



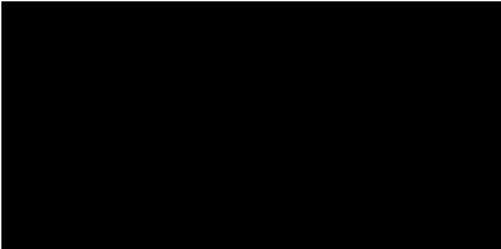
Electoral Commissioner

APPROVED FORM FOR THE PURPOSES OF SCRUTINEERS' UNDERTAKINGS AND APPOINTMENTS

Commonwealth Electoral Act 1918 subsection 202A(3)
Referendum (Machinery Provisions) Act 1984 subsection 16A(3)
Referendum (Machinery Provisions) Act 1984 subsections 27(4A), 73CA(5A) and 89(4B)

I, Tom Rogers, Electoral Commissioner, in exercise of the power under subsection 4(1) of the *Commonwealth Electoral Act 1918* (Electoral Act) and subsection 3(1) of the *Referendum (Machinery Provisions) Act 1984* (Referendum Act):

1. **REVOKE** all previous approved forms made under subsection 202A(3) of the Electoral Act and subsections 16A(3), 27(4A), 73CA(5A) and 89(4B) of the Referendum Act, ; and
2. **APPROVE** the form that appears in the Schedule to this instrument to be an approved form for the purposes of:
 - (a) scrutineers' undertakings under subsection 202A(3) of the Electoral Act, and;
 - (b) scrutineers' undertakings under subsection 16A(3) of the Referendum Act, and;
 - (c) scrutineers' appointments under subsections 27(4A), 73CA(5A) and 89(4B) of the Referendum Act.



Tom Rogers

3 August 2023

SCHEDULE

EF107 scrutineer appointment and undertaking form

Scrutineer appointment and undertaking form

Year Federal election By-election Referendum

To the Divisional Returning Officer /Australian Electoral Officer **Through the Officer-in-Charge/Supervisor**

Division State/Territory Polling place/ counting centre

Section A: Person appointing

I hereby appoint the person named in Section B below to represent me as a scrutineer at your polling place/ counting centre at the abovementioned electoral event.

Name of person appointing or candidate Signature Date / /

Name of registered party (if applicable) or category of person appointing (for a referendum*)

Section B: Scrutineer details

Family name Given name/s

Address

Suburb State Postcode

Section C: Undertaking by scrutineer

I undertake for the purpose of subsection 202A(3) of the *Commonwealth Electoral Act 1918* and subsection 16A(3) of the *Referendum (Machinery Provisions) Act 1984*:

- i. Not to, either directly or indirectly, divulge or communicate any information with respect to the vote of an elector acquired by me in the performance of my duties or functions or in the exercise of my powers, under these Acts or the regulations, in a manner that is likely to enable the identification of an elector
- ii. Not to interfere with or attempt to influence the vote of any elector (ss 200DB and 218 of the *Commonwealth Electoral Act 1918* and ss 28 and 73CB of the *Referendum (Machinery Provisions) Act 1984*)
- iii. Not to communicate with any person in the polling booth or pre-poll voting office except so far as is necessary in the discharge of my duties or performance of my functions
- iv. To inform myself of my obligations under the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984* the relevant offence provisions under this Act
- v. To comply with any lawful direction given under s 348 of the *Commonwealth Electoral Act 1918* or s 135 of the *Referendum (Machinery Provisions) Act 1984* designed to address the health risks presented by Covid-19 infection (which may include wearing face masks during scrutiny).
- vi. To at all times, wear the scrutineer identification supplied to me by the AEC within a polling place or counting centre
- vii. Not to use any image recording device (including cameras, video recorders and video-enabled mobile phones) to record images of ballot papers or declaration envelopes, or any other images that might identify an elector and how they have voted, in a polling place
- viii. Not to use any device with the potential capability of image-recording (including, but not limited to, mobile phones, tablets, cameras and video recorders) in the scrutiny area of a counting centre
- ix. Not to disclose or communicate information that relates to the early sorting of pre-poll ordinary votes to persons outside the counting centre before the close of voting.

I have read and understood the above undertakings. I understand that should I fail to adhere to the above guidelines, I may be asked to leave the polling place or counting centre. I recognise that the AEC produces the 'Scrutineers Handbook' to assist me in understanding my duties, functions and obligations, and relevant offence provisions.

Scrutineer Signature Date / /

Scrutineers Handbooks are available from the Divisional Returning Officer or the AEC website www.aec.gov.au

Safeguard of official information: your attention is directed to:

- Public Service Regulations 1999 (Cth), Part 2, Division 2.1: an employee must not disclose confidential information obtained in connection with the employee's employment, and
- Section 70 of the *Crimes Act 1914*: it is an offence to publish or communicate any fact or document which comes to an Officer's knowledge, or into possession, by virtue of being a Commonwealth officer, and which it is the Officer's duty not to disclose. **Penalty:** imprisonment for 2 years.

*For a referendum, scrutineers can be appointed by the Governor-General, the Governor of a state, the Chief Minister for the Australian Capital Territory, the Administrator of the Northern Territory, or the registered officer of a registered political party.