

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 11 April, 1935.*

New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. 31, 1935.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1929, in certain respects; and for purposes connected therewith. [Assented to, 11th April, 1935.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1935." **Short**
title.

(2) The Parliamentary Electorates and Elections Act, 1912-1929, as amended by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1935. **Citation.**

(3)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

*W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.*

Parliamentary Electorates and Elections (Amendment).

(3) This Act shall be deemed to have commenced on the eighth day of April, one thousand nine hundred and thirty-five.

Amendment
of Act No.
41, 1912.

2. The Parliamentary Electorates and Elections Act, 1912-1929, is amended as follows:—

Sec. 33.
(Enrolment
—address.)

(a) by inserting at the end of subsection three of section thirty-three the words “ or to have his name placed on a roll in respect of any address other than the address at which he is living at the date of lodgment of the claim ”;

Sec. 35.
(Registra-
tion of
claims.)

(b) (i) by inserting after subparagraph (iii) of paragraph (b) of subsection one of section thirty-five the following new subparagraph:—

(iv) refer particulars of the claim to the officer in charge of the police in the part of the district in which the claimant claims to be living for inquiry and report as to whether the claimant is entitled to be enrolled in pursuance of his claim;

Sec. 39 (2).
(Alteration
of rolls.)

(c) by omitting subsection two of section thirty-nine and by inserting in lieu thereof the following subsection:—

(2) Where the name of an elector has, pursuant to a claim, been incorrectly placed on the roll for a subdivision other than the subdivision in which he was living at the date of the claim, and the elector was entitled on that date to have his name placed on the roll for the subdivision in which he was living—

(a) if the two subdivisions are in the same district the divisional returning officer may direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the registrar keeping the roll for the subdivision in which the elector is living to

Parliamentary Electorates and Elections (Amendment).

to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly; and

- (b) if the two subdivisions are not in the same district the Electoral Commissioner shall forward a certificate setting forth the facts to the divisional returning officer for the district in which the elector is enrolled and to the divisional returning officer for the district in which the elector is living, and thereupon the divisional returning officer for the district for which the elector is enrolled shall direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the divisional returning officer for the district in which the elector is living shall direct the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly.

- (e) by inserting next after section thirty-nine the following new section:—

New sec.
39A.

39A. Where a person, whose name has been placed on the roll for a district, is not entitled to enrol for that district and that person secured enrolment pursuant to a claim in which he made a false statement, the divisional returning officer for that district, upon receipt of a certificate from the Electoral Commissioner setting forth

Incorrect
enrolment.

the

Parliamentary Electorates and Elections (Amendment).

the facts, may, at any time between the date of the issue of the writ for an election for that district, and before the close of the polling at that election, direct the registrar keeping that roll to remove the name of that person from that roll and the registrar shall comply with that direction accordingly.

Sec. 79.
(Nominations.)

(f) by inserting next after subsection seven of section seventy-nine the following new subsection:—

(7A) (a) The nomination of a candidate shall not be valid unless at the time of the delivery of the nomination paper the person nominated or some person on his behalf deposits with the returning officer or person acting as his substitute (as the case may be) the sum of twenty-five pounds in money or in Australian notes or in a banker's cheque.

(b) The deposit shall be retained pending the election.

(c) After the election the deposit shall be returned to the candidate (or to some person authorised by him in writing to receive it) if the candidate is elected, or if the total number of votes polled in his favour as first preferences is more than one-fifth of the total number of first preference votes polled by the successful candidate in the election.

In the case of the death of the candidate before the date of the election, the deposit shall be returned to his personal representatives.

Where a candidate withdraws his name from nomination in pursuance of section eighty-one of this Act, the deposit shall be returned to him (or to some person authorised by him in writing to receive it).

In any other case the deposit shall be forfeited to His Majesty.

(g)

Parliamentary Electorates and Elections (Amendment).

- (g) (i) by inserting in paragraph (a) of clause six of Schedule Twenty after the word "person" the words "or persons";
- (ii) by inserting at the commencement of paragraph (b) of the same clause the word "Each."

In the name and on behalf of His Majesty, I assent to this Act.

A. HORE-RUTHVEN,
Governor.

*Government House,
Sydney, 11th April, 1935.*

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PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT)
BILL.

Schedule of Amendments referred to in Message of 9th April, 1935.

No. 1.—Page 2, clause 1. At top of page *insert—*

(3) This Act shall be deemed to have commenced on the eighth day of April, one thousand nine hundred and thirty-five.

No. 2.—Page 2, clause 2, line 11. *Omit* “paragraph (a)” *insert* “**subparagraph (iii) of paragraph (b)**”

No. 3.—Page 2 clause 2, line 14. *Omit* “paragraph” *insert* “**subparagraph**”

No. 4.—Page 2, clause 2, line 15. *Omit* “(a1)” *insert* “**(iv)**”

No. 5.—Page 2, clause 2, lines 22 to 34, both inclusive. *Omit* all words on these lines.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 4 April, 1935, A.M.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. K. CHARLTON,
for the Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 9th April, 1935.

New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. , 1935.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1929, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1935."

Short title.

(2) The Parliamentary Electorates and Elections Act, 1912-1929, as amended by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1935.

Citation.

63927 284—

(3)

Parliamentary Electorates and Elections (Amendment) (No 2).

(3) This Act shall be deemed to have commenced on the eighth day of April, one thousand nine hundred and thirty-five.

2. The Parliamentary Electorates and Elections Act, 1912-1929, is amended as follows:—

Amendment
of Act No.
41, 1912.

(a) by inserting at the end of subsection three of section thirty-three the words " or to have his name placed on a roll in respect of any address other than the address at which he is living at the date of lodgment of the claim ";

Sec. 33.
(Enrolment
—address.)

(b) (i) by inserting after paragraph (a) subparagraph (iii) of paragraph (b) of subsection one of section thirty-five the following new paragraph subparagraph:—

Sec. 35.
(Registra-
tion of
claims.)

(a1) (iv) refer particulars of the claim to the officer in charge of the police in the part of the district in which the claimant claims to be living for inquiry and report as to whether the claimant is entitled to be enrolled in pursuance of his claim;

(ii) by inserting in paragraph (b) of the same subsection after the word "satisfied" the words "after considering the police report thereon";

(c) by omitting from subsection one of section thirty-six the words "The Registrar, on receipt of a claim, shall, if he is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim" and by inserting in lieu thereof the words "If, after considering the police report upon a claim, the Registrar is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim, he shall";

Sec. 36.
(Reference
to Divisional
Returning
Officer.)

(d) (c) by omitting subsection two of section thirty-nine and by inserting in lieu thereof the following subsection:—

Sec. 39 (2).
(Alteration
of rolls.)

(2) Where the name of an elector has, pursuant to a claim, been incorrectly placed on the roll for a subdivision other than the subdivision in which he was living at the date of the claim, and the elector was entitled on that date to have his

his

Parliamentary Electorates and Elections (Amendment) (No 2)

his name placed on the roll for the subdivision in which he was living—

- 5 (a) if the two subdivisions are in the same district the divisional returning officer may direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly; and
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- 20 (b) if the two subdivisions are not in the same district the Electoral Commissioner shall forward a certificate setting forth the facts to the divisional returning officer for the district in which the elector is enrolled and to the divisional returning officer for the district in which the elector is living, and thereupon the divisional returning officer for the district for which the elector is enrolled shall direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the divisional returning officer for the district in which the elector is living shall direct the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly.
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(e)

Parliamentary Electorates and Elections (Amendment) (No 2).

- (e) by inserting next after section thirty-nine, the following new section:—

New sec.
39A.

39A. Where a person, whose name has been placed on the roll for a district, is not entitled to enrol for that district and that person secured enrolment pursuant to a claim in which he made a false statement, the divisional returning officer for that district, upon receipt of a certificate from the Electoral Commissioner setting forth the facts, may, at any time between the date of the issue of the writ for an election for that district, and before the close of the polling at that election, direct the registrar keeping that roll to remove the name of that person from that roll and the registrar shall comply with that direction accordingly.

Incorrect
enrolment.

- (f) by inserting next after subsection seven of section seventy-nine the following new subsection:—

Sec. 79.
(Nominations.)

(7A) (a) The nomination of a candidate shall not be valid unless at the time of the delivery of the nomination paper the person nominated or some person on his behalf deposits with the returning officer or person acting as his substitute (as the case may be) the sum of twenty-five pounds in money or in Australian notes or in a banker's cheque.

(b) The deposit shall be retained pending the election.

(c) After the election the deposit shall be returned to the candidate (or to some person authorised by him in writing to receive it) if the candidate is elected, or if the total number of votes polled in his favour as first preferences is more than one-fifth of the total number of first preference votes polled by the successful candidate in the election.

In the case of the death of the candidate before the date of the election, the deposit shall be returned to his personal representatives.

Where

Parliamentary Electorates and Elections (Amendment) (No 2).

3 Where a candidate withdraws his name from nomination in pursuance of section eighty-one of this Act, the deposit shall be returned to him (or to some person authorised by him in writing to receive it).

In any other case the deposit shall be forfeited to His Majesty.

- 10 (g) (i) by inserting in paragraph (a) of clause six of Schedule Twenty after the word "person" the words "or persons"; Schedule Twenty, clause 6.
 (ii) by inserting at the commencement of paragraph (b) of the same clause the word "Each."

Parliamentary Elections and Elections (Amendment) (No. 2)

(c) Where a candidate withdraws his name from nomination in pursuance of section eight of the Act, the deposit shall be returned to him, the amount being ascertained by him in writing to the Returning Officer.

(d) In any other case the deposit shall be forfeited to the Treasury.

(e) (i) By inserting in paragraph (a) of section eight of the Act the words "Twenty" after the word "person" the words "two persons" shall be substituted.

(ii) By inserting in paragraph (a) of section eight of the Act the words "the same" after the word "person" the words "the same person" shall be substituted.

(f) By inserting in paragraph (a) of section eight of the Act the words "the same person" after the word "person" the words "the same person" shall be substituted.

(g) The deposit shall be retained pending the election.

(h) After the election the deposit shall be returned to the candidate (or to some person authorised by him in writing to receive it) if the candidate is elected or if the total number of votes polled in his favour is equal to or more than one-third of the total number of votes polled by the candidates in the election.

In the case of the death of the candidate before the election the deposit shall be returned to his personal representatives.

Where

PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT)
BILL.

Schedule of Amendments referred to in Message of 9th April, 1935.

No. 1.—Page 2, clause 1. At top of page *insert*—

(3) This Act shall be deemed to have commenced on the eighth day of April, one thousand nine hundred and thirty-five.

No. 2.—Page 2, clause 2, line 11. *Omit* “paragraph (a)” *insert* “**subparagraph (iii) of paragraph (b)**”

No. 3.—Page 2 clause 2, line 14. *Omit* “paragraph” *insert* “**subparagraph**”

No. 4.—Page 2, clause 2, line 15. *Omit* “(a1)” *insert* “**(iv)**”

No. 5.—Page 2, clause 2, lines 22 to 34, both inclusive. *Omit* all words on these lines.

1911

Schedule of Amendments

Page 2, clause 1. At top of page

(3) The Act shall

be of April and

Page 2, clause 2, line 11. (3)

paragraph (b)

Page 2, clause 2, line 14. (3)

Page 2, clause 2, line 15. (3)

Page 2, clause 2, line 22 to 23

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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 4 April, 1935, A.M.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. K. CHARLTON,
for the Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 9th April, 1935.

New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. , 1935.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1929, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1935." Short title.

(2) The Parliamentary Electorates and Elections Act, 1912-1929, as amended by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1935. Citation.

63927

284—

(3)

Parliamentary Electorates and Elections (Amendment) (No 2).

(3) This Act shall be deemed to have commenced on the eighth day of April, one thousand nine hundred and thirty-five.

2. The Parliamentary Electorates and Elections Act, 1912-1929, is amended as follows:—

Amendment
of Act No.
41, 1912.

- (a) by inserting at the end of subsection three of section thirty-three the words " or to have his name placed on a roll in respect of any address other than the address at which he is living at the date of lodgment of the claim ";
- (b) (i) by inserting after paragraph (a) sub-paragraph (iii) of paragraph (b) of subsection one of section thirty-five the following new paragraph subparagraph:—
- (a1) (iv) refer particulars of the claim to the officer in charge of the police in the part of the district in which the claimant claims to be living for inquiry and report as to whether the claimant is entitled to be enrolled in pursuance of his claim;
- (ii) by inserting in paragraph (b) of the same subsection after the word "satisfied" the words "after considering the police report thereon";
- (c) by omitting from subsection one of section thirty-six the words "The Registrar, on receipt of a claim, shall, if he is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim" and by inserting in lieu thereof the words "If, after considering the police report upon a claim, the Registrar is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim, he shall";
- (d) (c) by omitting subsection two of section thirty-nine and by inserting in lieu thereof the following subsection:—
- (2) Where the name of an elector has, pursuant to a claim, been incorrectly placed on the roll for a subdivision other than the subdivision in which he was living at the date of the claim, and the elector was entitled on that date to have his

Sec. 33.
(Enrolment
—address.)

Sec. 35.
(Registration
of
claims.)

Sec. 36.
(Reference
to Divisional
Returning
Officer.)

Sec. 39 (2).
(Alteration
of rolls.)

Parliamentary Electorates and Elections (Amendment) (No 2).

his name placed on the roll for the subdivision in which he was living—

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(a) if the two subdivisions are in the same district the divisional returning officer may direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly; and

(b) if the two subdivisions are not in the same district the Electoral Commissioner shall forward a certificate setting forth the facts to the divisional returning officer for the district in which the elector is enrolled and to the divisional returning officer for the district in which the elector is living, and thereupon the divisional returning officer for the district for which the elector is enrolled shall direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the divisional returning officer for the district in which the elector is living shall direct the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly.

(e)

Parliamentary Electorates and Elections (Amendment) (No 2).

- (e) by inserting next after section thirty-nine the following new section:—

New sec.
39A.

5 39A. Where a person, whose name has been placed on the roll for a district, is not entitled to enrol for that district and that person secured enrolment pursuant to a claim in which he made a false statement, the divisional returning officer for that district, upon receipt of a certificate from the Electoral Commissioner setting forth the facts, may, at any time between the date of the issue of the writ for an election for that district, and before the close of the polling at that election, direct the registrar keeping that roll to remove the name of that person from that roll and the registrar shall comply with that direction accordingly.

Incorrect
enrolment.

- (f) by inserting next after subsection seven of section seventy-nine the following new subsection:—

Sec. 79.
(Nominations.)

20 (7A) (a) The nomination of a candidate shall not be valid unless at the time of the delivery of the nomination paper the person nominated or some person on his behalf deposits with the returning officer or person acting as his substitute (as the case may be) the sum of twenty-five pounds in money or in Australian notes or in a banker's cheque.

25 (b) The deposit shall be retained pending the election.

30 (c) After the election the deposit shall be returned to the candidate (or to some person authorised by him in writing to receive it) if the candidate is elected, or if the total number of votes polled in his favour as first preferences is more than one-fifth of the total number of first preference votes polled by the successful candidate in the election.

35 In the case of the death of the candidate before the date of the election, the deposit shall be returned to his personal representatives.

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Where

Parliamentary Electorates and Elections (Amendment) (No 2).

3 Where a candidate withdraws his name from nomination in pursuance of section eighty-one of this Act, the deposit shall be returned to him (or to some person authorised by him in writing to receive it).

In any other case the deposit shall be forfeited to His Majesty.

- 10 (g) (i) by inserting in paragraph (a) of clause six of Schedule Twenty after the word "person" the words "or persons"; Schedule Twenty, clause 6.
(ii) by inserting at the commencement of paragraph (b) of the same clause the word "Each."

Continuation of the Act to Amend the Constitution (No. 1)

Where a candidate withdraws his name from nomination in pursuance of section eight one of the Act, the deposit shall be returned to him for to some person authorized by him in writing to receive it.

In any other case the deposit shall be forfeited to the Treasury.

(v) (i) In meeting in person (a) of three or more persons, twenty after the third day of the month, the meeting for persons who are not members of the committee to be formed at the meeting of the group (b) of the same name, the word "branch" shall be added to the name of the group and the meeting shall be held at the place where the group is formed.

It shall be the duty of every person who is a member of the group to attend the meeting of the group and to be present at the meeting of the group.

It shall be the duty of every person who is a member of the group to attend the meeting of the group and to be present at the meeting of the group.

(b) The meeting shall be held at the place where the group is formed.

(c) After the meeting shall be held at the place where the group is formed, the meeting shall be held at the place where the group is formed.

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 (2) If the deposit is not retained, the
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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 4 April, 1935, A.M.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, April, 1935.

New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. , 1935.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1929, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1935." Short title.

(2) The Parliamentary Electorates and Elections Act, 1912-1929, as amended by this Act, may be cited as
10 the Parliamentary Electorates and Elections Act, 1912-1935. Citation.

63927

284—

3.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Parliamentary Electorates and Elections (Amendment) (No 2).

(3) This Act shall be deemed to have commenced on the eighth day of April, one thousand nine hundred and thirty-five.

2. The Parliamentary Electorates and Elections Act, 1912-1929, is amended as follows:—

Amendment
of Act No.
41, 1912.

- (a) by inserting at the end of subsection three of section thirty-three the words “ or to have his name placed on a roll in respect of any address other than the address at which he is living at the date of lodgment of the claim ”;
- (b) (i) by inserting after paragraph (a) **subparagraph (iii) of paragraph (b)** of subsection one of section thirty-five the following new **paragraph subparagraph:—**
- (ii) refer particulars of the claim to the officer in charge of the police in the part of the district in which the claimant claims to be living for inquiry and report as to whether the claimant is entitled to be enrolled in pursuance of his claim;
- (iii) by inserting in paragraph (b) of the same subsection after the word “satisfied” the words “after considering the police report thereon”;
- (c) by omitting from subsection one of section thirty-six the words “The Registrar, on receipt of a claim, shall, if he is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim” and by inserting in lieu thereof the words “If, after considering the police report upon a claim, the Registrar is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim, he shall”;
- (d) (c) by omitting subsection two of section thirty-nine and by inserting in lieu thereof the following subsection:—
- (2) Where the name of an elector has, pursuant to a claim, been incorrectly placed on the roll for a subdivision other than the subdivision in which he was living at the date of the claim, and the elector was entitled on that date to have his

Sec. 33.

(Enrolment
—address.)

Sec. 35.

(Registra-
tion of
claims.)

Sec. 36.

(Reference
to Divisional Re-
turning
Officer.)

Sec. 39 (2).

(Alteration
of rolls.)

Parliamentary Electorates and Elections (Amendment) (No 2).

his name placed on the roll for the subdivision in which he was living—

- 5 (a) if the two subdivisions are in the same district the divisional returning officer may direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly; and
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- 20 (b) if the two subdivisions are not in the same district the Electoral Commissioner shall forward a certificate setting forth the facts to the divisional returning officer for the district in which the elector is enrolled and to the divisional returning officer for the district in which the elector is living, and thereupon the divisional returning officer for the district for which the elector is enrolled shall direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the divisional returning officer for the district in which the elector is living shall direct the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly.
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Parliamentary Electorates and Elections (Amendment) (No 2).

(e) by inserting next after section thirty-nine the following new section:—

New sec.
39A.

39A. Where a person, whose name has been placed on the roll for a district, is not entitled to enrol for that district and that person secured enrolment pursuant to a claim in which he made a false statement, the divisional returning officer for that district, upon receipt of a certificate from the Electoral Commissioner setting forth the facts, may, at any time between the date of the issue of the writ for an election for that district, and before the close of the polling at that election, direct the registrar keeping that roll to remove the name of that person from that roll and the registrar shall comply with that direction accordingly.

Incorrect
enrolment.

(f) by inserting next after subsection seven of section seventy-nine the following new subsection:—

Sec. 79.
(Nominations.)

(7A) (a) The nomination of a candidate shall not be valid unless at the time of the delivery of the nomination paper the person nominated or some person on his behalf deposits with the returning officer or person acting as his substitute (as the case may be) the sum of twenty-five pounds in money or in Australian notes or in a banker's cheque.

(b) The deposit shall be retained pending the election.

(c) After the election the deposit shall be returned to the candidate (or to some person authorised by him in writing to receive it) if the candidate is elected, or if the total number of votes polled in his favour as first preferences is more than one-fifth of the total number of first preference votes polled by the successful candidate in the election.

In the case of the death of the candidate before the date of the election, the deposit shall be returned to his personal representatives.

Where

Parliamentary Electorates and Elections (Amendment) (No 2).

Where a candidate withdraws his name from nomination in pursuance of section eighty-one of this Act, the deposit shall be returned to him (or to some person authorised by him in writing to receive it).

In any other case the deposit shall be forfeited to His Majesty.

- (g) (i) by inserting in paragraph (a) of clause six of Schedule Twenty after the word "person" the words "or persons";
- (ii) by inserting at the commencement of paragraph (b) of the same clause the word "Each."

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and, having this day passed, is now ready for presentation to the
Legislative Council for its consideration.

Clerk of the Legislative Assembly.

Sydney, 4 April, 1935, A.M.

The Legislative Council has this day agreed to this Bill with
amendment.

Clerk of the Parliament.

Notes
Main
Title

by and with the advice and consent of the Legis-
lative Council of the New South
Wales in Parliament assembled, and by the authority of

1. (1) This Act may be cited as the Parliamentary
Electoral and Electoral (Amendment) Act, 1935.
(2) The Parliamentary Electoral and Electoral
Act, 1912-1935, as amended by this Act, may be cited as
the Parliamentary Electoral and Electoral Act, 1912-
1935.

3.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 4 April, 1935, A.M.

New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. , 1935.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1929, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1935." Short title.

(2) The Parliamentary Electorates and Elections Act, 1912-1929, as amended by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1935. Citation.

Parliamentary Electorates and Elections (Amendment) (No 2).

2. The Parliamentary Electorates and Elections Act, 1912-1929, is amended as follows:—

Amendment
of Act No.
41, 1912.

- 5 (a) by inserting at the end of subsection three of section thirty-three the words “ or to have his name placed on a roll in respect of any address other than the address at which he is living at the date of lodgment of the claim ”;
- 10 (b) (i) by inserting after paragraph (a) of subsection one of section thirty-five the following new paragraph:—
- 15 (a1) refer particulars of the claim to the officer in charge of the police in the part of the district in which the claimant claims to be living for inquiry and report as to whether the claimant is entitled to be enrolled in pursuance of his claim;
- 20 (ii) by inserting in paragraph (b) of the same subsection after the word “satisfied” the words “after considering the police report thereon”;
- 25 (c) by omitting from subsection one of section thirty-six the words “The Registrar, on receipt of a claim, shall, if he is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim” and by inserting in lieu thereof the words “If, after considering the police report upon a claim, the Registrar is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim, he shall”;
- 30 (d) by omitting subsection two of section thirty-nine and by inserting in lieu thereof the following subsection:—
- 35 (2) Where the name of an elector has, pursuant to a claim, been incorrectly placed on the roll for a subdivision other than the subdivision in which he was living at the date of the claim, and the elector was entitled on that date to have his

Sec. 33.
(Enrolment
—address.)

Sec. 35.
(Registra-
tion of
claims.)

Sec. 36.
(Reference
to Divisional
Returning
Officer.)

Sec. 39 (2).
(Alteration
of rolls.)

Parliamentary Electorates and Elections (Amendment) (No 2).

his name placed on the roll for the subdivision in which he was living—

- 5 (a) if the two subdivisions are in the same district the divisional returning officer may direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly; and
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- 20 (b) if the two subdivisions are not in the same district the Electoral Commissioner shall forward a certificate setting forth the facts to the divisional returning officer for the district in which the elector is enrolled and to the divisional returning officer for the district in which the elector is living, and thereupon the divisional returning officer for the district for which the elector is enrolled shall direct the registrar keeping the roll on which the elector is enrolled to remove the name of the elector from that roll, and the divisional returning officer for the district in which the elector is living shall direct the registrar keeping the roll for the subdivision in which the elector is living to place the name of the elector on that roll and to notify the elector of the change of enrolment, and the respective registrars shall comply with those directions accordingly.
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(e)

Parliamentary Electorates and Elections (Amendment) (No 2).

- (e) by inserting next after section thirty-nine the following new section:—

New sec.
39A.

5 39A. Where a person, whose name has been placed on the roll for a district, is not entitled to enrol for that district and that person secured enrolment pursuant to a claim in which he made a false statement, the divisional returning officer for that district, upon receipt of a certificate from the Electoral Commissioner setting forth the facts, may, at any time between the date of the issue of the writ for an election for that district, and before the close of the polling at that election, direct the registrar keeping that roll to remove the name of that person from that roll and the registrar shall comply with that direction accordingly.

Incorrect
enrolment.

- (f) by inserting next after subsection seven of section seventy-nine the following new subsection:—

Sec. 79.
(Nomina-
tions.)

20 (7A) (a) The nomination of a candidate shall not be valid unless at the time of the delivery of the nomination paper the person nominated or some person on his behalf deposits with the returning officer or person acting as his substitute (as the case may be) the sum of twenty-five pounds in money or in Australian notes or in a banker's cheque.

(b) The deposit shall be retained pending the election.

30 (c) After the election the deposit shall be returned to the candidate (or to some person authorised by him in writing to receive it) if the candidate is elected, or if the total number of votes polled in his favour as first preferences is more than one-fifth of the total number of first preference votes polled by the successful candidate in the election.

35 In the case of the death of the candidate before the date of the election, the deposit shall be returned to his personal representatives.

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Where

Parliamentary Electorates and Elections (Amendment) (No 2).

5 Where a candidate withdraws his name from nomination in pursuance of section eighty-one of this Act, the deposit shall be returned to him (or to some person authorised by him in writing to receive it).

In any other case the deposit shall be forfeited to His Majesty.

- 10 (g) (i) by inserting in paragraph (a) of clause six of Schedule Twenty after the word "person" the words "or persons"; Schedule Twenty, clause 6.
 (ii) by inserting at the commencement of paragraph (b) of the same clause the word "Each."

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THE HOUSE OF REPRESENTATIVES
and having the honor to acknowledge the
recognition of the House of Representatives

W. H. MURPHY
Chief of the Legislative Assembly
Legislative Assembly

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10 The Parliamentary Elections and Elections Act 1912
Act 1912-1913, as amended, and may be cited as
The Parliamentary Elections and Elections Act 1912-
1913.
1912-1913
1912-1913