Owen Jones

From:	Ludlam, Scott (Senator) <senator.ludlam@aph.gov.au></senator.ludlam@aph.gov.au>
Sent:	Thursday, 3 October 2013 6:15 PM
To:	Peter Kramer
Subject:	RE: Final - Ludlam [DLM=For-Official-Use-Only]
Attachments:	request for extension of time.pdf

Dear Peter,

Please find attached and inline, below; a request for an extension of time for the declaration, Regards,

Scott

>>>

Peter Kramer, Australian Electoral Officer, 200 St Georges Terrace, Perth Dear Sir,

Result of the 2013 election of Senators for Western Australia

I note that you have extended the time for declaration of the result of the election until 11.30 am on Friday 4 October 2013.

This allows less than 24 hours for an appeal to the Commissioner under s 278(2) of the *Commonwealth Electoral Act* and then a consideration of my options in relation to the result of any such appeal.

I intend to appeal to the Commissioner under s 278(2) of the *Commonwealth Electoral Act*. The requirement for the declaration of the result is that it be made 'as soon as conveniently may be' after the result has been ascertained (s 283 of the Act).

I respectfully request that you extend time for the declaration of the result until 24 hours after the decision of the Commissioner. Any earlier would not be 'convenient' as it would not provide a reasonable opportunity to consider the decision of the Commissioner.

Please provide your response to this request by 9 am on Friday 4 October 2013. Yours faithfully,

Senator Scott Ludlam Candidate

From: Peter Kramer [mailto:Peter.Kramer@aec.gov.au] Sent: Thursday, 3 October 2013 3:05 PM To: Ludlam, Scott (Senator) Subject: FW: Final - Ludlam [DLM=For-Official-Use-Only]

For-Official-Use-Only

Senator Ludlam

partially admitted votes; ie: cases where the elector is issued with a declaration vote which is then found to be for the wrong division as they are enrolled for an address other than the one claimed, but is still in the right state. These can, for example be provisional or absent votes. This results in many variations where the difference between the House of Representatives and Senate Ballot paper numbers are not the same by division but are also not a result of errors in counting or bundling.

I am satisfied that valid and specific grounds have been not provided as evidence that a recount for the Senate in WA could change the result of the Senate election. Accordingly I have determined that a recount will not proceed. This is in accordance with the AEC's published policy on recounts (as outlined in the AEC Candidate's Handbook, p62) which states that a request for a recount which does not plead any valid and sufficient grounds must be refused.

If you wish to appeal my decision you may write to the Electoral Commissioner, Mr Ed Killesteyn, at Ed.Killesteyn@aec.gov.au

Peter KRAMER | Australian Electoral Officer & State Manager

Western Australia Australian Electoral Commission T: 08 63638020 | M: 0434326305| F: 08 63638017



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