



Referendum (Machinery Provisions) Act 1984

No. 44, 1984

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About this compilation

This compilation

This is a compilation of the Referendum (Machinery Provisions) Act 1984 that shows the text of the law as amended and in force on 18 February 2022 (the compilation date).

The notes at the end of this compilation (the endnotes) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part I—Preliminary	1
1..... Short title.....	1
2..... Commencement.....	1
3..... Interpretation.....	1
3A..... Extraterritorial operation of Act.....	8
3B..... Application to Crown.....	9
3C..... Application of the Criminal Code.....	9
4..... Electors entitled to vote at a referendum.....	9
5..... Australian Electoral Officer for the Australian Capital Territory	10
6..... Assistant Returning Officers and Assistant Divisional Returning Officers	10
6A..... AEC staff may act as Divisional Returning Officers or Assistant Divisional Returning Officers	11

Part II—Writ for a referendum	13
7..... Writ for a referendum.....	13
8..... Form of writ.....	13
9..... Day for close of Rolls and voting day.....	13
10..... Extension of time.....	14
11..... Distribution to electors of arguments for and against proposed law	15
12..... Governor-General to deal with writ.....	17
Schedule 1—Forms	156

3C Application of the Criminal Code

Chapter 2 of the Criminal Code applies to all offences against this Act.

Note: Chapter 2 of the Criminal Code sets out the general principles of criminal responsibility.

Part II—Writ for a referendum

7 Writ for a referendum

Whenever a proposed law for the alteration of the Constitution is to be submitted to the electors, the Governor-General may issue a writ for the submission of the proposed law to the electors.

8 Form of writ

(1) A writ issued under section 7 may be in accordance with Form A in Schedule 1, shall be signed by the Governor-General and shall appoint:

- (a) the day for the close of the Rolls;
- (b) the day, being a Saturday, for taking the votes of electors; and
- (c) the day for the return of the writ.

(1A) The date fixed for the return of the writ must not be more than 100 days after the issue of the writ.

(2) The Governor-General shall cause to be attached to the writ a copy of the proposed law, or a copy of a statement setting out:

(a) the text of the proposed law; and

(b) the text of the particular provisions (if any) of the Constitution proposed to be textually altered by the proposed law, and the textual alterations proposed to be made therein.

(3) For the purposes of this Act, a writ shall be deemed to have been issued at 6 o'clock in the afternoon of the day on which the writ was issued.

2 Governor-General to deal with writ

The Governor-General shall, immediately after the issue of a writ for a referendum:

(a) cause a copy of the writ and a copy of the proposed law or of the statement (if any) attached to the writ to be forwarded to the Governors of the several States, to the Chief Minister for the Australian Capital Territory and to the Administrator of the Northern Territory; and

(b) forward the original writ and a copy of the proposed law or of the statement (if any) attached to the writ to the Electoral Commissioner.

Schedule 1—Forms

FORM A

Commonwealth of Australia

Writ for a referendum

To the Electoral Commissioner

I command you to cause a proposed law entitled [here insert the title of the proposed law] to be submitted, according to law, in each State and in the Australian Capital Territory and the Northern Territory, to the electors who are qualified to vote at referendums.

I appoint the following dates:

1. For the close of the Rolls: the day of 20 .

2. For taking the votes of the electors: the day of 20 .

3. For the return of the writ: the day of 20 .

[Here insert Governor-General's title and the date]

Governor-General

By His Excellency's command