Corporate Services Department

**RA08b**

TRIM Reference: _____

# ENROLMENT ELIGIBILITY CLAIM
# Occupier or Co-Occupier

**FORM 2B** *Regulation 12A of the Local Government (Elections) Regulations 1997*

Under section 4.32(2) of the *Local Government Act 1995* (the Act), you may make a claim for eligibility using this form at any time. However, if you want to be on the roll for a particular election, you must give your claim form to the local government more than 57 days before the election date.

You should fill in this form if you want to vote at local government elections for that district and you:

- Occupy rateable property in a district or ward but are not on the residents roll in that district or ward; or
- Qualify under clause 12 of Schedule 9.3 of the Act based on occupation.

To qualify as an occupier, you must:

1. Have a right, under a lease, tenancy agreement or other legal instrument, to be in continuous occupation of a rateable property in the local government district for at least the last 12 months.
2. Have a right, under a lease, tenancy agreement or other legal instrument, to be in continuous occupation of the property for at least the next 3 months.

The occupied property must also comply with requirements set in the Act and *Local Government (Elections) Regulations 1997*. If you are an occupier and your enrolment eligibility claim is accepted, it will expire in accordance with section 4.33 of the Act (being usually the earlier of 6 months after the second ordinary election in which you could vote or when your lease expires). If you wish to continue to qualify as an elector beyond that, you will need to make another enrolment eligibility claim.

When you have completed this form, email if to your local government. You may also send it by post or other electronic means so long as it is capable of being printed in its entirety, including a signature. If you send it electronically, you should request confirmation of receipt.

*Questions marked with an asterisk (*) are mandatory, if applicable.*

## CLAIMANT

First Name: * _____ Date of Birth: * _____

Middle Name(s): * _____

Family Name: * _____

Phone Number(s): * _____

Email Address: * _____

## RATEABLE PROPERTY(S) ON WHICH CLAIM IS BASED *

*If you occupy more than one property in the electorate, you may give details of them all. Add pages if necessary.*

Suite / Level / Unit / Building Name: _____

Number: _____ Lot / Location No: _____

Street Name: _____

Suburb: _____ Post Code: _____

Po Box 101 Geraldton WA 6531
Geraldton Civic Centre T 08 9956 6600 F 08 9956 6674
Mullewa Office T 08 9956 6643 F 08 9961 1206
E council@cgg.wa.gov.au W www.cgg.wa.gov.au
ABN 55 907 677 173

## ELECTORATE

*If the property in respect of which this claim is made is partly in one ward and partly in another you, may choose which of those wards you want your claim to apply to. If you leave this box blank, the local government CEO will decide which of those ward the claim is to apply to. In this form the ward, or if no ward is applicable the district, is referred to as "the electorate".*

LG District: * **CITY OF GREATER GERALDTON**

Ward: **Not Applicable**

## ENROLMENT ENTITLEMENT

*Tick one box* *

I am on the State or Commonwealth electoral roll in respect of a residence outside the electorate.

☐ My address shown on the roll is:

_____

☐ I am a silent electorate on the State or Commonwealth electoral roll:

I am not on the State or Commonwealth electoral roll but am qualified as an electoral under clause 12 of Schedule 9.3 of the Act.

*You must nominate a postal address below for the receipt of ballot papers.*

☐ To qualify you must:

- Own or occupy rateable property in the electorate; and
- Have been on the last electoral roll prepared under the Local Government Act 1960 for that electorate (generally the 1996 ordinary local government election); and
- Have owned or occupied rateable property in the electorate continuously since that roll was prepared.

## NOMINATION OF A SEPARATE POSTAL ADDRESS (Optional)

*You should only complete this section if you have a separate postal address to the address for which you are enrolled to vote for state and federal elections or are claiming eligibility under clause 12 of Schedule 9.3 of the Act.*

I nominate the following address as a postal address separate from the address for which I am enrolled to vote for state and federal elections, and I can personally access this postal address.
My nominated postal address is:

_____

## NATURE OF OCCUPATION

In relation to the rateable property (or portion of rateable property) described above I am; *(Tick one box)*

☐ The sole occupier of that property.

☐ One of 2 occupiers of that property.

## NATURE OF OCCUPATION *continued…*

☐ One of 3 or more co-occupiers of that property and I have been nominated by all or a majority of those occupiers for the purposes of being an elector on the attached Form 2C.

☐ The nominee of a body corporate that occupiers that property, and my nomination is attached on Form 2D.

*In certain occupation situations you need to be nominated by the occupier(s). To do this, you should if you are:*

- *One of 3 or more occupiers, use Form 2C; and/or*
- *Nominated by a body corporate occupier (company or association)., use Form 2D.*

## DETAILS OF OCCUPATION

*You must supply for your claim to be considered:*

a. *A copy of the lease, tenancy agreement or other legal instrument; and*
b. *Proof of payment of rent, unless you are a registered charity with the Australian Charities and Not-for-profits Commission (ACNC); and*
c. *If the right of occupation is claimed under a sub-lease, evidence that the occupier has the approval, if any, required under the head lease(s).*

This rateable property(s) that are occupied are eligible on the basis that:

*Please confirm the following in relation to occupation* *****

This property is not a residence or a portion of a property which is a residence (r 10(2)(a)). ☐ Yes ☐ No

This property has a floor area of at least 10 square metres that does not include any disregarded areas (r. 10A(5)). ☐ Yes ☐ No
*To make a claim of occupation you (or the body corporate) must occupy at least 10m$^2$ of space which cannot comprise disregarded areas. This includes things such as a cupboard, toilet, parking bay or garden shed.*

Total square meterage leased: _____

Can the property be secured from intruders (r. 10A(2)(c)). ☐ Yes ☐ No

The minimum amount of rent* for the property prescribed by law is paid and I have attached evidence of payment of that rent (r. 12C and r. 12D). ☐ Yes ☐ No
** City of Perth: $10,000 for 100m$^2$ or more; $100 per m$^2$ if less than 100m$^2$.*
** Perth Metro/Mandurah: $5,000 for 100m$^2$ or more; $50 per m$^2$ if less than 100m$^2$.*
** Rest of WA: $1,000 for 100m$^2$ or more; $10 per m$^2$ if less than 100m$^2$.*

Rent per annum: _____

Rent per square metre: _____

This property (or another rateable property) has been occupied by myself/the body corporate for at least 12 months. I can evidence this occupation and that a right to that occupation was established by a lease, tenancy agreement or other legal instrument which I have attached to this claim (s. 4.32(2A)). ☐ Yes ☐ No

Date lease commenced: _____

## DETAILS OF OCCUPATION *continued…*

I/the body corporate have a right to occupation for at least the next 3 months with a lease, tenancy agreement or other legal instrument which I have attached to this claim (s. 4.32(3)). ☐ Yes ☐ No

Date lease expires: _____

The lease, tenancy agreement or other legal instrument is with the owner of the rateable property; or is a sublease that had the consent of the head lessor and I have attached evidence of that consent (s.4.31(1C)). ☐ Yes ☐ No

## DECLARATION

*Under section 4.90 of the Act, making a false declaration is an offence.*

I declare that;

1. I am eligible to have my name included on any owners and occupiers roll prepared for an election in the electorate.
2. I (or the body corporate nominating me) have met the requirements of section 4.32(1) *Local Government Act 1995* and regulations 12C and 12D of the *Local Government (Elections) Regulations 1997*.
3. If I have nominated a separate postal address that I have personal access to that address for the purpose of receiving the post send to the address.
4. All the details set out above are true and correct to the best of my knowledge and belief.

Signature: * _____

Date: * _____

***Confidentiality**: Your personal information supplied in this form will be kept confidential and will only be used by the local government (City of Greater Geraldton) and the Western Australia Electoral Commission for purposes related to the preparation and maintenance of electoral rolls.*

## WHERE TO SEND YOUR FORM

When you have completed and signed this form, send it to the Chief Executive Officer of your local government (City of Greater Geraldton). You may send it by:

- By post – PO Box 101, Geraldton WA 6530; or
- Via Email – council@cgg.wa.gov.au

By sending by electronic means (email), if it is capable of being printed in its entirety, including a signature, it will be accepted.

Additionally, this form can be hand-delivered to either:

- Geraldton Office – 63 Cathedral Avenue; or
- Mullewa Office – corner of Padbury Street and Thomas Street