

**Letter to challenged elector – notice of objection under s.116(1) –
cognitive impairment ss114(1A)**

Our reference: [insert reference]

[Mr/Ms] [full name of challenged elector]
[Address]

Dear [Mr/Ms] [challenged elector's surname]

Notice of objection to your enrolment

I am writing to provide notice in accordance with subsection 116(1) of the *Commonwealth Electoral Act 1918* (the Act) that the Australian Electoral Commission has received an objection to your enrolment.

Please be advised of the following information:

- The objection to your enrolment was made by [Mr/Ms] [full name of the objector] of [objector's address], and
- The objection was made under subsection 114(1A) of the Act, namely on the ground that you are not entitled to have your name retained on the Roll by reason that you are incapable of understanding the nature and significance of enrolment and voting. Please see overleaf for an extract of the relevant legislation.

The Electoral Commissioner is required to determine the objection as soon as practicable within 20 days after the date of this letter, or following the Electoral Commissioner's receipt of your answer to the objection, whichever is earlier. If you wish to answer the objection, I request you provide it in writing to me within 20 days after the date of this letter. Your response in writing may be sent to me at [full processing Divisional office's postal address] or by email to [general email address of the relevant Division].

Any answer that you provide will be taken into account when I decide whether to uphold or dismiss the objection to your enrolment. If no answer is received from you within 20 days of the date of this letter then the objection will be decided on the basis of the information already received by the AEC. You will be informed of the result of the decision.

Please contact me if you require further information.

Yours sincerely

[Delegate's name]

Delegate of the Electoral Commissioner for the purposes of Part IX of the Act

[date]

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Commonwealth Electoral Act 1918

s 93 Persons entitled to enrolment and to vote

(8) A person who:

(a) by reason of cognitive impairment, is incapable of understanding the nature and significance of enrolment and voting; [...]

is not entitled to have his or her name placed or retained on any Roll or to vote at any Senate election or House of Representatives election.

s 114 Objection to enrolment

(1A) An elector may object to the enrolment of another person on the ground specified in paragraph 93(8)(a), whether or not the elector is enrolled in the same Subdivision as the other person.

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