

1996 BILL 43

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Fourth Session, 23rd Legislature, 45 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 43

ELECTION AMENDMENT ACT, 1996

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MR. HIERATH

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 43*  
*Mr. Hierath*

## **BILL 43**

1996

### **ELECTION AMENDMENT ACT, 1996**

*(Assented to \_\_\_\_\_, 1996)*

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

Amends  
RSA 80 cE-2

*1 The Election Act is amended by this Act.*

*2 Section 1 is amended*

*(a) in clause (f.1) by adding “or” at the end of subclause (i) and by repealing subclauses (ii) and (iii) and substituting the following:*

*(ii) a date fixed by the Chief Electoral Officer, in the case of an enumeration,*

*(b) by repealing clause (g) and substituting the following:*

*(g) “electoral division” means an area in Alberta established as an electoral division under the Electoral Divisions Act;*

*(c) by repealing clause (g.1) and substituting the following:*

*(g.1) “enumeration” means an enumeration of electors under Part 2, Division 3;*

*(d) by repealing clause (h) and substituting the following:*

*(h) “enumerator” means a person appointed under section 20;*

*(e) by repealing clause (i);*

*(f) by repealing clause (j.1) and substituting the following:*

## Explanatory Notes

**1** Amends chapter E-2 of the Revised Statutes of Alberta 1980.

**2** Section 1(f.1), (g), (g.1), (h), (i), (j.1), (n.1), (u) and (w) presently read:

*1 In this Act,*

*(f.1) “elector” means a person who on*

*(i) polling day, in the case of an election,*

*(ii) October 1 of an enumeration year, in the case of a general enumeration, or*

*(iii) a date fixed by the Chief Electoral Officer, in the case of a special enumeration,*

*is a Canadian citizen, is 18 years of age or older and is, and has been for at least the immediately preceding 6 months, ordinarily resident in Alberta;*

*(g) “electoral division” means an area in Alberta with respect to which electors are entitled to elect a member;*

*(g.1) “enumeration year” means a calendar year in which a general enumeration takes place;*

*(h) “enumerator” means a person appointed to compile or revise a list of electors;*

*(i) “general enumeration” means an enumeration of electors in all electoral divisions;*

(j.1) “list of electors” means a list of persons entitled to vote at an election;

(g) *by repealing clause (n.1) and substituting the following:*

(n.1) “polling subdivision” means that area of an electoral division that has been established as a polling subdivision to enable the efficient conduct of an election;

(h) *by adding the following after clause (n.1):*

(n.2) “register” means the register of electors established under section 11;

(n.3) “registered constituency association” means a constituency association registered under the *Election Finances and Contributions Disclosure Act*;

(i) *by repealing clause (u);*

(j) *by repealing clause (w) and substituting the following:*

(w) “subdivision” means that area of an electoral division that has been established as a subdivision to enable the efficient conduct of an enumeration.

(k) *by renumbering section 1 as section 1(1) and by adding the following after subsection (1):*

(2) Subject to section 118, for the purposes of this Act, ordinary residence is determined in accordance with the following rules:

(a) a person can have only one place of ordinary residence;

(b) a person’s ordinary residence is the place where he lives and sleeps and to which, when he is absent from it, he intends to return;

(c) a student who

(i) is in attendance at an educational institution within or outside Alberta,

(ii) temporarily rents accommodation for the purpose of attending an educational institution, and

- (j.1) *“list of electors” means a list made or revised under this Act of persons entitled to vote at an election and includes a certified copy of the list;*
- (n.1) *“polling subdivision” means that area of an electoral division so designated by the returning officer to enable the efficient conduct of an election;*
- (u) *“special enumeration” means an enumeration of electors within an electoral division other than as part of a general enumeration;*
- (w) *“subdivision” means that area of an electoral division so designated by the returning officer to enable the efficient conduct of an enumeration;*

(iii) has family members who are ordinarily resident in Alberta and with whom he ordinarily resides when not in attendance at an educational institution

is deemed to reside with those family members;

(d) when a person leaves Alberta with the intention of becoming ordinarily resident outside Alberta, his ordinary residence in Alberta ceases.

*3 Section 4(3) is amended by striking out “general enumeration” wherever it occurs and substituting “enumeration”.*

*4 Section 7(3)(a) is amended by adding “on the direction of the Chief Electoral Officer” after “boundaries”.*

*5 Part 2 is repealed and the following is substituted:*

## **PART 2**

### **ELECTION LISTS**

#### **Division 1**

#### **Register of Electors**

Establishment  
of register

**11(1)** The Chief Electoral Officer shall establish a register of electors from which lists of electors for polling subdivisions for each electoral division may be compiled for use at general elections, by-elections, referendums and plebiscites held under this Act or under an Act to which this Act applies.

**3** Section 4(3) presently reads:

*(3) The Chief Electoral Officer shall, immediately following each general enumeration, general election, election under the Senatorial Selection Act, by-election or plebiscite, prepare and have printed a report including a summary of his conduct respecting the general enumeration, general election, election under the Senatorial Selection Act, by-election or plebiscite, as the case may be, a breakdown of results, and a summary of costs, and shall transmit the report to the Standing Committee, who shall cause the report to be laid before the Legislative Assembly if it is then sitting or, if it is not then sitting, not more than 15 days after the commencement of the next ensuing sitting of the Assembly.*

**4** Section 7(3)(a) presently reads:

*(3) In addition to performing the duties specified in this or any other Act, a returning officer shall*

*(a) from time to time review polling subdivision boundaries,*

**5** Part 2 dealing with enumerations is repealed and replaced.

(2) The register may be created and revised by any or all of the following:

- (a) conducting a door to door enumeration in accordance with Division 3 of all or some of the electoral divisions, or portions of any of them, as determined by the Chief Electoral Officer;
- (b) using information provided by the Chief Electoral Officer for Canada that was used for compiling lists of electors for use at a general election, by-election, plebiscite or referendum conducted by the Chief Electoral Officer for Canada;
- (c) using any other information obtained by or available to the Chief Electoral Officer.

(3) The register may be revised from time to time as the Chief Electoral Officer considers necessary but must be revised as soon as possible after the Schedule of electoral divisions in the *Electoral Divisions Act* is amended or re-enacted.

(4) The register may be created or revised manually or by means of any computer-based system and may be kept in printed form or may be stored in any computer-based system or any other information storage device that is capable of reproducing any required information in legible printed form within a reasonable time.

(5) The register may only contain the following information about persons ordinarily resident in Alberta who are electors or will be eligible to be electors:

- (a) the residential address, including the postal code of the residence of the person, and the mailing address, including the postal code, if the mailing address is different from the residential address,
- (b) the surname, given name and middle initial of the person,
- (c) the telephone number of the person,
- (d) the gender of the person,
- (e) the day, month and year of birth of the person, and
- (f) if a person has not resided in Alberta for 6 months, the date the person became a resident of Alberta.





(6) Subject to subsection (7), the information referred to in subsection (5)(d) and (e) obtained under this Act may only be used to verify the identification of an elector when creating or revising the register.

(7) The Chief Electoral Officer may enter into an agreement with the Chief Electoral Officer for Canada under the *Canada Elections Act* (Canada)

(a) to receive from the Chief Electoral Officer for Canada information that will assist the Chief Electoral Officer for Alberta in revising the register, and

(b) to provide to the Chief Electoral Officer for Canada information that will assist the Chief Electoral Officer for Canada in preparing or revising his information for the purpose of compiling or revising lists of electors under the *Canada Elections Act* (Canada).

(8) Persons or their agents are entitled to have access to information in the register about themselves to determine whether the information is correct.

## **Division 2 List of Electors**

Review of  
subdivisions

**12** The Chief Electoral Officer shall, from time to time, in consultation with the returning officer for each electoral division,

(a) review the boundary description of and the number of electors in each subdivision, and

(b) if necessary, subdivide the entire electoral division for which the returning officer was appointed into as many sequentially numbered subdivisions as considered necessary for use as polling subdivisions in any general election, by-election, referendum or plebiscite

and shall attempt to ensure, as far as possible, that no subdivision contains more than 450 electors.

List of electors

**13(1)** Lists of electors for polling subdivisions for each electoral division to be used for a general election, by-election, referendum or plebiscite are to be compiled from the register.



(2) The lists of electors may be compiled manually or by means of any computer-based system and may be in printed form or may be stored in any computer-based system or any other information storage device that is capable of reproducing any required information in legible printed form within a reasonable time.

Persons entitled to be listed as electors

**14** Subject to section 41, a person is eligible to have his name included on a list of electors if that person as of a date fixed by the Chief Electoral Officer

- (a) is a Canadian citizen,
- (b) is at least 18 years of age,
- (c) has been or will have been ordinarily resident in Alberta for at least 6 months as of that date, and
- (d) is ordinarily resident in the electoral division and subdivision for which that person is to have his name included on the list of electors.

Contents of list of electors

**15** Only the first names, middle initials and surnames, the addresses, including postal codes, and the telephone numbers of electors may be contained in the list of electors.

Distribution of lists of electors

**16(1)** The Chief Electoral Officer shall, 2 years after a general election and as soon as possible after the register is updated after the Schedule of electoral divisions in the *Electoral Divisions Act* is amended or re-enacted, furnish free of charge

- (a) to each registered political party,
  - (i) one printed copy and one copy in electronic form of the boundary descriptions of the polling subdivisions in each electoral division,
  - (ii) 2 maps showing the polling subdivisions in each electoral division, and
  - (iii) one printed copy and one copy in electronic form of the list of electors for each polling subdivision,

and

- (b) to each member of the Legislative Assembly who is not a member of a registered political party,



- (i) one printed copy and one copy in electronic form of the boundary descriptions of the polling subdivisions,
- (ii) 2 maps showing the polling subdivisions, and
- (iii) one printed copy and one copy in electronic form of the list of electors for each polling subdivision

in the electoral division that the member represents.

(2) In addition to the copies furnished under subsection (1), the Chief Electoral Officer shall, as soon as possible after a writ has been issued for a general election, furnish free of charge to each registered political party,

- (a) one printed copy and one copy in electronic form of the boundary descriptions of the polling subdivisions in each electoral division,
- (b) 2 maps showing the polling subdivisions in each electoral division, and
- (c) one printed copy and one copy in electronic form of the list of electors for each polling subdivision.

(3) The Chief Electoral Officer may require members and registered political parties to pay an amount determined by the Chief Electoral Officer for any additional copies of the boundary descriptions, maps and lists of electors provided under this section.

Restricted use  
of list of  
electors

**17** The list of electors may only be used as follows:

- (a) when provided under section 16 or 57, by registered political parties, registered constituency associations or members or candidates referred to in section 1(1)(b)(iii) or (iv) for the purpose of campaigning for a general election, by-election, referendum or plebiscite conducted under this Act or under an Act to which this Act applies;
- (b) by election officers for the purpose of carrying out their duties under this Act.



### **Division 3 Enumerations**

Enumeration  
and revision

**18(1)** The Chief Electoral Officer may, at any time the Chief Electoral Officer considers it advisable, conduct an enumeration of all or some of the electoral divisions, or within an electoral division, as directed by the Chief Electoral Officer.

**(2)** An enumeration is to be conducted during a period determined by the Chief Electoral Officer and is to be followed by at least one day for revisions as determined by the Chief Electoral Officer.

Preparation of  
materials for  
enumeration

**19(1)** In conducting an enumeration, the Chief Electoral Officer shall provide maps and subdivision boundary descriptions for use by the enumerators.

**(2)** The Chief Electoral Officer shall provide each returning officer with sufficient quantities of all necessary forms and materials, including enumerator identification badges, to enable the efficient conduct of the required enumeration.

Appointment  
of  
enumerators

**20(1)** Each returning officer shall appoint in accordance with this section sufficient enumerators for the efficient conduct of the enumeration within the returning officer's electoral division.

**(2)** During the period determined by the Chief Electoral Officer, each returning officer shall, by registered letter, communicate a request to the executive of

- (a)** the registered constituency association within his electoral division of the registered political party forming the Government, and
- (b)** the registered constituency association within his electoral division of the registered political party not forming the Government whose candidate received the highest or next highest number of votes, as the case may be, at the immediately preceding election within the electoral division,

that written recommendations of qualified and available persons to act as enumerators be provided to the returning officer within the time determined by the Chief Electoral Officer.

**(3)** The returning officer shall appoint enumerators from the names provided to him under subsection (2), but if





- (a) there are no registered constituency associations to which subsection (2) applies, or
- (b) a sufficient number of available persons who, in the opinion of the returning officer, are qualified to serve as enumerators has not been provided under subsection (2),

the returning officer shall appoint the required number of enumerators necessary to complete the enumeration from any other source he considers appropriate.

(4) If the Legislature re-enacts or amends the Schedule of electoral divisions in the *Electoral Divisions Act* but the amendment or re-enactment is not yet in force,

- (a) a constituency association may, in respect of a new or amended electoral division, register under the *Election Finances and Contributions Disclosure Act* for the purposes of the enumeration only, and
- (b) the Chief Electoral Officer shall, for the purpose of determining with which registered constituency associations a returning officer is to communicate under subsection (2), estimate the number of votes that a political party would have received in each electoral division if the immediately preceding election had been held in the electoral divisions as amended or re-enacted.

Persons  
ineligible to  
act as  
enumerators

**21** The following persons may not be appointed or act as enumerators:

- (a) persons who are not electors;
- (b) members of the Parliament of Canada;
- (c) members of the Legislative Assembly;
- (d) candidates;
- (e) official agents;
- (f) judges of federal or provincial courts;
- (g) persons who have within the immediately preceding 10 years been convicted of an indictable offence for which the penalty that may be imposed is greater than 2 years' imprisonment.



Enumerators  
for  
subdivisions

**22(1)** Each returning officer shall in accordance with the directions of the Chief Electoral Officer appoint, as an enumerator for each subdivision in the electoral district, one elector resident in that electoral division.

(2) The returning officer may, with the approval of the Chief Electoral Officer, appoint as an enumerator for a subdivision a 2nd resident elector for the subdivision if the returning officer considers it necessary for the completion of the enumeration or the security of the enumerator.

(3) When 2 enumerators are appointed for a subdivision they shall, where possible, represent different political interests based in the first instance on the recommended names provided by the registered constituency associations under section 20.

(4) When 2 enumerators are appointed for a subdivision, they shall

- (a) act jointly and not individually in each step of the preparation of the list of electors,
- (b) both sign any document that is required to be signed by an enumerator in respect of an enumeration, and
- (c) report immediately to the returning officer for the electoral division the facts and details of any disagreement between them.

(5) The returning officer shall decide any matter under disagreement referred to him under subsection (4)(c) and immediately communicate his decision to the enumerators.

(6) A qualified enumerator may, at the discretion of the returning officer, be appointed as an enumerator for more than one subdivision.

(7) If sufficient qualified persons are not available from among those persons resident within an electoral division, the returning officer may appoint as enumerators qualified persons from any other electoral divisions as he considers appropriate.

Identification  
badge

**23** The returning officer shall supply one identification badge to each enumerator from those provided to him by the Chief Electoral Officer, and each badge so provided shall bear the words "Province of Alberta Enumerator" on it.



Replacement  
of  
enumerators

**24(1)** If an enumerator is unable or unwilling to act or neglects his duties, the returning officer may appoint another enumerator in his place.

**(2)** An enumerator replaced under this section shall, on receipt of a written request signed by the returning officer, deliver or give up to his successor or any other authorized person his badge and any enumeration documents and written information he has obtained respecting the enumeration.

Oath of office

**25** Each enumerator shall, before assuming his duties, take the prescribed oath of office before the returning officer or any person authorized to take oaths in Alberta, and no fee may be charged by the person administering the oath.

Right of  
access

**26** A person to whom an enumerator has produced identification of his status shall not

(a) obstruct or interfere with, or

(b) cause or permit the obstruction or interference with,

the free access of an enumerator to each residence in a building containing 2 or more residences or to each residence in a mobile home park.

Conducting an  
enumeration

**27(1)** Each enumerator shall, on visiting each residence in the subdivision,

(a) determine those persons residing in the residence who, as of a date determined by the Chief Electoral Officer,

(i) are Canadian citizens,

(ii) are at least 18 years of age,

(iii) have been or will have been ordinarily resident in Alberta for at least 6 months as of that date, and

(iv) are ordinarily resident in the electoral division and subdivision for which that person is to have his name included on the list of electors,

and

(b) record on the form provided by the Chief Electoral Officer the information referred to in section 11(5) with respect to those persons and the signature of



the person confirming the accuracy of the information provided at the time of the enumeration.

(2) The enumerator shall leave at the residence of each person eligible to have his name included on the list of electors a form confirming the details of that person's inclusion on the list of electors and setting out, where possible, the location of the polling station where the elector is to vote on polling day.

(3) An enumerator is not to visit treatment centres, students' residences operated by an educational institution and exempted by the Chief Electoral Officer, temporary work camps, penitentiaries, correctional institutions, remand centres, detention centres or any similar institutions.

(4) Each form referred to in subsection (2) left at a residence must be signed by the enumerator.

(5) When visiting residences, the enumerator must wear and prominently display his identification badge.

(6) Each enumerator, in accordance with the directions of the Chief Electoral Officer, shall visit every residence in his subdivision at least once during the enumeration period and if the enumerator has visited a residence and found no responsible person there, the enumerator shall visit the residence at least twice.

(7) The enumerator may only visit the residences in his subdivision between the hours of 9 a.m. and 9 p.m.

(8) If an enumerator has visited a residence at least twice and found no responsible person there, the enumerator shall leave an application in the form provided by the Chief Electoral Officer at the residence so that any qualified elector residing at the residence may be added to the list of electors.

(9) Prior to the date determined by the Chief Electoral Officer, an application left under subsection (8) may be

(a) mailed to the returning officer for the electoral division, or

(b) delivered to the enumerator,

or the enumerator may be contacted to arrange for the collection of the completed application.





Remote areas

**28(1)** The returning officer of an electoral division may, with the approval of the Chief Electoral Officer, designate any area of the electoral division as a remote area.

(2) An elector ordinarily resident in a designated remote area whose name is included on the list of electors pursuant to this section or section 34 is eligible to vote by Special Ballot.

(3) Notwithstanding section 27, an enumeration in a designated remote area shall, subject to

(a) the regulations, and

(b) any directions of the Chief Electoral Officer,

be conducted in a way the returning officer considers appropriate.

(4) A designated remote area is a polling subdivision but no polling places may be established in it and no deputy returning officer or poll clerk may be appointed for it.

Preparing list of electors

**29(1)** On or before the date determined by the Chief Electoral Officer, the enumerator shall submit to the returning officer the forms completed under section 27(1).

(2) The enumerator shall, as far as is reasonably possible, ensure that the forms completed under section 27(1) are only in respect of qualified electors enumerated within his subdivision.

(3) Within 5 days of the completion of the enumeration, the enumerator shall

(a) submit all copies of the forms completed under section 27(1) and any applications received under section 27(9), and

(b) return all enumeration materials, including the enumerator's identification badge and completed expense claim, to the returning officer.

Accuracy of list of electors

**30** The returning officer shall satisfy himself as to the proper completion of the forms referred to in section 27(1) prior to authorizing payment of the enumerator's expense claim.



Notice of revisions

**31** When the returning officer has accepted all the forms completed under section 27(1) and any applications received under section 27(9) for the subdivisions within his electoral division, the returning officer shall have published in one or more newspapers of general circulation within his electoral division the dates, time and place for consideration of applications for revisions to the information.

Display of list of electors

**32(1)** During the period of revision, the returning officer shall make individual information available for confirmation or correction to the individual concerned until the end of the period of time for revisions to the information.

**(2)** The returning officer may make the information available only to the person whom the information is about or to an agent of the person.

Time and place of revisions

**33(1)** The returning officer for each electoral division shall attend at his office between the hours of 11 a.m. and 9 p.m. during the revision period to consider applications for revisions to the information.

**(2)** If a returning officer considers it necessary he may, with the prior approval of the Chief Electoral Officer, fix additional dates, times and places for consideration of applications for revisions to the information.

**(3)** The returning officer shall have published in one or more newspapers of general circulation within his electoral division the details of any additional dates, times and places for attending to applications for revisions so as to give not less than 2 days' notice of the information.

Procedure for revision

**34** If, before the time fixed for concluding revisions to the information, the returning officer is satisfied from representations made to him or by independent inquiry

- (a) that the name of any qualified person has been omitted for the subdivision to which that person belongs, he shall add the name and shall attest the addition,
- (b) that the name of any unqualified person has been included for a subdivision, he shall delete the name and shall attest the deletion, or
- (c) that any information about an elector is inaccurately stated, he shall make the necessary changes and shall attest the change.



Materials to be submitted to Chief Electoral Officer

**35(1)** Each returning officer shall, with respect to his electoral division, submit to the Chief Electoral Officer not later than the date determined by the Chief Electoral Officer,

- (a) the forms completed under section 27(1) for each polling subdivision, with the boundary description of the subdivision,
- (b) one copy of a map of the electoral division clearly indicating the sequentially numbered polling subdivisions,
- (c) all expense claims,
- (d) all unused enumeration materials, and
- (e) all enumerator identification badges, with a satisfactory accounting of any absences.

**(2)** The Chief Electoral Officer shall review the boundary description of and the number of electors in each subdivision of his electoral division and, if the Chief Electoral Officer considers it necessary, shall, in consultation with the returning officer, redefine and, if necessary, renumber the subdivisions in accordance with section 12 for use as polling subdivisions in any election, by-election, referendum or plebiscite.

*6 Section 40.1 is amended*

- (a) in subsection (1) by striking out “23” and substituting “14”;*
- (b) in subsection (3) by striking out “31” and substituting “34”.*

**6** Section 40.1(1) and (3) presently read:

*40.1(1) A person who is otherwise eligible as an elector but who does not meet the residence requirements of section 23(c) and (d) because his ordinary place of residence is outside Alberta for the purpose of carrying out his function as*

*(a) a member of the House of Commons of Canada representing an electoral district in Alberta,*

*(b) a member of the Senate of Canada representing Alberta, or*

*(c) an employee of the Government of Alberta*

*is, for the purposes of voting, deemed to be and to have been for the required period ordinarily resident in the polling subdivision of the electoral division in which he last resided in Alberta and is eligible to have his name entered on the list of electors for that subdivision and to vote at an election.*

7 *Section 46(3) is amended by striking out “31” and substituting “34”.*

8 *Section 79 is amended by adding the following after subsection (1):*

**(1.1)** Notwithstanding subsection (1)(b), an abbreviated form of the name of the registered political party or recognizable initials representing that party as directed by the leader of the political party under section 6(1)(b) of the *Election Finances and Contributions Disclosure Act* may be used.

9 *Section 113(1) is amended*

*(a) in clause (e) by striking out “25.1” and substituting “28”;*

*(b) by striking out “or” at the end of clause (d), by adding “or” at the end of clause (e) and by adding the following after clause (e):*

**(f)** any other circumstances prescribed by the Chief Electoral Officer,

10 *Section 130 is repealed.*



*(3) An application to have a name entered on the lists of electors must be made under section 31 to the returning officer of the electoral division before the time fixed for concluding revisions to the lists.*

**7** Section 46(3) presently reads:

*(3) The provisions of section 31 apply with all necessary modifications to revisions under this section.*

**8** Section 79(1) presently reads:

*79(1) On each ballot shall be printed the name of each candidate together with*

*(a) the name of the registered political party for which he is the candidate, or*

*(b) the word "Independent" if the candidate is not a candidate for a registered political party*

*in a type of 8 point capital letters.*

**9** Section 113(1) presently reads:

*113(1) An elector whose name is included on the list of electors for the polling subdivision in which he ordinarily resides and who is unable to vote at an advance poll or at the poll on polling day on account of*

*(a) physical incapacity,*

*(b) absence from the electoral division,*

*(c) being an inmate, other than an inmate referred to in section 41(d), of a correctional institution under the Corrections Act,*

*(d) being a supervisory deputy returning officer, deputy returning officer, poll clerk, interpreter, special constable, candidate, official agent or scrutineer who may be located on polling day at a polling place in a polling subdivision within the electoral division other than that in which he is ordinarily resident, or*

*(e) being a resident of a remote area designated under section 25.1,*

*may apply to vote by Special Ballot.*

**10** Section 130 presently reads:

*130(1) When an election or plebiscite is held under this Act in an electoral division, no person may sell or give liquor at any liquor*

11 *The following is added after section 148:*

**148.1** Notwithstanding section 148, the lists of electors referred to in section 148(b) may be used to assist in compiling or revising a new list of electors.

12 *The following is added after section 159:*

Offence re use  
of information

**159.1** Any person who

- (a) uses any information obtained from the register for a purpose other than that referred to in section 11(1) or (7),
- (b) uses any information provided to, or obtained by, the Chief Electoral Officer under section 11(2) other than for the purpose of creating or revising the register,
- (c) uses any information obtained under section 27 other than for the purpose of the enumeration, or
- (d) contravenes section 17,

is guilty of an offence and is liable to a fine of not more than \$100 000 or to imprisonment for a term of not more than one year, or to both a fine and imprisonment.

13 *This Act comes into force on Proclamation.*

*store or licensed premises within the limits of the electoral division during the hours the polling places are required to remain open for voting.*

*(2) Subsection (1) does not apply to a day on which an advance poll is held.*

**11** Preparation of a new list of electors.

**12** Offence and penalty for unauthorized use of information.

**13** Coming into force.