to thank in particular my fellow commissioners (the Electoral Commissioner, Mr. Bruce Taylor, and Ms. Liz Gillam) and the staff of the Commission, for their contribution to what has been a very successful initial period for the Commission.



Richard Bingham
CHAIRPERSON
TASMANIAN ELECTORAL COMMISSION

ELECTORAL COMMISSIONER'S REVIEW

The first 16 months since the inception of the Tasmanian Electoral Commission has been an historic and busy period for the Commission and its staff.

The new *Electoral Act 2004* commenced on 16 February 2005 and not only created the Commission but required the design, approval and production of a full suite of new forms and procedures for the conduct of elections and other electoral functions. While some were similar to the existing forms and procedures, others were very different, being designed to utilise more modern and generally simpler processes to make voting easier, and easier to access, for many electors.

The first major challenge was the conduct of the periodic Legislative Council elections on 7 May 2005. The Commission met regularly through this initial period to ensure that the necessary approvals, appointments and determinations were in place when required. These elections were successfully conducted and proved to be a useful test prior to planning for the upcoming House of Assembly elections.

Local government elections were conducted during September and October of 2005. Conducting elections for the Mayor, Deputy Mayor and half the councillor positions in each of the 29 Councils is the largest operation conducted by this office, requiring the printing of 1093 different ballot papers.

A general election for the House of Assembly was successfully held on 18 March 2006, with an increase in the voter participation and a decrease in the informal vote. Among other innovations, for the first time Tasmanian electors could vote in the lead up to polling day at any State electoral office or divisional office of the Australian Electoral Commission – about 150 locations throughout Australia.

Immediately after these elections work commenced on the 2006 Legislative Council elections. While being successfully completed, the low participation rate was disappointing. Likely reasons for this are discussed later in this report.

The Aboriginal Land Council enrolment process proved more difficult than usual with over 1100 objections to enrolment and appeals continuing in the Supreme Court.

The office also assisted with amendments to legislation and regulations in relation to Local Government elections, Aboriginal Land Council of Tasmania enrolment and elections, and elections of trustees in respect to water districts.

I acknowledge the long-standing and valuable role played by the Australian Electoral Commission returning officers and other staff in ensuring the efficient and professional conduct of state and local government elections in Tasmania.

I thank the other members of the Commission for their hard work, dedication and support in ensuring that proper consideration was given to the large number of approvals, appointments and determinations required in such a short period.

The Commission has faced a range of challenges during the past 16 months. I thank the Solicitor-General and the Director of Public Prosecutions for their prompt and professional support on legal and policy matters. I thank the Printing Authority of Tasmania and Australia Post for continued printing and logistical support.

Finally my thanks to the staff of the Commission for their support and hard work under considerable pressure. I am proud of the friendly and professional manner in which they serve our stakeholders.



Bruce Taylor
ELECTORAL COMMISSIONER

ABOUT THIS REPORT

This 1st Annual Report of the Tasmanian Electoral Commission (the Commission) reports for the period from its inception on 16 February 2005 to 30 June 2006.

It is submitted pursuant to Section 13 of the *Electoral Act 2004*. It is intended to continue to submit separate election reports which will include full statistical details of elections.

Special reports on electoral issues may also be submitted from time to time.

Although the Commission is a statutory body, corporate support is provided by the Department of Justice and full financial and staffing reports are included in the Department of Justice Annual Reports.

ABOUT THE TASMANIAN ELECTORAL COMMISSION

Formation

The new *Electoral Act 2004* was passed in the Spring 2004 session of Parliament and received Royal Assent on 17 December 2004. The Act commenced on 16 February 2005.

The Tasmanian Electoral Commission was established on 16 February 2005 under the Act and has responsibility for administering the *Electoral Act 2004*.

The Commission comprises the Chairperson, the Electoral Commissioner and one other Member. The members of the new Commission are Richard Bingham, a former Secretary of the Department of Justice (Chairperson), Liz Gillam, former Deputy Director of the Office of the Status of Women and a senior policy practitioner with the Local Government Association of Tasmania (member), and Bruce Taylor, the current Electoral Commissioner.

The Commission expects to hold ordinary meetings about 4 times each year, with special meetings as required. It held 10 meetings in this initial period in order to establish the full range of forms and procedures required for the conduct of elections and for other administrative and policy matters.

Functions and Powers

The following functions and powers of the Tasmanian Electoral Commission are specified in section 9 of the *Electoral Act 2004*.

- 1 In addition to the functions conferred on it by any other provisions of the *Electoral Act 2004* or any other Act, the Commission has the following functions:
 - to advise the Minister on matters relating to elections;
 - to consider and report to the Minister on matters referred to it by the Minister;
 - to promote public awareness of electoral and parliamentary topics by means of educational and information programs and by other means;
 - to provide information and advice on electoral issues to the Parliament, the Government, Government departments and State authorities, within the meaning of the *State Service Act 2000* ;
 - to publish material on matters relating to its functions;
 - to investigate and prosecute illegal practices under this Act.

- 2 The Commission may do all things necessary or convenient to be done, including employing persons, for or in connection with or incidental to the performance of its functions.
- 3 Without limiting subsection (2) and in addition to any power conferred on the Commission by any other provision of this Act or any other Act, the Commission, in addition to conducting Assembly elections or Council elections, may conduct ballots or elections for a person or organisation and may charge fees for that service.

Responsibilities of the Commission and the Commissioner

The Commission, and the Commissioner, have statutory responsibilities for the conduct of independent and impartial elections and referendums.

The Commission undertakes the conduct of:

- House of Assembly elections, by-elections and recounts;
- Legislative Council elections and by-elections;
- Local Government elections, by-elections and recounts;
- State referendums;
- Local Government elector polls;
- the implementation of electoral boundary redistributions;
- Aboriginal Land Council of Tasmania elections;
- other statutory elections;
- semi-government and other elections conducted in the public interest; and
- public electoral information programs.

The Tasmanian Electoral Commission and the Australian Electoral Commission jointly manage and maintain the electoral rolls for State and Local Government elections.

The Electoral Commissioner is a member of the Electoral Council of Australia which oversees electoral and enrolment policy and systems at a national level.

The Electoral Commissioner is a member of the Legislative Council Redistribution Committee and Tribunal for the determination of Legislative Council electoral boundaries. The Tribunal is also responsible for implementing transition arrangements for redistributions.

THE NEW ELECTORAL ACT

Following a request by the Chief Electoral Officer, Cabinet approved the drafting of a new Electoral Act to replace the *Electoral Act 1985*, with a particular view to—

- utilising contemporary legislative drafting;
- the adoption of modern electoral practice; and
- removing detailed procedures and forms, to be approved or prescribed as appropriate.

Discussion papers were issued in December of 1999 and 2000 requesting public comment on a range of proposals to be incorporated into the new Act.

The resulting *Electoral Bill 2004* was considered by a Parliamentary working group consisting of the Hon. Allison Ritchie MLC, the Hon. Paul Harris MLC, Mr Nick McKim MHA and Mr Will Hodgman MHA. The working group gave support to the Bill while suggesting a small number of amendments which were incorporated.

This *Electoral Act 2004* preserves the fundamental principles in Tasmania's unique electoral systems but seeks to present those principles in a clear, precise and accessible way.

The Act established a new Tasmanian Electoral Commission with wider powers to appoint returning officers and polling places, and to approve a range of forms and procedures. This allows Tasmanian electoral practice to incorporate the use of appropriate modern technology and methods as they become available.

A paper outlining the features of the new Act is included at appendix A.

Approvals, Appointments, and Determinations

The Act provides for a range of approvals, appointments and determinations to be made by the Tasmanian Electoral Commission, the Electoral Commissioner or returning officers.

Tables listing approvals, appointments and determinations made up to 30 June 2006 are shown at Appendices B, C and D. These approvals, appointments and determinations are available for public inspection at the office of the Tasmanian Electoral Commission.

Many of the detailed procedures and forms required for the conduct of elections which are now approved were previously included in the *Electoral Act 1985* or prescribed in the *Electoral Regulations 1985*.

Since inception, nearly 100 approvals, appointments and determinations have been made progressively, with the initial urgency on those required for the 2005 Legislative Council elections.

SIGNIFICANT EVENTS OF 2005–2006

The 16 month period since the inception of the Commission has been marked by a full round of the major events conducted by the Commission.

Full details of Parliamentary elections can be found in the “Report on Parliamentary Elections 2003–2006” booklet. Full details of local government elections can be found in “Local Government Election Report 2005” booklet or in the individual council reports. These reports are available from the TEC or can be downloaded from the TEC website.

Summary statistics on performance are included later in this report.

The AEC has, for many years, provided election services to the Tasmanian Electoral Commission (formerly the Tasmanian Electoral Office) to assist in the conduct of Parliamentary and local government elections in Tasmania. Under a contractual arrangement, AEC staff are appointed as returning officers to manage the field work associated with elections.

A review of the party register was conducted in accordance with section 58 of the *Electoral Act 2004*. One party was removed from the register as a result of the review, leaving 5 parties currently registered.

Legislative Council elections

Murchison, Paterson and Rumney — May 2005

On 5 April 2005, the Governor issued writs for Legislative Council periodic elections in the divisions of Murchison, Paterson and Rumney. Nominations closed on 14 April with 10 candidates (seven men and three women) being nominated. There being only one candidate in Paterson, a poll was not required in that division.

Pre-poll voting was available in Hobart, Launceston and Burnie as well as interstate at State electoral offices in any capital city. Pre-poll and mobile voting was simplified with the requirement for placing the ballot paper in an envelope being removed. Postal votes applications were also available from post offices and the TEC website.

In the second week before polling day each elector was posted a personally addressed brochure containing a map of their division, details of the election, candidates and polling places, and information on how to vote early if unable to visit a polling place.

Polling day was Saturday 7 May. A special polling place was opened at AGFEST for electors attending AGFEST on polling day. 851 votes were cast at this polling place.

The result in Rumney was clear on polling night and was confirmed by a recheck on Sunday. The result in Murchison required the distribution of preferences and was announced about 5pm on Monday 9 May.

Declaration of the poll ceremonies were held on Saturday 7 May for Paterson and on Thursday 12 May for Murchison and Rumney, with writs for all divisions being returned to His Excellency the Governor on 12 May.

As a result of the commencement of the *Electoral Act 2004*, many new or modified forms and procedures were used at these elections. These were well received by election officials and voters, and resulted in time and cost savings. A few forms and procedures will be further refined as a result of this first practical test.

Rowallan and Wellington — May 2006

On 4 April 2006, the Governor issued writs for Legislative Council periodic elections in the divisions of Rowallan and Wellington. Nominations closed on 12 April with 8 candidates (6 men and 2 women) being nominated.

Following the successful introduction of additional interstate pre-poll voting at all Australian Electoral Commission divisional offices throughout Australia for the House of Assembly elections, this feature was extended to Legislative Council elections this year.

Also for the first time at Legislative Council elections, overseas electors were permitted to apply for a postal vote by email direct from the TEC website.

Polling day was Saturday 6 May. A polling place was again opened at AGFEST.

The result in Rowallan was clear on polling night and was confirmed by a recheck on Sunday. The result in Wellington required the provisional distribution of preferences on Sunday, providing a nearly certain result which was confirmed on Monday morning.

Declaration of the poll ceremonies were held on Thursday 11 May for Rowallan and on Friday 12 May for Wellington, with writs for both divisions being returned to His Excellency the Governor on 12 May.

House of Assembly elections

On 23 February 2006, the Governor issued writs for a House of Assembly general election. Nominations closed on 3 March with 95 candidates (65 men and 30 women) being nominated.

Pre-poll voting was available in Hobart, Launceston, Devonport and Burnie. In addition, pre-poll voting was available interstate at State electoral offices and, for the first time, at nearly 150 Australian Electoral Commission divisional offices throughout Australia. Postal votes were also available and for the first time overseas electors were permitted to apply for a postal vote by email direct from the TEC website.

Polling day was Saturday 18 March. From 6pm the “tally room” at the Wrest Point Convention Centre again provided the focus for results and media coverage. Progressive results were also provided on the TEC website.

House of Assembly elections use the “Hare-Clark” proportional representation electoral system. Four scrutinies were completed on Wednesday 29 March with the final completed at noon on Thursday 30 March. These results were between 1 and 2 days earlier than previous elections due to the earlier cut-off for postal votes (10am Tuesday 28 March rather than the end of that day) and the adoption of the process of amalgamating parcels of ballot papers with the same transfer values when excluding candidates.

Scrutinies were conducted utilising the ‘HC Auto’ computerised scrutiny sheet to improve the efficiency and accuracy of the count. This system was developed in Tasmania and has been used successfully at Local Government and House of Assembly elections since 1996. It has recently been adapted for use at South Australian and Victorian local government elections.

Declaration of the poll ceremonies were held on Monday 3 April, with writs being returned to His Excellency the Governor that afternoon.

House of Assembly recounts

A recount was held in May 2005 to fill a vacancy, following the resignation of the Honourable Kenneth John Bacon.

Local Government elections

Local Government elections were held in September and October 2005 (deferred from 2004). Elections were held in all 29 councils for the positions of mayor, deputy mayor and half the councillor positions, together with by-elections for 14 casual vacancies.

The *Local Government Act 1993* provides that the Electoral Commissioner (EC) is responsible for the supervision of elections, and is to undertake some specific tasks such as the production of ballot papers, forms and both statutory and public awareness advertising. It also requires that the EC approve some forms and procedures and appoint returning officers.

This year, in addition, the TEC was requested to take full responsibility for the conduct of 28 of the 29 elections, with Australian Electoral Commission (AEC) staff being appointed as returning officers under a contractual arrangement. In the Flinders Council, the General Manager was appointed returning officer following a recommendation from the Council.

The Notice of election was published on Saturday 10 September 2005 with nominations closing on 26 September. A total of 348 candidates nominated for a total of 156 councillor positions, 65 candidates nominated for 29 mayoral positions and 74 candidates nominated for 29 deputy mayoral positions. Of the total of 487 candidates for all positions, 370 were male and 117 female.

Tasmanian local government elections are conducted by a non-compulsory postal ballot. A postal ballot pack was posted to each elector between 11 and 14 October. The pack includes a reply paid envelope, a security declaration envelope, ballot paper(s), and an information brochure containing voting instructions and candidate statements of up to 150 words. The ballot closed at 10am on 25 October.

From the 2005 elections, the order of candidate names on ballot papers for mayor, deputy mayor and councillors is rotated using the Robson rotation system (previously only councillor names were rotated). 1093 different ballot papers were required in 2005.

A state tally-room was set up in the main grandstand at the Royal Hobart Show Grounds in Glenorchy and operated from 6 pm until about midnight on Tuesday 25 October. Provisional first preference results for all positions and the distribution of preferences for mayoral positions were progressively displayed on tally boards. Unfortunately results for Launceston were delayed.

Results were also posted on the TEC website.

Councillor positions are elected by the Hare-Clark proportional representation electoral system. The majority of the election scrutinies were completed on Wednesday 26 October, with the more complex scrutinies being completed on Thursday 27 October. The actual time required for each scrutiny varied considerably and was dependent on the number of positions, number of candidates and number of ballot papers.

Two elector polls were conducted concurrently with the elections. The Waratah-Wynyard municipal area had an elector poll in relation to the proposed name change to the Table Cape Council and municipal area. The West Tamar municipal area had an elector poll in relation to the proposed pulp mill being located in the area.

By-elections and recounts

From February 2005 until June 2006, the TEC conducted 11 recounts and 1 by-election to fill casual vacancies on Councils.

Aboriginal Land Council of Tasmania elections

The Electoral Commissioner is responsible for determining Aboriginality for the purposes of the *Aboriginal Lands Act 1995*, preparing and maintaining the Aboriginal Land Council of Tasmania (ALCT) Electors Roll and conducting elections for the Council. Elections were previously held in 1996/1997 and 2001.

The enrolment process for the current elections commenced in August 2005 with 434 applications for enrolment being received. 1179 objections, on the grounds of Aboriginality, were received to the names of 428 people being transferred to the ALCT roll.

The Electoral Commissioner rejected objections to 263 people and accepted the objections to the remaining 165 people. Six appeals have been lodged in the Supreme Court.

The call for nominations has therefore been deferred to allow these matters to be heard by the Supreme Court, and as a result finalise the roll for the election.

A preliminary hearing was held on 14 February 2006 with the matter being held over to a date to be fixed. The appellants lodged a number of Freedom of Information requests which have been dealt with by the Department of Justice.

Assistance provided to other state electoral authorities

The TEC assisted other electoral authorities by providing a pre-poll voting centre at the TEC office in Hobart for other state and territory elections, and New Zealand elections.

Elections assisted since February 2005 include the New Zealand general election, the Northern Territory election, the South Australian election and by-elections in New South Wales, the Northern Territory and Western Australia.

Other elections and ballots

Elections were conducted for a range of statutory and non-statutory organisations. Enterprise agreement ballots were conducted under the *Industrial Relations Act 1984*. Fees are charged for these services.

Electoral enrolment

An up-to-date and accurate electoral roll is an essential prerequisite for the conduct of elections. The State of Tasmania and the Commonwealth of Australia have an arrangement for the management and maintenance of a joint roll.

The Tasmanian electoral roll is maintained by the Australian Electoral Commission as part of the national roll. The TEC has on-line access to the roll. The national roll is jointly managed by the Australian Electoral Commission and the State electoral authorities.

Eligible Tasmanians are able to enrol to vote in federal, state or local government elections or change their details on the electoral roll, by completing a single joint enrolment form.

Tasmanians have also been able to enrol using the *Service Tasmania "Change of Address form"*, which also updates the person's address with nominated state government agencies. However this may not be possible in the future as the Commonwealth Government has passed legislation requiring more complex proof of identity requirements.

Under section 40 of the *Electoral Act 2004*, the Tasmanian roll is provided to Members of Parliament, registered parties and other organisations approved by the Commission.

REPORT ON PERFORMANCE

This section details the performance results for the Tasmanian Electoral Commission.

The TEC conducts a range of elections on behalf of the Tasmanian community.

The cost per elector for these elections varies depending on the statutory requirements, and the scale and complexity of the election.

The performance assessment, in the first instance, focuses on the cost effectiveness of the electoral process. Two measures are reported in tables 8 and 9 – the cost per enrolled elector to conduct State elections and the cost per enrolled elector to maintain the electoral roll.

While cost effectiveness is important, it is essential that other performance measures such as the participation rate (number of electors who voted as a percentage of total enrolment), and the informality rate (number of informal votes as a percentage of the total number of electors who voted), are maintained at existing satisfactory levels or better.

Tasmania *Together* indicators and targets are aimed at promoting community awareness and participation and are assessed in terms of the level of voter participation in local government elections and the percentage of “effective votes” (i.e. formal votes expressed as a percentage of total enrolment) at State elections.

House of Assembly Elections

Table 1: House of Assembly elections statistics by division 2006

| | Bass | Braddon | Denison | Franklin | Lyons |
|-------------------------------------|--------|---------|---------|----------|--------|
| Number of electors at close of roll | 67 160 | 69 835 | 68 207 | 69 903 | 66 376 |
| Ballot papers cast | 63 703 | 66 394 | 64 285 | 66 523 | 63 103 |
| Participation rate | 94.85% | 95.07% | 94.25% | 95.16% | 95.07% |
| Formal votes | 60 699 | 63 309 | 61 538 | 63 957 | 60 119 |
| Informality rate | 4.72% | 4.65% | 4.27% | 3.86% | 4.73% |
| “Effective votes” | 90.38% | 90.66% | 90.22% | 91.49% | 90.57% |
| Number of candidates | 19 | 16 | 24 | 18 | 18 |
| Number of counts | 44 | 27 | 39 | 47 | 41 |

“Effective votes” is a measure, used by Tasmania *Together*, of formal votes as a percentage of electors on the roll.

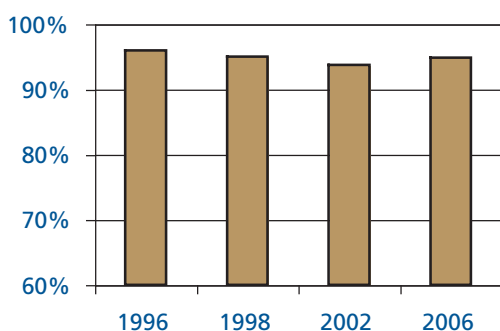
Table 2: House of Assembly elections statistics 1996–2006

| | 1996 | 1998 | 2002 | 2006 |
|-------------------------------------|---------|---------|---------|---------|
| Number of electors at close of roll | 324 556 | 322 754 | 332 473 | 341 481 |
| Ballot papers cast | 311 486 | 306 655 | 311 637 | 324 008 |
| Participation rate | 95.97% | 95.01% | 93.73% | 94.88% |
| Formal votes | 294 671 | 294 678 | 296 470 | 309 622 |
| Informality rate | 5.40% | 3.91% | 4.87% | 4.44% |
| “Effective votes” | 90.79% | 91.30% | 89.17% | 90.67% |
| Number of candidates* | 158 | 138 | 112 | 95 |
| Total number of counts** | 3 363 | 3 271 | 2 500 | 198 |

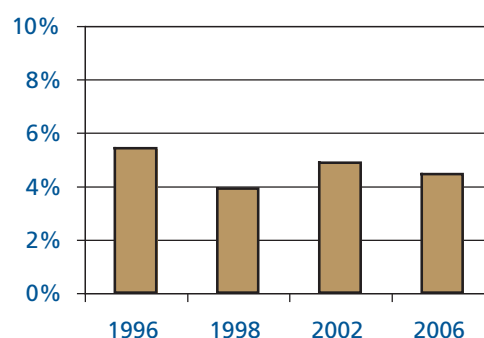
*The number of members of the House of Assembly was reduced in 1998 from 35 to 25.

** The number of counts reduced dramatically in 2006 with the adoption of the process of amalgamating parcels of ballot papers with the same transfer values when excluding candidates.

House of Assembly elections
Participation Rates



House of Assembly elections
Informality Rates



Legislative Council Elections

Table 3: Legislative Council elections statistics by division 2005–2006

| | 2005 | | | 2006 | |
|-------------------------------------|-----------|-------------|--------|----------|------------|
| | Murchison | Paterson | Rumney | Rowallan | Wellington |
| Number of electors at close of roll | 23 891 | Uncontested | 22 583 | 21 511 | 23 333 |
| Ballot papers cast | 21 315 | | 19 388 | 17 889 | 17 579 |
| Participation rate | 89.22% | | 85.85% | 83.16% | 75.34% |
| Formal votes | 20 560 | | 18 668 | 16 915 | 16 957 |
| Informality rate | 3.54% | | 3.71% | 5.44% | 3.54% |
| “Effective votes” | 86.06% | | 82.66% | 78.63% | 72.67% |
| Number of candidates | 5 | | 4 | 2 | 6 |

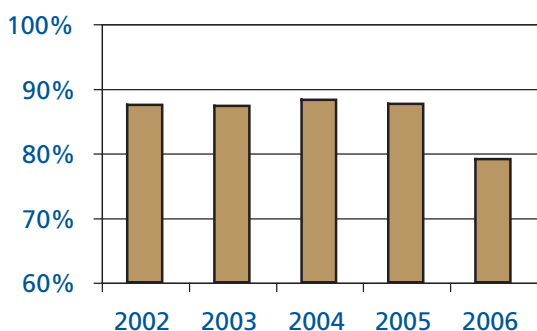
Table 4: Legislative Council election statistics 2002–2006

| | 2002 | 2003 | 2004 | 2005 | 2006 |
|-------------------------------------|--------|--------|--------|--------|--------|
| Number of electors at close of roll | 66 506 | 66 366 | 44 442 | 46 474 | 44 844 |
| Ballot papers cast | 58 161 | 57 908 | 39 201 | 40 703 | 35 468 |
| Participation rate | 87.45% | 87.26% | 88.21% | 87.58% | 79.09% |
| Formal votes | 55 885 | 55 193 | 37 090 | 39 228 | 33 872 |
| Informality rate | 3.91% | 4.69% | 5.39% | 3.62% | 4.50% |
| “Effective votes” | 84.03% | 83.16% | 83.46% | 84.41% | 75.53% |
| Number of candidates | 17 | 11 | 14 | 10 | 8 |

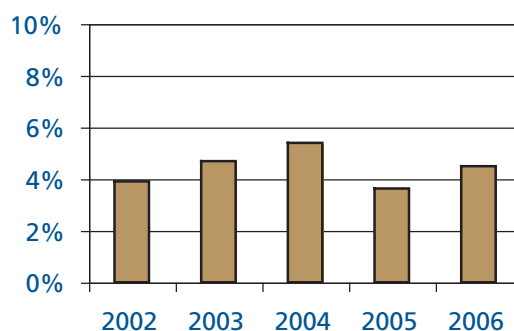
The participation rate in the Legislative Council elections was disappointingly low in 2006. This was probably due to a number of factors, including the following—

- the elections closely followed the 2006 House of Assembly elections;
- there was extensive media coverage of the Beaconsfield Mine incident at that time;
- the inner city metropolitan division of Wellington has a history of low participation for a number of demographic reasons including the higher transient population;
- the small number of candidates in Rowallan.

Legislative Council elections
Participation Rates



Legislative Council elections
Informality Rates



Local Government Elections

Table 5: Local Government elections statistics 1996–2005

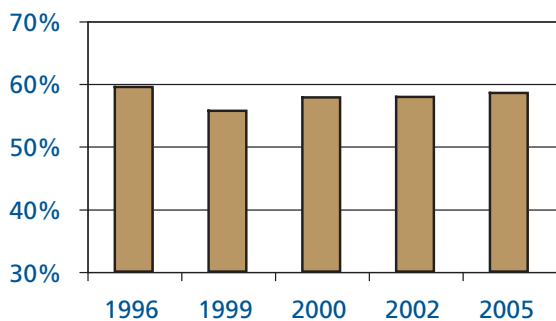
| | 1996 | 1999 | 2000 | 2002 | 2005 |
|--|---------|---------|---------|---------|---------|
| Number of electors at close of roll* | 316 475 | 330 004 | 334 592 | 340 283 | 350 026 |
| Number of council elections fully conducted by TEC | 22/28 | 24/28 | 27/29 | 26/28 | 28/29 |
| Declarations returned | 188 230 | 183 673 | 193 337 | 196 903 | 204 846 |
| Response rate | 59.48% | 55.66% | 57.78% | 57.86% | 58.52% |
| Total ballot papers** | 321 329 | 291 890 | 514 858 | 525 772 | 563 532 |
| Formal votes | 317 011 | 287 896 | 505 123 | 516 100 | 553 809 |
| Informality rate | 1.34% | 1.37% | 1.89% | 1.84% | 1.73% |
| Number of candidates | 381 | 377 | 454 | 437 | 487 |
| Total number of counts*** | 1 833 | 503 | 622 | 570 | 708 |

* Comprises those electors on the House of Assembly roll for an address within the municipal area as well as other owners, occupiers and nominees who have enrolled on the general manager’s roll. Only includes figures for those councils having elections.

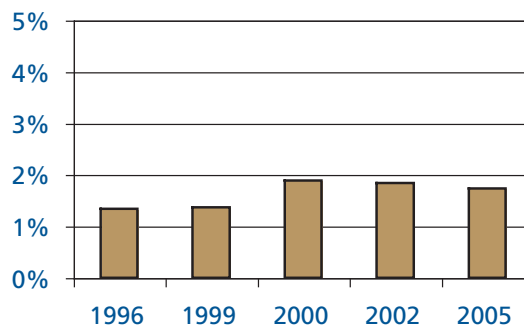
** Includes all ballot papers for mayor, deputy mayor and councillors.

*** The number of counts reduced dramatically after 1996 with the adoption of the process of amalgamating parcels of ballot papers with the same transfer values when excluding candidates.

Local Government elections
Participation Rates



Local Government elections
Informality Rates



Tasmania *Together* Indicators and Targets

Tasmania *Together* is a community system of goal setting and measurement, used to guide decision making in the government and community sectors. Goal 13 is to “have a system of government that is open, seeks and listens to people’s views and ideas, and uses them in decision making at all levels.”

Tasmania *Together* indicators and targets are aimed at promoting community awareness and participation and are assessed in terms of the level of voter participation in local government elections and the percentage of effective votes (i.e. formal votes expressed as a percentage of total enrolment) at State House of Assembly and Legislative Council elections.

Table 6: Tasmania *Together* indicators and targets

| Tasmania <i>Together</i> Indicator | Tasmania <i>Together</i> Target |
|--|--|
| Participation in local government elections | 2005: 60% 2010: 65% 2015: 70% 2020: 75% |
| Percentage of effective votes in State elections | 2005: 92% 2010: 94% 2015: 96% 2020: 98% |

Table 7: Local Government election participation & parliamentary election effective voting rates

| Participation in local government elections | 1996 | 1999 | 2000 | 2002 | 2005 |
|--|--------|--------|--------|--------|--------|
| Local Government | 59.48% | 55.66% | 57.78% | 57.86% | 58.52% |
| Percentage of effective votes in State elections | 1992 | 1996 | 1998 | 2002 | 2006 |
| House of Assembly | 90.67% | 90.79% | 91.30% | 89.17% | 90.67% |
| Percentage of effective votes in State elections | 2002 | 2003 | 2004 | 2005 | 2006 |
| Legislative Council | 84.03% | 83.16% | 83.46% | 84.41% | 75.53% |

The percentages of effective votes at House of Assembly elections and the participation in local government elections are just below the Tasmania *Together* targets shown above.

The percentages of effective votes in Legislative Council elections are lower than the targets for state elections. The periodic nature of Legislative Council elections means that it is difficult to achieve the same level of elector awareness, in the 2 or 3 divisions each year, as that achieved by a general election of the House of Assembly. Electors out of Tasmania are also less likely to be aware of these elections.

Participation in the Legislative Council elections was disappointingly low in 2006. Some probable reasons for this are outlined on page 13.

FINANCIAL PERFORMANCE

This section contains breakdowns of election costs and historical comparisons. Expenditure and Revenue statements can be found in the 2005–2006 Department of Justice Annual Report.

Cost of elections

Table 8: Cost of State, Local Government and Federal Elections

| | 2001–02 | 2002–03 | 2003–04 | 2004–05 | 2005–06 |
|----------------------------|---------|---------|---------|---------|---------|
| <i>House of Assembly</i> | | | | | |
| Total cost (\$'000) | n/a | 1 752 | n/a | n/a | 1 897 |
| No. of electors on roll | n/a | 332 473 | n/a | n/a | 341 481 |
| Cost per elector on roll | n/a | \$5.27 | n/a | n/a | \$5.56 |
| <i>Legislative Council</i> | | | | | |
| Total cost (\$'000) | 348 | 377 | 346 | 335 | 280 |
| No. of electors on roll | 66 506 | 66 366 | 44 442 | 70 008 | 44 844 |
| Cost per elector on roll | \$5.23 | \$5.68 | \$7.79 | \$4.79 | \$6.24 |
| <i>Local Government</i> | | | | | |
| Total cost (\$'000) | n/a | 977 | n/a | n/a | 1 147 |
| No. of electors on roll | n/a | 340 283 | n/a | n/a | 350 026 |
| Cost per elector on roll | n/a | \$2.87 | n/a | n/a | \$3.28 |
| <i>Federal Election</i> | | | | | |
| Cost per elector on roll | \$5.29 | n/a | n/a | \$5.79 | n/a |

Variation in cost of Legislative council elections

- The cost per elector is less in years where there are elections in 3 divisions due to economies of scale, particularly with advertising.
- In 2003–04, the cost per elector was high due to the geographic spread of the new division of Apsley and the use of additional election awareness brochures and other advertising.
- In 2004–05, the cost per elector was low due to a poll not being required in Paterson as there was only one nomination.

Federal election costs for the 2001 and 2004 Federal elections are included for information, and were obtained from the Australian Electoral Commission Electoral Pocket Books of July 2002 and June 2005. Federal election costs do not include a component for the decentralised structure of permanent divisional returning officers and staff.

Cost of electoral enrolment

Table 9: Cost of managing and maintaining electoral roll

| | 2001–02 | 2002–03 | 2003–04 | 2004–05 | 2005–06 |
|---------------------------------------|---------|---------|---------|---------|---------|
| Total cost (\$'000) | 187 | 204 | 226 | 243 | 249 |
| Number of electors on roll at 30 June | 332 464 | 331 788 | 335 402 | 341 172 | 343 494 |
| Cost per elector on roll | \$0.56 | \$0.61 | \$0.67 | \$0.71 | \$0.72 |

These costs include the cost to the State of the State/Commonwealth joint roll arrangement, communications lines to the national roll, associated IT costs and the cost of providing the roll to Members of Parliament, registered parties and other organisations approved by the Commission under section 40 of the *Electoral Act 2004*.

APPENDIX A — FEATURES OF THE NEW *ELECTORAL ACT 2004*

The following is a summary of the major changes which were implemented by the *Electoral Act 2004*.

Part 1 — Preliminary

“approved” in this Act means approved by the Commission.

Part 2 — Administration

The Act establishes a three person Tasmanian Electoral Commission, comprising the chairperson, Electoral Commissioner and one other member, and sets out the functions and powers of the Commission.

All members are appointed by the Governor following consultation by the Minister with the Parliamentary leader of each party represented in the Assembly and the President of the Council. Appointment is for a period not exceeding 7 years.

A person is not eligible for appointment if the person is or has been in the past 5 years a member of a House of Parliament of the Commonwealth or a State or Territory or a member of a registered party.

A member may be removed from office by the Governor on addresses from both Houses of Parliament. A member may also be suspended by the Governor for various reasons, but is to be restored to office unless each House passes an address requesting his or her removal within 30 sitting days of the laying before each House of a statement of the grounds of the suspension.

Further conditions relating to the membership and meetings of the Commission are also contained in Schedules 1 and 2 of the Act.

The Electoral Commissioner is the chief executive officer of the Commission.

The Commission is to report to Parliament annually.

The Act also provides that Returning Officers are to be appointed by the Commission rather than the Minister, as previously.

Part 3 — Enrolment

The Act removes the complex enrolment requirements and procedures from the Tasmanian Electoral Act and simply provides that persons, other than prisoners, entitled to be enrolled to vote in Federal elections are entitled to be enrolled for State elections. Prisoners are separately specified to be entitled to enrol and vote if serving a sentence of less than 3 years.

A Joint Roll Arrangement with the Commonwealth has been in place for approximately 80 years, with nearly complementary enrolment qualifications and procedures for Commonwealth and House of Assembly electors. The single joint enrolment card was extended to include Legislative Council and Local Government electors in the early 90's.

This arrangement will continue as the Act further provides that a person enrolled on the Commonwealth Roll is taken to be enrolled on the State Roll.

There is scope, however, for the provision for separate state entitlement, forms or procedures if required at any stage in the future.

The *Tasmanian Constitution Act 1934* used to have a requirement that to enrol in Tasmania a person must have lived in Tasmania for six months continuously at any one time. There is no similar requirement in any other state or the Commonwealth. This difference created confusion for electors and operational difficulties. New Tasmanians were enrolled initially as 'Commonwealth only' electors and then, after the 6 month period, were requested to lodge a further enrolment form for state enrolment.

A consequential amendment to the *Constitution Act 1934* (ss 28 & 29) deleted this 6 months requirement.

The effect of these provisions was that all Tasmanian electors have single card enrolment for federal, state and local government elections and the qualifications for state and federal enrolment are identical. However recent changes to the *Commonwealth Electoral Act 1918* mean that prisoners will not be allowed to vote in federal elections but are entitled to enrol.

Sale and inspection of the roll

The sale of the Tasmanian electoral roll is also banned under the Act. This is in line with recent moves in the Commonwealth and other states. Modern technology now allows easy conversion of our printed rolls to electronic form and consequent commercial use for which it was not intended. This has now been prevented.

The Tasmanian roll is provided to Members of Parliament, registered parties and other organisations approved by the Commission under section 40 of the *Electoral Act 2004*.

In addition, the Act allows the Tasmanian Electoral Commission to provide for public inspection of printed or electronic versions of the electoral roll and provision for the public to check their individual enrolment details on the internet.

Part 4 — Registration of political parties

The basic requirements for party registration have been retained but detailed provisions have been clarified and the role of the Commission introduced.

Under the previous Act, any objection to the registration of a party, including a challenge by the Chief Electoral Officer, was referred directly to the Supreme Court.

Under the new provisions, the Commission has responsibility for accepting or rejecting an application to register a party, having considered whether the application complies with the Act and any objections to the registration. Subsequent appeals would be still be made to the Supreme Court.

The mechanisms for adding, deleting or changing members have been clarified as the 1985 Act provided only for the substitution of a registered member.

Previously the declarations by at least 100 party members required to accompany the application for registration needed only contain a statement that the person was a member of the party. To ensure that party members who apply for registration are fully aware of what they are signing they are also required to state that they support the application for registration.

Previously, 3 registered members could apply for the change of a party name. The Act requires such an application to be signed by the registered officer together with 3 members and must include a statement that the change has been approved by the executive of the party.

Part 5 — Conduct of elections

The Act combines House of Assembly and Legislative Council procedures into the same sections or divisions while preserving the necessary differences, thereby avoiding duplication and allowing easier reference.

Clearer reference has been made to Assembly by-elections which, although rare events, may be required.

Division 2 — Nominations for election

Nominations by individuals

All candidates were previously required to be nominated by at least 2 nominators. To avoid frivolous nominations without being too onerous on candidates, the Act now provides that individual candidates will require at least 10 nominators who are electors entitled to vote at the election to which the nomination relates.

Nominations by registered parties and groups

The complex and confusing requirement for nominating party candidates, requiring the completion of 4 separate forms, has been replaced with a simple system that allows the registered officer, with the written consent of each candidate, to nominate the party candidates for each division. This is considered sufficient, as a registered party must have at least 100 registered members.

The old Act allowed 2 or more people to register to appear as an un-named group on House of Assembly ballot papers.

The recent proliferation of parties in other parts of Australia has given rise to concerns that our almost complete lack of restriction on forming an unnamed group and being entitled to a column, could lead to the ballot paper becoming unwieldy and confusing for voters. It could also be argued that political parties have to go through a more rigorous registration process for the sole purpose of having a separate column on the ballot paper—albeit with the party name as a heading.

Accordingly, the Act requires non-party groups on House of Assembly ballot papers to be supported by 100 electors on a new group nomination form.

Party names may appear on Legislative Council ballot papers

Following a recommendation of the Parliamentary Working Group on the *Electoral Bill 2004*, provision has been made to allow the name of a registered party to appear on a Legislative Council ballot paper together with the name of a candidate endorsed by that party.

Nomination deposit

The previous nomination deposit of \$200 was set in 1985. This has been increased to \$400 in line with inflation. By comparison, the federal House of Representatives nomination deposit was \$350 at the time the new Act was passed and has since been increased to \$500.

Death of a candidate

The new Act clarifies the provisions relating to the death of a candidate. There is a new provision whereby if a candidate dies before the close of nominations, the nomination period is extended for 24 hours.

Division 3 — Arrangements for polling

Appointment of polling places

The Commission now appoints polling places instead of the Governor as previously provided. In addition, the Commission can now approve ordinary, pre-poll or mobile polling places outside the division for which the election is being held.

Division 7 — Voting at ordinary, pre-poll and mobile polling places

Assistance to electors

The ability for officials to assist an elector who cannot vote without assistance was very restricted in the previous Act. This Act allows the Commission to approve reasonable and appropriate procedures and provides that any scrutineers present are to be advised of the procedure to be used. This could for example include provision for an elector to vote in his or her car as recently introduced by the Commonwealth.

Pre-poll and mobile voting

Previously, to be entitled to vote at a pre-poll or mobile polling place, an elector must have fitted within a particular category, such as illness or distance from a polling place. However, there are other genuine situations where electors who cannot vote on polling day have either been denied a vote or chose to complete a false declaration in order to vote. To overcome this, the Bill requires a single written declaration by an elector that he or she expects to be unable to vote at a polling place on polling day.

In addition, a declaration envelope will not be required. Electors' names will be marked off a certified list of voters and their ballot papers deposited directly into a ballot box.

Division 9 — Postal voting

As for pre-poll and mobile voting, the Act only requires a declaration by an elector that he or she expects to be unable to vote at a polling place on polling day

The Act sets out the basic requirements and provides that postal vote applications and postal vote declaration envelopes are to be approved. The Commission is also to approve procedures for the conduct of the preliminary scrutiny and counting of postal vote declaration envelopes.

The Act removes the requirement for a witness on a postal vote application and postal vote declaration envelope. The previous process required the matching of the signature on the declaration envelope with the signature on the application to validate a postal vote. This assumed that the application was valid in itself as there was no requirement to check the signature on an application.

The requirement for a witness on postal voting at local government elections was removed in 1996 with no adverse criticism. It can be difficult to obtain a signature of an authorised witness when overseas and when a witness is not a Tasmanian elector, the TEC may not be able to verify their identity.

To provide safeguards, signatures on postal vote declarations may now be checked against elector enrolment cards. These checks could be sample, targeted or 100% checks depending on the circumstances.

The Act provides for a register of general postal voters, as in most Australian jurisdictions. Such voters will be sent a postal vote automatically without having to fill in an application at every election. The Commission may approve necessary arrangements to use the lists of general postal voters registered for Commonwealth elections.

Division 11 provides that the closing time for receipt of postal votes is to be 10am (rather than midnight) on the 10th day (a Tuesday) after polling day. This has saved almost a full day in the election timetable without disadvantaging postal voters, as mail is normally delivered by 10am.

Division 10 — Polling in Antarctica, remote areas and outside Tasmania

Voting in Antarctica and remote areas

The complex and old-fashioned provisions relating to polling in Antarctica have been replaced by provision for the Commission to approve procedures and this facility has also been extended to other remote areas.

Voting while outside Tasmania

The previous procedures for overseas and interstate voting were very limited and require formal application in writing, the posting of a ballot paper from the returning officer to the elector and the elector returning that ballot paper by post. With modern technology it is possible for a postal vote to be requested by electronic means and a ballot paper delivered to the elector electronically. This new Act allows the Commission to approve procedures which as far as practicable retain secrecy and security, but can take advantage of technology.

In addition, the new provision under Division 3 to appoint polling places outside the electoral division will allow the creation of pre-poll facilities in electoral offices in other states. This is at minimal cost as we generally have reciprocal arrangements.

These provisions will assist in addressing a criticism that it is difficult, and in some cases impossible, to vote from outside Tasmania.

Division 14 — Compulsory voting

See also Division 3 of Part 7 (Offences).

The previous sections relating to enforcement of compulsory voting were unduly complex and time-consuming, requiring at least two notices for simple offences. In some cases it was impossible to prosecute within the time limit imposed by the *Justices Act 1959*.

The Act adopts a process similar to that in the *Commonwealth Electoral Act 1918*. This is along the lines of an on-the-spot traffic infringement system. Apparent offenders receive a single penalty notice allowing either an immediate fine payment or the provision of a reason for not voting. If the reason is not acceptable a further penalty notice will be issued.

The previous penalties were out of date. The initial penalty for failure to vote, if accepted by the elector, has increased from \$5 to \$20. The maximum penalty if the case goes to court has increased from \$50 to \$100.

Part 6 — Electoral expenditure in respect of Council elections

There have been no significant changes to this part.

Part 7 — Offences

To facilitate compliance with the Act and easy reference, all offences have been incorporated into one part in the Act. The offences are clearly separated into appropriate divisions.

Authorisation of printed & broadcast electoral matter

Previously, the Act required the name and residential address of the person who instructed the printing and the name and address of the printer to appear on all printed, published and distributed electoral matter.

Under the new Act, only the name and address of the responsible person needs to appear on electoral matter. Details of the publisher and printer are no longer required.

The requirement for a residential address contained in the former Act made it difficult for some people to authorise material as, for genuine privacy reasons, they did not wish to advertise their home address.

Accordingly, the new Act allows non-residential addresses to be used — provided the address enables them to be readily located.

It is made clear that authorisation is not required on specific items such as T-shirts, buttons, pens or balloons, and also business cards.

Formerly it was an offence for a person to use a candidate's name in advertising without that candidate's consent. The new Act extends this prohibition to the use of a photograph or a likeness of a candidate.

Requirements for radio and television advertising have been removed as these are covered by the *Commonwealth Broadcasting Services Act 1992*.

Part 8 — Disputed elections, eligibility and vacancies

While there have been no substantial changes to the provisions relating to disputed elections, eligibility and vacancies, they have been modernised.

Part 9 — Casual vacancies in Assembly

While there have been no substantial changes to the provisions relating to casual vacancies, they have been clarified, particularly in relation to the possible need for a by-election and the procedures to be followed in this unusual event.

Schedule 4 – Method of counting votes at Assembly election

The only modification to the scrutiny process has been to incorporate the amalgamation of transfer values.

The former Act provided that when a candidate was excluded all the ballot papers received by that candidate are distributed to other candidates as separate parcels in the order and at the transfer value each parcel was received. This was a lengthy and time-consuming process with around 100 counts often required to exclude the last candidate.

This modification to the scrutiny process only applies when distributing the votes of excluded candidates. It involves the amalgamation of parcels of votes having the same transfer value into single parcels prior to distribution. These larger parcels are then distributed in order of decreasing size of the transfer value (starting from 1) rather than previously, in the order each parcel was received by the candidate being excluded.

Amalgamation of transfer values will significantly reduce the number of counts required. In 2002 the 5 House of Assembly divisions required between 250 and 750 counts depending on the number of candidates. With amalgamation, only 40 to 80 counts would have been needed. This would have provided a result about a day earlier on the longer scrutinies and delivered some small cost savings.

It will have only minor effect on the results of an election and is arguably no less fair than the existing system. In fact by reducing the number of counts, the number of votes lost by fraction will be reduced allowing more votes to remain in the count. The order of election of candidates in 2002 would not have changed.

While some ballot papers will be handled in a different order and hence result in some differences in the flow of preferences it is argued that the larger amalgamated parcels being distributed will provide a more representative flow of preferences and be less 'quirky' in their effect.

The Australian Capital Territory incorporated this modification with the support of all parties and the Proportional Representation Society of Australia when, after considerable public debate, it adopted the Hare-Clark system for their Legislative Assembly.

It has also been used for local government elections in Tasmania since 1999.

Consequential Amendments

The introduction of the *Electoral Act 2004* necessitated the drafting of two consequential amendment bills.

The *Electoral (Consequential Amendments) Act 2004* mainly covered changes to phrases and definitions in other Tasmanian legislation.

The *Referendum Procedures Act 2004* was drafted due to the substantial number of amendments that would have been required to provisions of the *Referendum Procedures Act 1994*. This Act has been drafted to remove the detailed operational provisions and simply refers to referendums being conducted in accordance with the provisions set out in the new Electoral Act, in so far as they apply.

APPENDIX B — APPROVALS

| Section No. | Subject | Date Approved |
|---|--|---------------|
| PART 2 — ADMINISTRATION | | |
| 24(4) | Declaration by Returning Officer | 01/04/05 |
| 26(3) | Declaration by Election Official | 01/04/05 |
| 27(1) | Amended remuneration for polling place liaison officers | 30/08/05 |
| PART 3 — ENROLMENT | | |
| 36(4) | Silent enrolment | 09/02/05 |
| 38(1) | Inspection of public roll | 09/02/05 |
| 38(2) | Verification of enrolment | 09/02/05 |
| 39(2) | Form of election and candidate rolls | 01/04/05 |
| 40(2) | Form of roll request — party | 01/04/05 |
| 40(3) | Form of roll request — member | 01/04/05 |
| 40(5) | Form of roll request — candidate | 01/04/05 |
| 40(6) | List of persons, bodies or organisations to receive rolls | 30/08/05 |
| PART 4 — REGISTRATION OF POLITICAL PARTIES | | |
| 44(1) | Application for registration of a Party | 10/03/05 |
| 44(3) | Statutory Declaration | 10/03/05 |
| 54(1) and 54(3) | Application to add a registered member and Statutory Declaration | 10/03/05 |
| 55 | Application to delete a registered member | 10/03/05 |
| 56 | Application to change registered officer | 10/03/05 |
| 57 | Application to change name or bp name of party | 10/03/05 |
| 58 | Review of party registration form | 23/06/05 |
| 59 | Form of notice to cancel registration (no reply) | 23/06/05 |
| 60 | Form of notice to cancel registration (less than 100) | 23/06/05 |
| 61(1) | Application to cancel registration of a party | 23/06/05 |
| 61(4) | Form of notice of application to cancel registration | 23/06/05 |

PART 5 — CONDUCT OF ELECTIONS

Part 5 Div 2 — Nominations for election

| | | |
|-------|---|----------|
| 72(c) | Newspapers — for notice of writ | 01/04/05 |
| 73(3) | Newspapers — for notice of change of election dates | 01/04/05 |
| 77(2) | Nomination form — non-party candidate | 01/02/06 |
| 77(3) | Nomination form — HA party candidates | 01/02/06 |
| 77(4) | Nomination form — HA group candidates | 01/02/06 |
| 77(5) | Nomination form — LC party candidate | 10/03/05 |
| 83(2) | Form of consent to withdrawal — registered officer | 01/04/05 |
| 83(3) | Form of consent to withdrawal — others in group | 01/04/05 |
| 86(1) | Account to hold nomination deposits | 01/04/05 |
| 88(2) | Newspapers — for declaration of elected candidates | 01/04/05 |
| 89(2) | Method of determining random order — same for (a) & (b) | 01/04/05 |
| 89(3) | Newspapers — for notice of poll | 01/04/05 |
| 89(5) | Newspapers — for notice of polling places | 01/04/05 |

Part 5 Div 4 — Ballot papers

| | | |
|--------|--|----------|
| 96(1) | Form of ballot paper | 01/04/05 |
| 96(3) | Authentication mark on ballot papers | 01/04/05 |
| 97(10) | Manner of collating HA ballot papers | 30/08/05 |
| 98(3) | Manner of collating LC ballot papers | 01/04/05 |
| 101(2) | Manner of recording additional ballot papers | 01/04/05 |

Part 5 Div 5 — Scrutineers

| | | |
|-----------|-----------------------------------|----------|
| 104(2) | Appointment of scrutineer form | 12/04/05 |
| 104(3)(b) | Form of declaration by scrutineer | 12/04/05 |

Part 5 Div 7 — Voting at ordinary, pre-poll and mobile polling places

| | | |
|-----------|---|----------|
| 108(2) | Form of declaration at pre-poll polling place | 01/04/05 |
| 111 | Manner of marking voters on election rolls | 01/04/05 |
| 113(1) | Procedures for assisting certain electors at polling places | 01/04/05 |
| 118(1) | Declaration vote envelope | 01/04/05 |
| 118(3) | Details to be provided on declaration vote envelope | 01/04/05 |
| 118(4)(c) | Procedure for declaration voting | 01/04/05 |
| 118(4)(d) | Manner of recording declaration votes | 01/04/05 |

Part 5 Div 8 — General provisions at polling places and other places where ballot papers are sorted, checked or counted

| | | |
|-----------|--|----------|
| 121(1) | Manner of exhibiting and securing ballot box | 12/04/05 |
| 123 | Manner of issuing replacement ballot papers | 12/04/05 |
| 124(2)(c) | Newspapers — for notice of adjourned polling | 01/04/05 |

Part 5 Div 9 — Postal voting

| | | |
|---------------|--|----------|
| 126(1)(a) | Application for a Postal Vote | 01/04/05 |
| 126(1)(b) | Details to be provided on application for PV | 01/04/05 |
| 127(1) | Arrangements for obtaining Commonwealth GPVs | 01/04/05 |
| 128(1)(a)(ii) | Instructions for completing and returning postal bps | 01/04/05 |
| 128(1)(b) | Manner of recording postal votes issued | 01/04/05 |
| 128(3) | Postal vote declaration envelopes and other envelopes for issuing and returning postal votes | 01/04/05 |
| 129(3) | Manner of recording replacement postal vote material | 01/04/05 |

Part 5 Div 10 — Polling in Antarctica, remote areas and outside Tasmania

| | | |
|--------|--|----------|
| 131 | Procedures for voting in Antarctica and remote areas | 12/04/05 |
| 132(a) | Procedures for voting outside Tasmania | 12/04/05 |

| Part 5 Div 11 — Preliminary scrutiny of declaration votes and postal votes | | |
|---|---|----------|
| 137(1)(a) | Procedure for preliminary scrutiny and counting of declaration votes | 05/05/05 |
| 138(3) | Manner of recording preliminary scrutiny of dec votes | 05/05/05 |
| 139(1)(c)(ii) | Other method of receiving postal vote dec envelopes | 05/05/05 |
| 139(2) | Manner of recording postal votes | 05/05/05 |
| Part 5 Div 12 — Counting votes | | |
| 140 | Polling places where bps are to be combined | 05/05/05 |
| 141 | Procedure after close at ordinary polling place | 05/05/05 |
| 142(1) | Procedure after close at pre-poll or mobile PP | 05/05/05 |
| 142(2) | Procedure with pre-poll and mobile ballot boxes after close of poll | 05/05/05 |
| 144 | Procedure for rechecking counts | 05/05/05 |
| 149 | Procedure for return of results and parcels to TEC | 05/05/05 |
| Part 5 Div 14 — Compulsory voting | | |
| 153(2) | First non-voter notice | 07/06/05 |
| 154(2) | Second non-voter notice | 23/06/05 |
| 156(2) | Non-Voter Determination Notice | 23/06/05 |
| PART 6 — ELECTORAL EXPENDITURE IN RESPECT OF COUNCIL ELECTIONS | | |
| 161 | Election expenditure return | 01/04/05 |
| PART 8 — DISPUTED ELECTIONS, ELIGIBILITY AND VACANCIES | | |
| 212(7) | Method of deciding between candidates | 01/04/05 |
| 214(2)(b) | Newspapers — for publishing application to withdraw application to dispute election | 01/04/05 |

PART 9 — CASUAL VACANCIES IN ASSEMBLY

| | | |
|-----------|--|----------|
| 226(3)(a) | Notice of HA vacancy | 12/04/05 |
| 226(3)(b) | Newspapers — for notice of adjourned polling | 01/04/05 |
| 228(2) | Nomination form — HA recount | 12/04/05 |

SCHEDULE 4 — METHOD OF COUNTING VOTES RECORDED AT ASSEMBLY ELECTION

| | | |
|------|--|----------|
| 7(2) | Method of deciding between candidates — which surplus to be dealt with first | 01/04/05 |
| 12 | Method of deciding between candidates — exclusion | 01/04/05 |

SCHEDULE 5 — METHOD OF COUNTING VOTES RECORDED AT COUNCIL ELECTION

| | | |
|------|---|----------|
| 8(1) | Method of deciding between candidates — exclusion | 01/04/05 |
|------|---|----------|

APPENDIX C — APPOINTMENTS

| Section No. | Subject | Date Determined |
|--|--|-----------------|
| PART 2 — ADMINISTRATION | | |
| 24(1) | Returning officers – Legislative Council elections | 01/04/05 |
| | – House of Assembly elections | 07/02/06 |
| | – Legislative Council elections | 31/03/06 |
| 26(1) | Election officials to issue pre-poll ballot papers | |
| | – Legislative Council elections | 22/04/05 |
| | – House of Assembly elections | 09/03/06 |
| | – Legislative Council elections | 13/04/06 |
| PART 5 — CONDUCT OF ELECTIONS | | |
| Part 5 Div 3 — Arrangements for polling | | |
| 92(4) | Places at which a mobile polling place may operate | |
| | – Legislative Council elections | 01/04/05 |
| | – House of Assembly elections | 27/02/06 |
| | – Legislative Council elections | 10/04/06 |
| 93(1) | Polling places | |
| | – Legislative Council elections | 01/04/05 |
| | – House of Assembly elections | 27/02/06 |
| | – Legislative Council elections | 10/04/06 |

APPENDIX D — DETERMINATIONS

| Section No. | Subject | Date Determined |
|--|--|-----------------|
| PART 2 — ADMINISTRATION | | |
| 27(1) | Remuneration and allowances | 10/03/05 |
| 27(1) | Remuneration and allowances | 07/02/06 |
| PART 3 — ENROLMENT | | |
| 38(1) | Inspection of public roll | 09/02/05 |
| 38(2) | Verification of enrolment | 09/02/05 |
| PART 5 — CONDUCT OF ELECTIONS | | |
| Part 5 Div 3 — Arrangements for Polling | | |
| 94 | Hours of polling (mobile and pre-poll polling) | |
| | – Legislative Council elections - mobile | 02/05/05 |
| | – pre-poll | 14/04/05 |
| | – House of Assembly elections | 08/03/06 |
| | – Legislative Council elections | 10/04/06 |



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