

## Legislative Council Re-counts since 2001 State General Election

### 2004 Mining and Pastoral Region Re-count — Resignation of the Hon. Thomas Gregory Stephens MLC

The Acting Electoral Commissioner was informed by his Excellency the Governor on 16 September 2004 that, due to the resignation of the Hon. Thomas Gregory Stephens, the seat of the Legislative Council of Western Australia for the Mining and Pastoral Region, to which he had been elected, was vacant.

Following this notification, the Acting Electoral Commissioner placed a notice in *The West Australian* and *The Kalgoorlie Miner* on Saturday 18 September 2004 advising that a vacancy existed. Nominations closed at 12 noon on Tuesday 28 September 2004. Six formal nominations from qualified persons had been received at that time.

The nominees for the purpose of this re-count were (in order that their names appeared on the 2001 ballot paper):

Candidates	Party
WYBORN, Irene Ann	Pauline Hanson's ONE NATION
LUDLAM, Scott	Greens (WA)
LEAHY, Kevin John	Australian Labor Party
NEVILL, Mark Warriedar	Independent
SCOTT, Isabella Mary	Liberal
COOPER, Vincent Charles	Independent

Accordingly, the only candidates who could be declared elected at the re-count were the six who nominated in the prescribed manner set out in section 156C and regulation 25 of the *Electoral Act 1907*. Under the provisions of section 156D of the Act a full re-count of all ballot papers cast in the most recent Legislative Council election, on 10 February 2001, commenced after the close of nominations on Tuesday 28 September 2004.

The count was conducted pursuant to Schedule 1 of the Act. As votes at the 2001 State General Election were counted electronically using a software program, a re-count was required to be conducted in the same manner pursuant to section 156D(4) of the *Electoral Act 1907*, having regard for the exclusion of the Hon Tom Stephens.

The count commenced at 12:30pm on the 28 September 2004. The vacancy was filled approximately ten minutes later. At the completion of the computer count shortly thereafter, Kevin John Leahy was officially declared elected by the Acting Electoral Commissioner. A print-out of the count was obtained for record purposes. The whole process took approximately one hour, compared with three weeks for a manual count. Re-counts are now conducted electronically, ensuring that results are available that same day. A summary of the count appears on the following pages.

### **2005 South Metropolitan Region Re-count – Resignation of the Hon. James Alan Scott MLC**

On 1 February 2005, the Acting Electoral Commissioner was informed by His Excellency the Governor that the Hon. James Alan Scott MLC, Member for the South Metropolitan Region, had resigned and his position had subsequently become vacant. The vacancy was advertised in accordance with section 156C (1) (a) on Saturday 5 and Sunday 6 February 2005 in *The West Australian* and *The Sunday Times* newspapers. Nominations for the vacancy closed at 12 noon on Tuesday 15 February 2005.

At the close of nominations the Acting Electoral Commissioner had received four formal nominations from qualified persons. The nominees for the purpose of this re-count were (in the order that their names appeared on the 2001 ballot paper):

<b>Candidates</b>	<b>Party</b>
TOWSHEND, Pamela Lesley	DEMOCRATS
MacLAREN, Lynn Ellen	Greens (WA)
FINNEY, Richard Vaughan	
SHAVE, Lawrence	Independent

Accordingly, the only candidates who could be declared elected at the re-count were the four who nominated in the prescribed manner set out in section 156C and regulation 25 of the *Electoral Act 1907*. Under the provisions of section 156D of the Act a full re-count of all ballot papers cast in the most recent Legislative Council election, on 10 February 2001, commenced after the close of nominations on Tuesday 15 February 2005.

The count was conducted pursuant to Schedule 1 of the Act. As votes at the 2001 State General Election were counted electronically using a software program, a re-count was required to be conducted in the same manner pursuant to section 156D(4) of the *Electoral Act 1907*, having regard for the exclusion of the Hon James Alan Scott.

On completion of the count, the Acting Electoral Commissioner declared Lynn Ellen MacLaren to be elected as the member of the Legislative Council for the South Metropolitan Region. A summary of the count appears on the following pages.