New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. 2, 1944.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1941, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 22nd March, 1944.]

B^E 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, 1944."

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1944.

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Short title and citation.

2.

Amendment of Act No. 41, 1912.

Subst. sec. 108.

Assistance to certain electors. cf. Cwth. Electoral Act, 1918-1940, s. 120.

Sec. 114A. (Application for postal vote certificate.) 2. The Parliamentary Electorates and Elections Act, 1912-1941, is amended—

(a) by omitting section one hundred and eight and by inserting in lieu thereof the following section:—

108. (1) If an elector satisfies the returning officer or deputy that his sight is so impaired or that he is so physically incapacitated that he is unable to vote without assistance, the returning officer or deputy shall permit a person appointed by the elector to enter an unoccupied compartment of the booth with the elector and mark, fold and deposit the elector's ballot-paper for him.

(2) If any such elector fails to appoint a person in pursuance of subsection one of this section, or if any elector satisfies the returning officer or deputy that he is so illiterate that he is unable to vote without assistance, the returning officer or deputy, in the presence of such scrutineers as are present, or if there are no scrutineers present, then in the presence of—

- (a) the poll clerk; or
- (b) if the elector so desires, in the presence of a person appointed by such elector, instead of the poll clerk,

shall mark the ballot-paper according to the instruction of such elector, and shall fold and deposit the ballot-paper in the ballot-box.

- (b) (i) by omitting from paragraph (a) of subsection one of section 114A the word "ten" and by inserting in lieu thereof the word "five";
 - (ii) by inserting after the same paragraph the following new paragraph:---
 - (a1) will not throughout the hours of polling on polling day be within the State of New South Wales.
 - (iii) by omitting from subsection two of the same section the words "authorised witness, and must be made and sent, after" and by inserting

Act No. 2, 1944.

in lieu thereof the inserting words "elector, or, where the elector making the application is outside the State, in the presence of a person whose name appears on the electoral roll for an electoral division of the Commonwealth, and must be made and sent, after the tenth day prior to";

- by omitting from subsection (2A) of the (iv) same section the words "at least thirtyeight hours prior to the hour at which the polling is to commence on" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding";
- (c) (i) by omitting from paragraph (a) of subsec- sec. 114B. tion one of section 114B the words "head (Authorised teachers" and by inserting in lieu thereof the words "adult teachers";
 - (ii) by omitting from the same paragraph the word "and" where lastly occurring, and by inserting in lieu thereof the words "all assistant returning officers: all commissioners for taking declarations or affidavits: all members of a municipal, shire or county council or of a roads board; all town clerks, deputy town clerks, shire clerks or shire secretaries, municipal or shire engineers; all roads board secretaries and roads board engineers: all midwives and nurses registered by the Midwives Board or Nurses Board of a State; all secretaries of hospitals; all assistant lighthouse-keepers; all overseers and foremen of Group Settlements; all permanent way inspectors and roadmasters employed in the railway service of the Commonwealth; all engineers engaged upon railway or road construction; all mail contractors; all naval commissioned officers in the service of the Commonwealth while employed on a ship of war; all licensed surveyors or Government

witnesses.)

Government surveyors; all station owners, station managers and station overseers; and";

(iii) by inserting after subsection one of the same section the following new subsection:—

> (1A) A person who holds any of the offices or qualifications referred to in subsection one of this section shall be an authorised witness within the meaning of this Act, whether he holds such office or qualification in this State or in any other State of the Commonwealth.

- (d) (i) by omitting from subsection one of section 114c the words "authorised witness" and by inserting in lieu thereof the word "elector":
 - (ii) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections:---

(2) The elector witnessing the signature of any elector to an application for a postal vote certificate and postal ballot-paper shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the name of the electoral district for which he is enrolled as an elector and the date.

(3) Any such elector shall not persuade or induce, or associate himself with any person in persuading or inducing, any person to make application for a postal vote certificate and postal ballot-paper.

Any person contravening any provision of this subsection shall be liable to a penalty not exceeding fifty pounds, or to be imprisoned for a term not exceeding one month.

Sec. 114c. (Buty of electors as witnesses.)

ef. Cwth. Electoral Act, 1918-1940, s. 87 (3).

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- (e) by omitting from section 114D the words "at Sec. 114D. least thirty-eight hours prior to the hour at (Issue of which polling is to commence on" and by inserting in lieu thereof the words "before six o'clock paper.) in the afternoon of the day immediately preceding'';
- (f) by omitting from section 114E the words "at sec. 114E. least thirty-eight hours prior to the hour at (Inspection which the polling is to commence on" and by of applicainserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding'';
- (g) (i) by omitting paragraphs (f) and (g) of Sec. 114H. section 114H and by inserting in lieu thereof (Directions for postal voting.) the following paragraphs:-
 - (f) If the elector's sight is so impaired cf. Cwth. that he cannot vote without assist- Electoral ance, a person appointed by the 1940, s. 92 elector shall mark the elector's vote (1) (f). on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the returning officer, fasten the envelope. and hand it to the voter who shall forthwith post or deliver it or cause it to be posted or delivered, to the returning officer:

Provided that if no person is appointed by the elector, the authorised witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector.

(g) The authorised witness shall not, cf. Ibid. unless the elector's sight is so s. 92 (1) impaired that he cannot vote without assistance

(g).

assistance and no person is appointed by the elector to mark his vote for him, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of this subsection, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote or to assist the elector to vote or to interfere in any way with the elector in relation to his vote.

(ii) by inserting at the end of the same section the following new subsection:—

(2) Notwithstanding anything contained in this section, in any case in which a postal ballot-paper, if posted prior to the close of the poll, as provided in paragraph (e) or paragraph (f) of subsection one of this section, would not reach the returning officer for the district in respect of which the elector claims to vote before the end of the period of seven days immediately succeeding the close of the poll, or if delivered as provided in paragraph (e) or paragraph (f) of that subsection, would not reach that returning officer before the close of the poll, the envelope in which the ballot-paper is enclosed may be addressed to, and posted or delivered to, any other returning officer. or may be delivered on polling day to any deputy returning officer, and the returning officer or the deputy returning officer, as the case may be, shall deal with it in the prescribed manner.

(h) by inserting after paragraph (c) of section 1141 the following words:--

An authorised witness shall not influence or attempt to influence, in any way, the vote of an elector voting by post before him.

cf. Cwth. Electoral Act, 1918-1940, s. 92 (2).

Sec. 1141. (Duty of authorised witnesses.) cf. *Ibid.* s. 93 (2).

(i)

- (i) by omitting section 114J and by inserting in lieu Subst. sec. thereof the following section :---
 - 114J. (1) No person other than—
 - (a) the elector to whom the postal ballot- unlawfully paper has been issued; or
 - (b) a person appointed by the elector or an cf. Cwth. authorised witness acting in pursuance Electoral of paragraph (f) of subsection one of 1940, s. 93A. section 114H of this Act, assisting an elector whose sight is so impaired that he cannot vote without assistance,

shall mark a vote upon the ballot-paper.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.

(2) No person other than the return- Unlawfully ing officer for the district in respect of which a opening postal postal ballot-paper has been issued or an officer ballotacting under his directions shall open the en- paper. velope in which the postal ballot-paper has been ef. Ibid. placed pursuant to paragraph (e) or paragraph (f) of subsection one of section 114 n of this Act and which has been fastened by an authorised witness or a person appointed by the elector in accordance with the provisions of whichever of those paragraphs is applicable to the case.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding fifty pounds.

(3) Any person to whom an application Penalty for for a postal vote certificate and postal ballot- failure to paper or an envelope containing or purporting deliver to contain a postal ballot-paper is entrusted by documents. an elector for the purpose of posting or delivery cf. Ibid. to a returning officer or delivery to a deputy returning officer and who fails to post or deliver forthwith

114J. Penalty for

marking ballotpaper.

forthwith the application or envelope, shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding one month.

(j) by omitting paragraphs (b), (c) and (d) of section 114κ and by inserting in lieu thereof the following word and paragraph:—

"and

- (b) except as provided in paragraph (f) of subsection one of section 114π of this Act in the case of persons whose sight is impaired—
 - (i) refrain from making any communication whatever to the elector in relation to his vote;
 - (ii) refrain from assisting the elector or in any manner interfering with him in relation to his vote; and
 - (iii) refrain from looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote."
- (k) (i) by omitting from section 114L the words "close of the poll" and by inserting in lieu thereof the words "end of the period of seven days immediately succeeding the close of the poll by him, or received up to the close of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act";
 - (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll";

(1)

(Duty of persons present when an elector votes by post.) cf. Cwth. Electoral Act, 1918-1940, s. 95 (b).

Sec. 114K.

Sec. 114L. (Preliminary scrutiny of postal ballotpapers.)

Act No. 2, 1944.

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedules Thirteen, Fourteen, and Schedules Fifteen and by inserting in lieu thereof the Fourteen following Schedules :--

and Fifteen. Sec. 1144. à

SCHEDULE THIRTEEN.

This application should be made and sent, after the tenth day prior to the issue of the Writ for the election to which it relates and before polling day, to the Returning Officer for the District for which the elector is enrolled; but if the elector has reason to believe that it may not in the ordinary course of post reach that officer so as to enable him to send a Postal Vote Certificate and Postal Ballot-paper to the elector in time to permit of his voting at the election, the application may, for purposes of expedition, be made and sent to some other Returning Officer.

Unless the application reaches the Returning Officer to whom it is addressed before six o'clock in the afternoon of the day immediately preceding the polling day for the election, a Postal Vote Certificate or Postal Ballot-paper shall not be issued in respect of it.

In order that a Postal Ballot-paper may be admitted to the scrutiny it should be posted prior to the close of the poll to the Returning Officer for the District in respect of which the elector claims to vote, so as to reach him before the end of the period of seven days immediately succeeding the close of the poll, or delivered to that officer prior to the close of the poll. If, however, time does not permit of that course, it may be posted or delivered to any other Returning Officer, or delivered on polling day to any Deputy Returning Officer, but in any such case it must reach such officer before the close of the poll.

STATE ELECTIONS.

Number Postal Vote Certificate and Postal Ballot-paper
issued//19
Initials of Returning Officer for the Electoral District of

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

To To	the Returni	ng Officer for	the Electoral	District of
(1) Here insert(¹) name of District to which appli- cation is being sent,	Surname.	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation.
(2) Here insert I, (2) Surname, Christian names, place of living, and occupation		La Lata	0.	
as appearing on the Roll.				hereby

hereby apply for a Postal Vote Certificate and a Postal Ballot-paper to enable me to vote by post at the forthcoming Election of Members of the Legislative Assembly.

I declare—

- (3) Here insert name of Subdivision for which enrolled.
 (4) Here insert name of Electoral District for which enrolled.
- That I am an elector enrolled on the Electoral Roll for the (³)______Subdivision of the Electoral District of (⁴)_____
- (2) That my answers to the following questions are
 - true and correct in every particular :---Question. Applicant's answer.

(The following question (A) must be answered by the applicant.)

(A) Is your place of living within the Electoral District in respect of which you claim to vote ?

(The following question (B) must be answered by the applicant if his answer to question (A) is in the

negative.)

NOTE. — If answer to question (A) is "yes," the applicant is not required to answer question

- (B) Was your place of living, at any time within the three months immediately preceding the date fixed for the polling at the election, within the Electoral District in respect of which you claim to vote ?...
- (3) That the ground on which I apply to vote by post is—
 - (a) That I will not throughout the hours of polling on polling day be within the State of New South Wales;
 - (b) That I will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open in the State for the purposes of an election;
 - (c) That I will throughout the hours of polling on polling day be travelling under conditions which will preclude me from attending at any polling booth to vote;
 - (d) That I am seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote;
 - (e) That I will, by approaching maternity, be precluded from attending at any polling booth to vote.

NOTE. — The elector MUST strike out any of these grounds which do not apply to his or her particular case.

(4)

(4) That my place of living at the time when the postal vote certificate and the postal ballot-paper would be delivered in the ordinary course of post will be as follows :

An elector shall not make, and a person shall not induce an elector to make, any false statement in an application for a Postal Vote Certificate and a Postal Ballot-paper, or in the declaration contained in such application.

PENALTY : Fifty pounds, or imprisonment for one month.

	Signed by the elector in his own handwriting in my presence— Signature of Witness (in own handwriting)	
	(A person whose name appears on the roll of electors for an Electoral District.)	
	Address of Witness	Signature of Applicant
the elector	Enrolled for Electoral District of	(in own handwriting) (NOTE.—A marksman can- not vote by post.)
State, this appli- cation must be signed in the presence of a person whose name appears	subdivision of the Common- wealth Electoral Division of	
on the electoral roll for an elec- toral division of the Common- wealth.	Dated atda	y of19

OBLIGATIONS OF ELECTOR WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTI-FICATE AND POSTAL BALLOT-PAPER.

An elector shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless-

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his (the applicant's) own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

PENALTY : Fifty pounds, or imprisonment for one month.

Nore.—Where the elector making the application is outside the state, this application must be signed in the supersence of a Nore.—Where in his own handwriting on the application in the space ap

presence of a Any such elector shall not persuade or induce, or associate person whose himself with any person in persuading or inducing, any on the electoral person to make application for a Postal Vote Certificate roral division of and Postal Ballot-paper.

PENALTY: One hundred pounds, or imprisonment for three months.

PENALTY FOR FAILURE TO POST OR DELIVER APPLICATION FOR POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

Any person to whom an application for a Postal Vote Certificate and Postal Ballot-paper is entrusted by a voter for the purpose of posting or delivery to a Returning Officer or Deputy Returning Officer, and who fails to post or deliver the application forthwith shall be guilty of an offence.

PENALTY: Fifty pounds, or imprisonment for one month.

Sec. 114D.

SCHEDULE FOURTEEN.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

Postal Vote Certificate.

No.

I hereby certify that.....

is entitled (subject to the provisions of the Parliamentary Electorates and Elections Act, 1912, as amended) to vote by post in respect of the Electoral District of______ at the election to be held on the______ day of

Returning Officer for the Electoral District of ______ Date______

Certificate of Voter.

I, the person named in the above certificate, hereby certify that the signature of voter hereunder is my personal signature written by me with my own hand.

Signature of Voter.....

(in his or her own handwriting)

Certificate

Certificate of Authorised Witness.*

I hereby certify that the above certificate was signed by the voter in his or her own handwriting in my presence at. ...(here insert address of place where signature is made and witnessed).

> Signature of Authorised Witness (in his own handwriting)

> Title under which witness acts as Authorised Witness (in full).....

> Address of Witness.....

Date_____19___

* No person other than a person indicated in the list of Authorised Witnesses printed on the "Directions to Elector and Authorised Witness" issued by the Electoral Commissioner is authorised to act as an Authorised Witness for Postal Voting purposes.

NOTES.—(1) This envelope, containing the ballot-paper marked by the voter, should be forthwith posted or delivered to the Returning Officer to whom it is addressed, but if it cannot be delivered to that officer prior to the close of the poll, or, if posted prior to the close of the poll, would not reach him before the end of the period of seven days imme-diately succeeding the close of the poll, it may be posted or delivered to any other Returning Officer or delivered on polling day to any Deputy Returning

a may be possed of denyered to any other Returning Officer, or delivered on polling day to any Deputy Returning Officer, but so as to reach such officer before the close of the poll.
(2) Any person to whom this envelope, containing a ballot-paper, is entrusted by the voter for the purpose of posting or delivery to a Beputy Returning Officer, or delivery to a Deputy Returning Officer, who fails to post or deliver the envelope forthwith shall be guilty of an offence. Penalty : Fifty pounds or imprisonment for one month.
(3) No person ther than the Returning Officer for the District concerned, or an officer acting under his directions, shall open this envelope after the ballot-paper has been placed therein and the envelope fastened. Penalty : Fifty pounds.

pounds.

The

RETURNING OFFICER

for the Electoral District

of.

(Postal Address)

SCHEDULE

Sec. 114D.

SCHEDULE FIFTEEN.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorised Witness.

POSTAL BALLOT-PAPER.

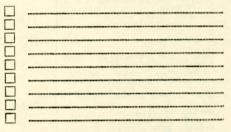
NEW SOUTH WALES.

Electoral District of

Election of a Member of the Legislative Assembly.

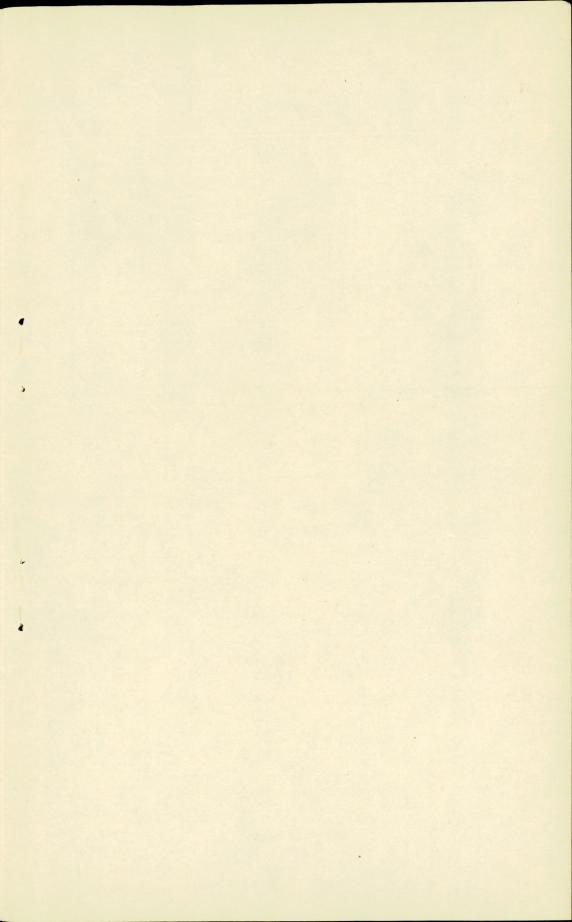
DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers_______ in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorised Witness.

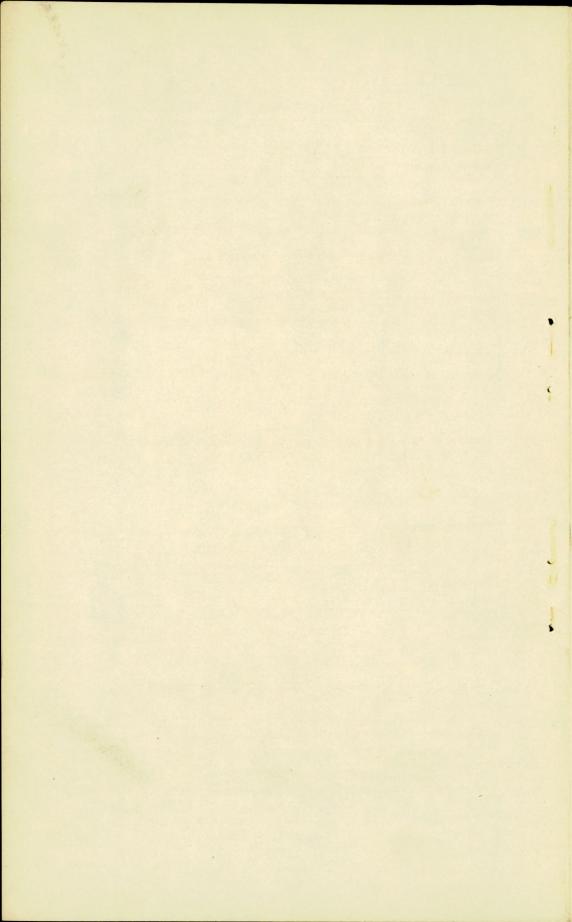
Candidates.



By Authority:

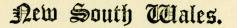
ALFRED HENRY PETTIFER, Acting Government Printer, Sydney, 1944. [66.]





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

W. R. MCCOURT, Clerk of the Legislative Assembly. egislative Assembly Chamber. Sydney, 15 March, 1944.





GEORGII VI

ANNO OCTAVO

Act No. 2, 1944.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1941, and certain other Acts in certain respects; and for purposes connected therewith. Assented to, 22nd March, 1944.7

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 Short title Electorates and Elections (Amendment) Act, 1944."

and citation.

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1944.

2.

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

> G. BOOTH, Chairman of Committees of the Legislative Assembly.

2. The Parliamentary Electorates and Elections Act.

Amendment of Act No. 41, 1912.

Subst. sec. 108.

Act, 1918-1940, s. 120.

Assistance to certain electors. ef. Cwth. Electoral

1912-1941, is amended-

(a) by omitting section one hundred and eight and by inserting in lieu thereof the following section:—

108. (1) If an elector satisfies the returning officer or deputy that his sight is so impaired or that he is so physically incapacitated that he is unable to vote without assistance, the returning officer or deputy shall permit a person appointed by the elector to enter an unoccupied compartment of the booth with the elector and mark, fold and deposit the elector's ballot-paper for him.

(2) If any such elector fails to appoint a person in pursuance of subsection one of this section, or if any elector satisfies the returning officer or deputy that he is so illiterate that he is unable to vote without assistance, the returning officer or deputy, in the presence of such scrutineers as are present, or if there are no scrutineers present, then in the presence of—

- (a) the poll clerk; or
- (b) if the elector so desires, in the presence of a person appointed by such elector, instead of the poll clerk,

shall mark the ballot-paper according to the instruction of such elector, and shall fold and deposit the ballot-paper in the ballot-box.

- (b) (i) by omitting from paragraph (a) of subsection one of section 114A the word "ten" and by inserting in lieu thereof the word "five";
 - (ii) by inserting after the same paragraph the following new paragraph:—
 - (a1) will not throughout the hours of polling on polling day be within the State of New South Wales.
 - (iii) by omitting from subsection two of the same section the words "authorised witness, and must be made and sent, after" and by inserting

Sec. 114A. (Application for postal vote certificate.) Act No. 2, 1944.

Parliamentary Electorates and Elections (Amendment).

inserting in lieu thereof the words "elector, or, where the elector making the application is outside the State, in the presence of a person whose name appears on the electoral roll for an electoral division of the Commonwealth, and must be made and sent, after the tenth day prior to";

- (iv) by omitting from subsection (2A) of the same section the words "at least thirtyeight hours prior to the hour at which the polling is to commence on" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding";
- (c) (i) by omitting from paragraph (a) of subsec- Sec. 114B. tion one of section 114B the words "head (Authorised teachers" and by inserting in lieu thereof witnesses.) the words "adult teachers";
 - (ii) by omitting from the same paragraph the word "and" where lastly occurring, and by inserting in lieu thereof the words "all assistant returning officers; all commissioners for taking declarations or affidavits; all members of a municipal, shire or county council or of a roads board; all town clerks, deputy town clerks, shire clerks or shire secretaries, municipal or shire engineers; all roads board secretaries and roads board midwives engineers; all and nurses registered by the Midwives Board or Nurses Board of a State; all secretaries of hospitals; all assistant lighthouse-keepers; all overseers and foremen of Group Settlements; all permanent way inspectors and roadmasters employed in the railway service of the Commonwealth; all engineers engaged upon railway or road construction; all mail contractors; all naval commissioned officers in the service of the Commonwealth while employed on a ship of war; all licensed surveyors or Government

Government surveyors; all station owners, station managers and station overseers; and";

(iii) by inserting after subsection one of the same section the following new subsection :---

(1A) A person who holds any of the offices or qualifications referred to in subsection one of this section shall be an authorised witness within the meaning of this Act, whether he holds such office or qualification in this State or in any other State of the Commonwealth.

- (d) (i) by omitting from subsection one of section 114c the words "authorised witness" and by inserting in lieu thereof the word "elector";
 - (ii) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections :--

(2) The elector witnessing the signature of any elector to an application for a postal vote certificate and postal ballot-paper shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the name of the electoral district for which he is enrolled as an elector and the date.

(3) Any such elector shall not persuade or induce, or associate himself with any person in persuading or inducing, any person to make application for a postal vote certificate and postal ballot-paper.

Any person contravening any provision of this subsection shall be liable to a penalty not exceeding fifty pounds, or to be imprisoned for a term not exceeding one month.

(e)

See. 114c. (Duty of electors as witnesses.)

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cf. Cwth. Electoral Act, 1918-1940, s. 87 (3).

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- (e) by omitting from section 114p the words "at Sec. 114p. least thirty-eight hours prior to the hour at (Issue of which polling is to commence on" and by insert- certificate and balloting in lieu thereof the words "before six o'clock paper.) in the afternoon of the day immediately preceding";
- (f) by omitting from section 114E the words "at sec. 114E. least thirty-eight hours prior to the hour at (Inspection which the polling is to commence on" and by of applicainserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding";
- (g) (i) by omitting paragraphs (f) and (g) of Sec. 114H. section 114^H and by inserting in lieu thereof (Directions the following paragraphs:--the following paragraphs :----
 - (f) If the elector's sight is so impaired cf. Cwth. that he cannot vote without assist- Electoral ance, a person appointed by the 1940, s. 92 elector shall mark the elector's vote on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it or cause it to be posted or delivered, to the returning officer:

Provided that if no person is appointed by the elector, the authorised witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector. and in taking such action shall mark the ballot-paper according to the instruction of the elector.

(g) The authorised witness shall not, cf. Ibid. unless the elector's sight is so s. 92 (1) (g). impaired that he cannot vote without assistance

Act, 1918. (1) (f).

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assistance and no person is appointed by the elector to mark his vote for him, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of this subsection, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote or to assist the elector to vote or to interfere in any way with the elector in relation to his vote.

(ii) by inserting at the end of the same section the following new subsection:—

(2) Notwithstanding anything contained in this section, in any case in which a postal ballot-paper, if posted prior to the close of the poll, as provided in paragraph (e) or paragraph (f) of subsection one of this section, would not reach the returning officer for the district in respect of which the elector claims to vote before the end of the period of seven days immediately succeeding the close of the poll, or if delivered as provided in paragraph (e) or paragraph (f) of that subsection, would not reach that returning officer before the close of the poll, the envelope in which the ballot-paper is enclosed may be addressed to, and posted or delivered to, any other returning officer, or may be delivered on polling day to any deputy returning officer, and the returning officer or the deputy returning officer, as the case may be, shall deal with it in the prescribed manner.

(h) by inserting after paragraph (c) of section 1141 the following words:—

An authorised witness shall not influence or attempt to influence, in any way, the vote of an elector voting by post before him.

cf. Cwth. Electoral Act, 1918-1940, s. 92 (2).

Sec. 1141. (Duty of authorised witnesses.) cf. *Ibid.* s. 93 (2).

(i)

Act No. 2, 1944.

- (i) by omitting section 114J and by inserting in lieu Subst. sec. 114J. thereof the following section :---
 - 114J. (1) No person other than
 - unlawfully (a) the elector to whom the postal ballot- marking ballotpaper has been issued; or paper.
 - (b) a person appointed by the elector or an cf. Cwth. authorised witness acting in pursuance Act, 1918of paragraph (f) of subsection one of 1940, s. 93A. section 114H of this Act, assisting an elector whose sight is so impaired that he cannot vote without assistance,

shall mark a vote upon the ballot-paper.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.

(2) No person other than the return- Unlawfully ing officer for the district in respect of which a opening postal ballot-paper has been issued or an officer ballotacting under his directions shall open the en- paper. velope in which the postal ballot-paper has been cf. Ibid. placed pursuant to paragraph (e) or paragraph (f) of subsection one of section 114H of this Act and which has been fastened by an authorised witness or a person appointed by the elector in accordance with the provisions of whichever of those paragraphs is applicable to the case.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding fifty pounds.

(3) Any person to whom an application Penalty for for a postal vote certificate and postal ballot- failure to paper or an envelope containing or purporting deliver to contain a postal ballot-paper is entrusted by documents. an elector for the purpose of posting or delivery s. 94. to a returning officer or delivery to a deputy returning officer and who fails to post or deliver

forthwith

Penalty for

forthwith the application or envelope, shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding one month.

(j) by omitting paragraphs (b), (c) and (d) of section 114κ and by inserting in lieu thereof the following word and paragraph:—

"and

- (b) except as provided in paragraph (f) of subsection one of section 114^H of this Act in the case of persons whose sight is impaired—
 - (i) refrain from making any communication whatever to the elector in relation to his vote;
 - (ii) refrain from assisting the elector or in any manner interfering with him in relation to his vote; and
 - (iii) refrain from looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote."

Sec. 114 K. (Duty of persons present when an elector votes by post.) cf. Cwth. Electoral Act, 1918-1940, s. 95 (b).

Sec. 114L. (Preliminary scrutiny of postal ballotpapers.) · · · · /

- (k) (i) by omitting from section 114L the words "close of the poll" and by inserting in lieu thereof the words "end of the period of seven days immediately succeeding the close of the poll by him, or received up to the close of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act";
 - (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll";

(1)

(1) by omitting Schedules Thirteen, Fourteen, and Schedules Fifteen and by inserting in lieu thereof the Thirteen, following Schedules:— and

Fourteen and Fifteen. Sec. 1144.

SCHEDULE THIRTEEN.

This application should be made and sent, after the tenth day prior to the issue of the Writ for the election to which it relates and before polling day, to the Returning Officer for the District for which the elector is enrolled; but if the elector has reason to believe that it may not in the ordinary course of post reach that officer so as to enable him to send a Postal Vote Certificate and Postal Ballot-paper to the elector in time to permit of his voting at the election, the application may, for purposes of expedition, be made and sent to some other Returning Officer.

Unless the application reaches the Returning Officer to whom it is addressed before six o'clock in the afternoon of the day immediately preceding the polling day for the election, a Postal Vote Certificate or Postal Ballot-paper shall not be issued in respect of it.

In order that a Postal Ballot-paper may be admitted to the scrutiny it should be posted prior to the close of the poll to the Returning Officer for the District in respect of which the elector claims to vote, so as to reach him before the end of the period of seven days immediately succeeding the close of the poll, or delivered to that officer prior to the close of the poll. If, however, time does not permit of that course, it may be posted or delivered to any other Returning Officer, or delivered on polling day to any Deputy Returning Officer, but in any such case it must reach such officer before the close of the poll.

STATE ELECTIONS.

Number
Postal Vote Certificate
and Postal Ballot-paper
issued//19
Initials of
Returning
Officer for the
Electoral District of
District of

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

To the Returning Officer for the Electoral District of (1) Here insert(1)

to which appli- cation is being sent.	Surname.	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation.
(2) Here insert I (2 Surname, Christian names, place of living, and occupation as appearing on the Roll.	2)	oth to vota.		hereby

hereby apply for a Postal Vote Certificate and a Postal Ballot-paper to enable me to vote by post at the forthcoming Election of Members of the Legislative Assembly.

insert I declare-

- (3) Here insert name of Subdivision for which enrolled.
 (4) Here insert name of Electoral District for which enrolled.
- (1) That I am an elector enrolled on the Electoral Roll for the (³)______Subdivision of the Electoral District of (⁴)_____
 - (2) That my answers to the following questions are true and correct in every particular :---

Question. Applicant's answer. (The following question (A) must be

- answered by the applicant.)
- (A) Is your place of living within the Electoral District in respect of which you claim to vote ?
- (The following question (B) must be answered by the applicant if his answer to question (A) is in the

negative.)

NOTE. — If answer to question (A) is "yes," the applicant is not required to answer question (B) Was your place of living, at any time within the three months immediately preceding the date fixed for the polling at the election, within the Electoral District in respect of which you claim to vote ?...

(3) That the ground on which I apply to vote by post is—

- (a) That I will not throughout the hours of polling on polling day be within the State of New South Wales;
- (b) That I will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open in the State for the purposes of an election;
- (c) That I will throughout the hours of polling on polling day be travelling under conditions which will preclude me from attending at any polling booth to vote;
- (d) That I am seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote;
- (e) That I will, by approaching maternity, be precluded from attending at any polling booth to vote.

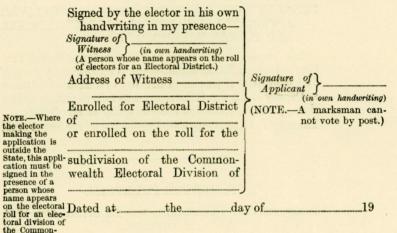
NOTE. — The elector MUST strike out any of these grounds which do not apply to his or her particular case

(4)

(4) That my place of living at the time when the postal vote certificate and the postal ballot-paper would be delivered in the ordinary course of post will be as follows:

An elector shall not make, and a person shall not induce an elector to make, any false statement in an application for a Postal Vote Certificate and a Postal Ballot-paper, or in the declaration contained in such application.

PENALTY: Fifty pounds, or imprisonment for one month.



the Commonwealth.

OBLIGATIONS OF ELECTOR WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTI-FICATE AND POSTAL BALLOT-PAPER.

An elector shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless—

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his (the applicant's) own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

PENALTY: Fifty pounds, or imprisonment for one month.

Nore.—Where the elector making the application is outside the state, this appli-name of the Electoral District for which he is enrolled. Any such elector shall not persuade or induce, or associate himself with any person in persuading or inducing, any on the electoral Ballot-paper. the common-wealth. Nore.—Where in his own handwriting on the application in the space provided for the purpose, and shall add the date and the space application is provided for the purpose, and shall add the date and the state and the electoral District for which he is enrolled. Any such elector shall not persuade or induce, or associate himself with any person in persuading or inducing, any on the electoral Ballot-paper. The common-

PENALTY: One hundred pounds, or imprisonment for three months.

PENALTY FOR FAILURE TO POST OR DELIVER APPLICATION FOR POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

Any person to whom an application for a Postal Vote Certificate and Postal Ballot-paper is entrusted by a voter for the purpose of posting or delivery to a Returning Officer or Deputy Returning Officer, and who fails to post or deliver the application forthwith shall be guilty of an offence.

PENALTY : Fifty pounds, or imprisonment for one month.

Sec. 114D

SCHEDULE FOURTEEN.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

Postal Vote Certificate.

No......

2

I hereby certify that. is entitled (subject to the provisions of the Parliamentary Electorates and Elections Act, 1912, as amended) to vote by post in respect of the Electoral District of..... at the election to be held on the.....

Returning Officer for the Electoral District of Date_____

Certificate of Voter.

I, the person named in the above certificate, hereby certify that the signature of voter hereunder is my personal signature written by me with my own hand.

Signature of Voter....

(in his or her own handwriting)

Certificate

Certificate of Authorised Witness.*

I hereby certify that the above certificate was signed by the voter in his or her own handwriting in my presence at.(here insert address of place where signature is made and witnessed).

> Signature of Authorised Witness (in his own handwriting)

> Title under which witness acts as Authorised Witness (in full)....

Address of Witness

Date

* No person other than a person indicated in the list of Authorised Witnesses printed on the "Directions to Elector and Authorised Witness" issued by the Electoral Commissioner is authorised to act as an Authorised Witness for Postal Voting purposes.

NOTES.—(1) This envelope, containing the ballot-paper marked by the voter, should be forthwith posted or delivered to the Returning Officer to whom it is addressed, but if it cannot be delivered to that officer provide the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted or delivered to any other Returning Officer or delivered to any other Returning Officer or delivered to any other Returning Officer or delivered to any other Returning Officer, but so as to reach such officer before the close of the poll.
(2) Any person to whom this envelope, or delivery to a Returning Officer, or delivery to a Returning Officer, or delivery to a post or deliver the envelope forthwith shall be guilty of an officer.
(3) No person other than the Returning Officer the guilts or an officer acting under this directions, shall open this envelope after the ballot paper has been placed therein and the envelope fastened. Penalty : Fifty pounds.

The

RETURNING OFFICER for the Electoral District

of

(Postal Address)

d111.00% .

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SCHEDULE

Sec. 114D.

SCHEDULE FIFTEEN.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorised Witness.

POSTAL BALLOT-PAPER.

NEW SOUTH WALES.

Electoral District of.....

Election of a Member of the Legislative Assembly.

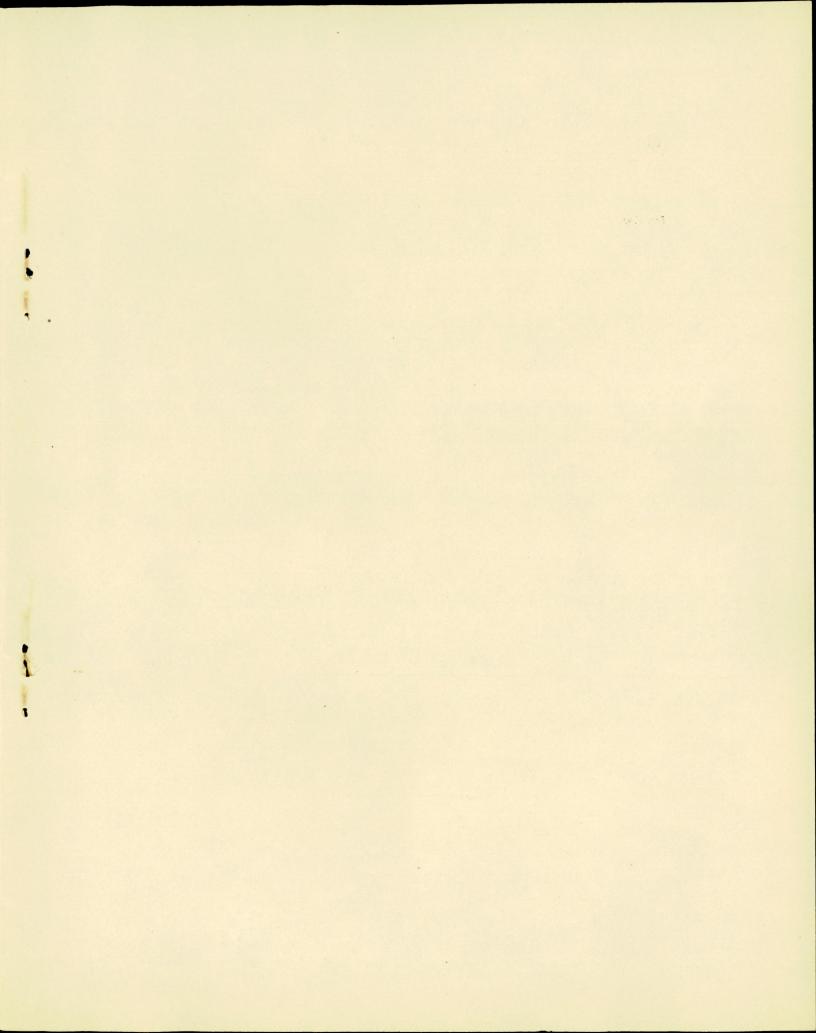
DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers_______ in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorised Witness.

Candidates.

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

WAKEHURST, Governor.

Government House, Sydney, 22nd March, 1944.



and the second second

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, 9 March, 1944.

New South Wales.



ANNO OCTAVO

REGIS GEORGI

Act No. , 1944.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1941, and certain other Acts in certain respects; and for purposes connected therewith.

TE it enacted by the King's Most Excellent Majesty, B 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 Short title Electorates and Elections (Amendment) Act, 1944."

and citation.

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this 10 Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1944.

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Parliamentary Electorates and Elections (Amendment).

2. The Parliamentary Electorates and Elections Act, Amendment of Act No. 41, 1912. 1912-1941, is amended—

(a) by omitting section one hundred and eight and Subst. sec. 108. by inserting in lieu thereof the following section :---

108. (1) If an elector satisfies the returning Assistance officer or deputy that his sight is so impaired or electors. that he is so physically incapacitated that he is cf. Cwth. unable to vote without assistance, the returning Electoral officer or deputy shall permit a person appointed 1940, s. 120. by the elector to enter an unoccupied compartment of the booth with the elector and mark, fold and deposit the elector's ballot-paper for him.

(2) If any such elector fails to appoint a person in pursuance of subsection one of this section, or if any elector satisfies the returning officer or deputy that he is so illiterate that he is unable to vote without assistance, the returning officer or deputy, in the presence of such scrutineers as are present, or if there are no scrutineers present, then in the presence of-

- (a) the poll clerk; or
- (b) if the elector so desires, in the presence of a person appointed by such elector. instead of the poll clerk,

shall mark the ballot-paper according to the instruction of such elector, and shall fold and deposit the ballot-paper in the ballot-box.

- (b) (i) by omitting from paragraph (a) of subsec- sec. 114A. tion one of section 114A the word "ten" and (Applicaby inserting in lieu thereof the word "five"; tion for postal vote
 - (ii) by inserting after the same paragraph the certificate.) following new paragraph:-
 - (a1) will not throughout the hours of polling on polling day be within the State of New South Wales.
 - (iii) by omitting from subsection two of the same section the words "authorised witness, and must be made and sent, after" and by inserting

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inserting in lieu thereof the words "elector, or, where the elector making the application is outside the State, in the presence of a person whose name appears on the electoral roll for an electoral division of the Commonwealth, and must be made and sent, after the tenth day prior to";

- (iv) by omitting from subsection (2A) of the same section the words "at least thirtyeight hours prior to the hour at which the polling is to commence on" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding";
- (c) (i) by omitting from paragraph (a) of subsec- Sec. 114B. tion one of section 114B the words "head (Authorised teachers" and by inserting in lieu thereof the words "adult teachers";
 - (ii) by omitting from the same paragraph the word "and" where lastly occurring, and by inserting in lieu thereof the words "all assistant returning officers; all commissioners for taking declarations or affidavits; all members of a municipal, shire or county council or of a roads board; all town clerks, deputy town clerks, shire clerks or shire secretaries, municipal or shire engineers; all roads board secretaries and roads board engineers; all midwives and nurses registered by the Midwives Board or Nurses Board of a State; all secretaries of hospitals; all assistant lighthouse-keepers; all overseers and foremen of Group Settlements; all permanent way inspectors and roadmasters employed in the railway service of the Commonwealth; all engineers engaged upon railway or road construction; all mail contractors; all naval commissioned officers in the service of the Commonwealth while employed on a ship of war; all licensed surveyors or Government

witnesses.)

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Government surveyors; all station owners, station managers and station overseers; and";

(iii) by inserting after subsection one of the same section the following new subsection :--

> (1A) A person who holds any of the offices or qualifications referred to in subsection one of this section shall be an authorised witness within the meaning of this Act, whether he holds such office or qualification in this State or in any other State of the Commonwealth.

(d) (i) by omitting from subsection one of section Sec. 114c. 114c the words "authorised witness" and (Duty of by inserting in lieu thereof the word electors as witnesses.) "elector";

(ii) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections :---

> (2) The elector witnessing the signature of any elector to an application for a postal vote certificate and postal ballot-paper shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the name of the electoral district for which he is enrolled as an elector and the date.

(3) Any such elector shall not persuade cf. Cwth. or induce, or associate himself with any Electoral person in persuading or inducing, any 1940, s. 87 person to make application for a postal ⁽³⁾. vote certificate and postal ballot-paper.

Any person contravening any provision of this subsection shall be liable to a penalty not exceeding fifty pounds, or to be imprisoned for a term not exceeding one month.

Act, 1918.

(e)

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	1 dividinionital y Electorated and Elector	
5	preceding";	(Issue of certificate and ballot- paper.)
10	o'clock in the afternoon of the day immediately preceding'';	(Inspection of applica- tions.)
15	(g) (i) by omitting paragraphs (f) and (g) of section 114н and by inserting in lieu thereof the following paragraphs:—	Sec. 11411. (Directions for postal voting.)
	(f) If the elector's sight is so impaired that he cannot vote without assist- ance, a person appointed by the elector shall mark the elector's vote	cf. Cwth. Electoral Act, 1918- 1940, s. 92 (1) (f).
20	on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the	
25	returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it or cause it to be posted or delivered, to the	
30	returning officer: Provided that if no person is appointed by the elector, the autho- rised witness, if so requested by the elector, shall take the action required	08 9
35	by this paragraph to be taken by a person appointed by the elector and in taking such action shall mark the ballot-paper according to the	
4(o instruction of the elector. (g) The authorised witness shall not unless the elector's sight is so impaired that he cannot vote without assistance	s. 92 (1)

assistance and no person is appointed by the elector to mark his vote for him, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of this subsection. shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote or to assist the elector to vote or to interfere in any way with the elector in relation to his vote.

(ii) by inserting at the end of the same section the following new subsection :---

(2) Notwithstanding anything contained in this section, in any case in which a postal ballot-paper, if posted prior to the close of the poll, as provided in paragraph (e) or paragraph (f) of subsection one of this section, would not reach the returning officer for the district in respect of which the elector claims to vote before the end of the period of seven days immediately succeeding the close of the poll, or if delivered as provided in paragraph (e) or paragraph (f) of that subsection, would not reach that returning officer before the close of the poll, the envelope in which the ballot-paper is enclosed may be addressed to, and posted or delivered to, any other returning officer, or may be delivered on polling day to any deputy returning officer, and the returning officer or the deputy returning officer, as the case may be, shall deal with it in the prescribed manner.

(h) by inserting after paragraph (c) of section Sec. 1141. 1141 the following words:-

(Duty of authorised s. 93 (2).

(i)

An authorised witness shall not influence or witnesses.) attempt to influence, in any way, the vote of an cf. Ibid. elector voting by post before him.

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(i) by omitting section 114J and by inserting in lieu Subst. sec. 114J. thereof the following section :---

114J. (1) No person other than—

- (a) the elector to whom the postal ballotpaper has been issued; or
- (b) a person appointed by the elector or an cf. Cwth. authorised witness acting in pursuance Electoral Act, 1918of paragraph (f) of subsection one of 1940, s. 93A. section 114_H of this Act, assisting an elector whose sight is so impaired that he cannot vote without assistance,

shall mark a vote upon the ballot-paper.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.

(2) No person other than the return- Unlawfully ing officer for the district in respect of which a opening postal ballot-paper has been issued or an officer ballotacting under his directions shall open the en- paper. velope in which the postal ballot-paper has been cf. Ibid. s. 93в. placed pursuant to paragraph (e) or paragraph (f) of subsection one of section 114H of this Act and which has been fastened by an authorised witness or a person appointed by the elector in accordance with the provisions of whichever of those paragraphs is applicable to the case.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding fifty pounds.

(3) Any person to whom an application Penalty for for a postal vote certificate and postal ballot- failure to paper or an envelope containing or purporting deliver to contain a postal ballot-paper is entrusted by documents. an elector for the purpose of posting or delivery s. 94. to a returning officer or delivery to a deputy returning officer and who fails to post or deliver forthwith

Penalty for unlawfully marking ballotpaper.

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Parliamentary Electorates and Elections (Amendment).	
forthwith the application or envelope, shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding one month.	
 (j) by omitting paragraphs (b), (c) and (d) of section 114к and by inserting in lieu thereof the following word and paragraph:— "and (b) except as provided in paragraph (f) of subsection one of section 114н of this Act in the case of persons whose sight is impaired— 	(Duty of persons pre sent when a elector vote by post.) cf. Cwth. Electoral Act, 1918-
(i) refrain from making any com- munication whatever to the elector in relation to his vote;	
 (ii) refrain from assisting the elector or in any manner interfering with him in relation to his vote; and 	
(iii) refrain from looking at the	ń

- retrain from looking at the (111)elector's vote or from doing anything whereby he may become acquainted with the elector's vote."
- (k) (i) by omitting from section 114L the words Sec. 114L. "close of the poll" and by inserting in lieu (Preliminthereof the words "end of the period of ary scrutiny seven days immediately succeeding the close ballotof the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act'';
 - (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll'; (1)

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persons present when an elector votes by post.)

(1) by omitting Schedules Thirteen, Fourteen, and Schedules Thirteen, Fifteen and by inserting in lieu thereof the Fourteen following Schedules :--

SCHEDULE THIRTEEN.

relates and before polling day, to the Returning Officer for the District for which the elector is enrolled; but if the elector has reason to believe that it may not in the ordinary course of post reach that officer so as to enable him to send

a Postal Vote Certificate and Postal Ballot-paper to the elector in time to permit of his voting at the election, the application may, for purposes of expedition, be made and

Unless the application reaches the Returning Officer to

In order that a Postal Ballot-paper may be admitted to

the scrutiny it should be posted prior to the close of the poll to the Returning Officer for the District in respect of which the elector claims to vote, so as to reach him before the end of the period of seven days immediately succeeding the close

of the poll, or delivered to that officer prior to the close of the poll. If, however, time does not permit of that course, it may be posted or delivered to any other Returning Officer, or delivered on polling day to any Deputy Returning Officer, but in any such case it must reach such officer before

whom it is addressed before six o'clock in the afternoon of the day immediately preceding the polling day for the election, a Postal Vote Certificate or Postal Ballot-paper

and Fifteen. Sec. 114A.

This application should be made and sent, after the tenth day prior to the issue of the Writ for the election to which it

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STATE ELECTIONS.

the close of the poll.

sent to some other Returning Officer.

shall not be issued in respect of it.

Number Postal Vote Certificate and Postal Ballot-paper issued...../..../19... Initials of Returning Officer for the Electoral District of

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER. To the Returning Officer for the Electoral District of

(1) Here insert name of District to which appli- cation is being sent.	(¹) Surname.	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation
(2) Here insert Surname, Christian names, place of living, and occupation as appearing on	1,			
the Roll.		.0007.033		hereby

hereby apply for a Postal Vote Certificate and a Postal Ballot-paper to enable me to vote by post at the forthcoming Election of Members of the Legislative Assembly.

(3) Here insert
5 division for which enrolled.
(4) Here insert name of Electoral District for I declare-District for which enrolled.

NOTE. — If answer to ques-tion (A) is "yes," the applicant is not required to

answer question (B).

NOTE. — The elector MUST strike out any

of these grounds which do not apply to his or her particular case

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(1) That I am an elector enrolled on the Electoral Roll for the (3)...Subdivision of the Electoral District of (4).... (2) That my answers to the following questions are true and correct in every particular :-Question. Applicant's answer. (The following question (A) must be answered by the applicant.) (A) Is your place of living within the Electoral District in

- respect of which you claim to vote ? (The following question (B) must be answered by the applicant if his
 - answer to question (A) is in the negative.)

(B) Was your place of living, at any time within the three months immediately preced-ing the date fixed for the polling at the election, within the Electoral District in respect of which you claim to vote ?

- (3)That the ground on which I apply to vote by post 18-
 - (a) That I will not throughout the hours of polling on polling day be within the State of New South Wales;
 - (b) That I will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open in the State for the purposes of an election;
 - (c) That I will throughout the hours of polling on polling day be travelling under conditions which will preclude me from attending at any polling booth to vote;
 - That I am seriously ill or infirm, and by (d)reason of such illness or infirmity will be precluded from attending at any polling booth to vote;
 - That I will, by approaching maternity, be (e) precluded from attending at any polling booth to vote.

(4)

Parliamentary Electorates and Elections (Amendment). (4) That my place of living at the time when the postal vote certificate and the postal ballot-paper would be delivered in the ordinary course of post will be as follows :.... 5 An elector shall not make, and a person shall not induce an elector to make, any false statement in an application for a Postal Vote Certificate and a Postal Ballot-paper, or in the declaration contained in such application. 10 PENALTY : Fifty pounds, or imprisonment for one month. Signed by the elector in his own handwriting in my presence-Signature of Witness Witness (in own handwriting) (A person whose name appears on the roll of electors for an Electoral District.) 15 Address of Witness . Signature of Applicant (in own handwriting) Enrolled for Electoral District Note.—Where of _______ 20 the elector application is outside the _______ State, this appli- subdivision of the Common-cetion must be _______ ith_Electoral_Division of (NOTE .- A marksman cannot vote by post. cation must be signed in the wealth Electoral Division of presence of a erson whose person whose name appears on the electoral Dated at.. roll for an elec-toral division of the Common-wealth. 25 .the. ...day of ... OBLIGATIONS OF ELECTOR WITNESSING AN

APPLICATION FOR A POSTAL VOTE CERTI-FICATE AND POSTAL BALLOT-PAPER.

An elector shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless-

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his (the applicant's) own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

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PENALTY : Fifty pounds, or imprisonment for one month.

The

The elector witnessing the application shall sign his name Nore.—Where the elector making the application is outside the State, this appli-ration must be signed in the superconding the application shall sign his na in his own handwriting on the application in the sp provided for the purpose, and shall add the date and name of the Electoral District for which he is enrolled. in his own handwriting on the application in the space provided for the purpose, and shall add the date and the

Any such elector shall not persuade or induce, or associate 5 presence of a Any such elector shall not persuade of inductor, any person whose name appears himself with any person in persuading or inducing, any name appears to make application for a Postal Vote Certificate roll for an electoral division of and Postal Ballot-paper. the common-wealth. PENALTY: One hundred pounds, or imprisonment for three months.

three months.

PENALTY FOR FAILURE TO POST OR DELIVER APPLICATION FOR POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

Any person to whom an application for a Postal Vote Certificate and Postal Ballot-paper is entrusted by a voter for the purpose of posting or delivery to a Returning Officer or Deputy Returning Officer, and who fails to post or deliver the application forthwith shall be guilty of an offence.

PENALTY : Fifty pounds, or imprisonment for one month.

SCHEDULE FOURTEEN.

Sec. 114D.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

No..... Postal Vote Certificate.

I hereby certify that... is entitled (subject to the provisions of the Parliamentary Electorates and Elections Act, 1912, as amended) to vote by post in respect of the Electoral District of..... at the election to be held on the..... ____day of

Returning Officer for the Electoral District of Date.....

Certificate of Voter.

I, the person named in the above certificate, hereby certify that the signature of voter hereunder is my personal signature written by me with my own hand.

> Signature of Vcter. (in his or her own handwriting)

> > Certificate

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Certificate of Authorised Witness.*

I hereby certify that the above certificate was signed by the voter in his or her own handwriting in my presence (here insert address of place where at. signature is made and witnessed).

> Signature of Authorised Witness (in his own handwriting)

Title under which witness acts as Authorised Witness (in full).....

Address of Witness

Date.....

* No person other than a person indicated in the list of Authorised Witnesses printed on the "Directions to Elector and Authorised Witness" issued by the Electoral Commissioner is authorised to act as an Authorised Witness for Postal Voting purposes.

NOTES.—(1) This envelope, containing the ballot-paper marked by the voter, should be forthwith posted or delivered to the teturning Officer to whom it is addressed, but if it cannot be delivered to that officer prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, or, if posted prior to the close of the poll, who fails to perform the close of the poll, if may be posted or delivered to any officer, but so as to reach such officer before the close of the poll.
(2) Any person to whom this envelope, containing a ballot-paper, is entrusted by the voter for the purpose of posting or delivery to a Deputy Returning Officer, or delivery to a Deputy Returning Officer, or delivery to a Deputy Returning Officer, or month.
(3) No person other than the Returning Officer or the District concerned, or an officer acting under his directions, shall open this envelope after the ballot-paper has been placed therein and the envelope fastened. Penalty : Fifty pounds.

The

RETURNING OFFICER

for the Electoral District

(Postal Address).....

SCHEDULE

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SCHEDULE FIFTEEN.

Sec. 114D.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorised Witness.

POSTAL BALLOT-PAPER.

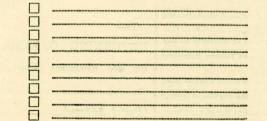
NEW SOUTH WALES.

Electoral District of.....

Election of a Member of the Legislative Assembly.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers_______in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorised Witness.

Candidates.



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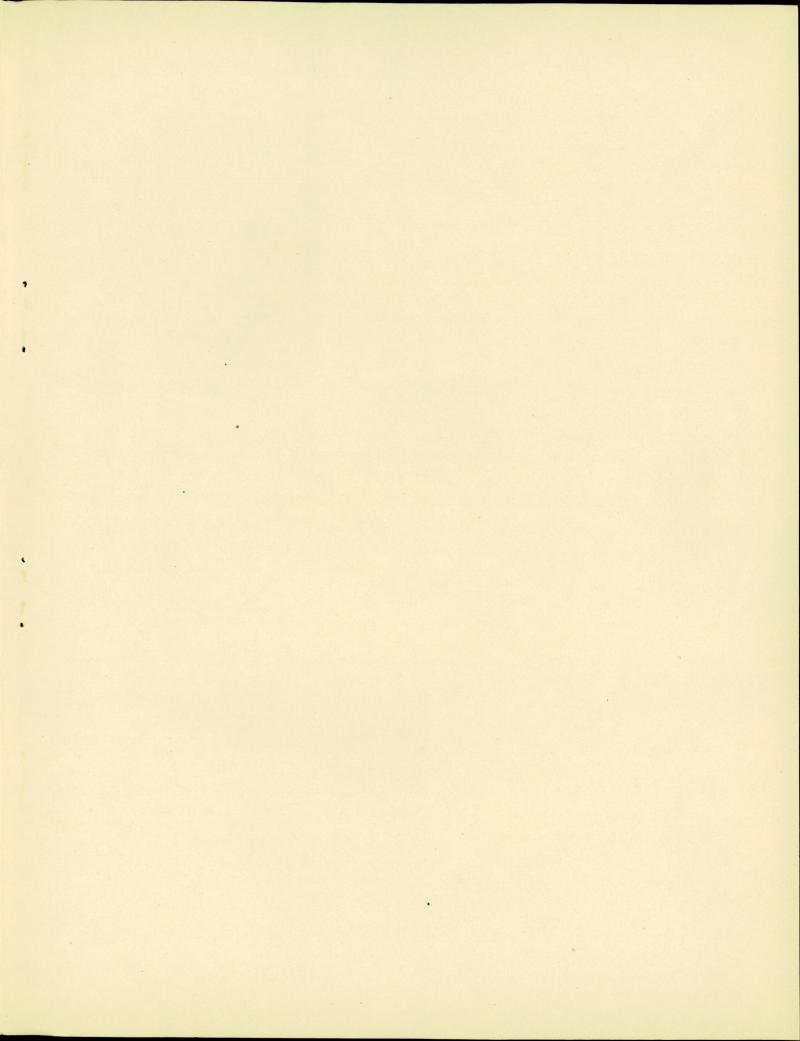
Sydney: Alfred Henry Pettifer, Acting Government Printer-1944. [1s. 1d.]

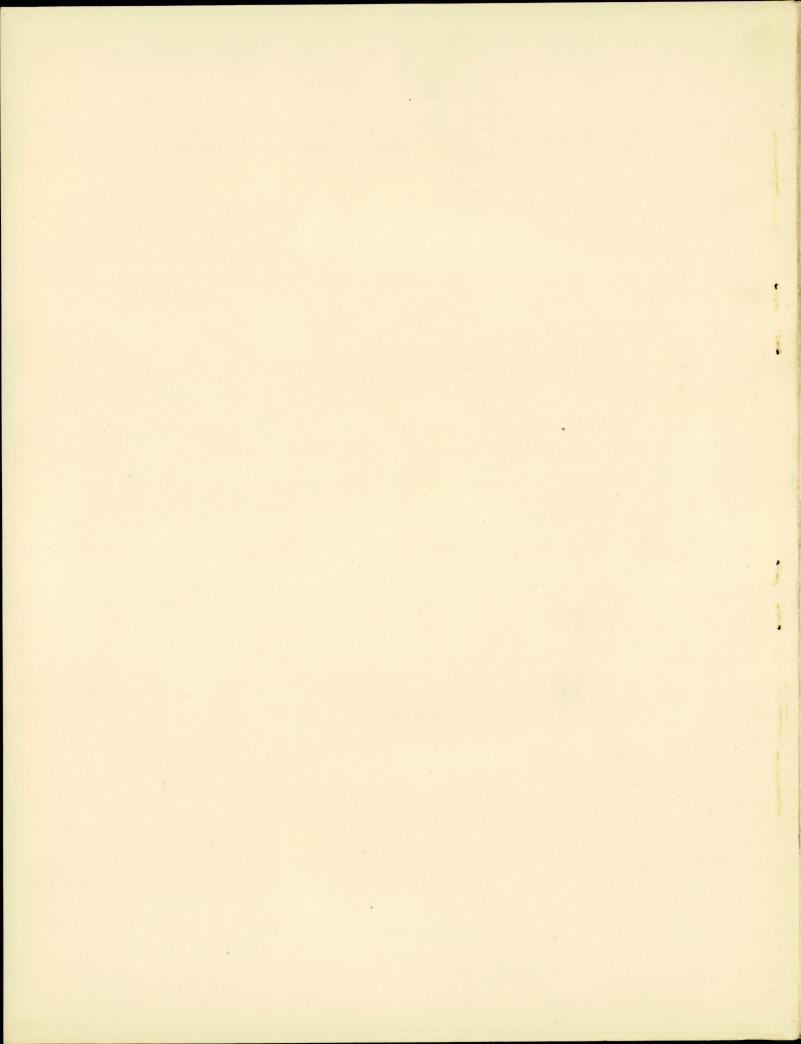
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No. , 1944.

A BILL

Parliamentary Electorates To amend the and Elections Act, 1912-1941, and certain other Acts in certain respects; and for purposes connected therewith.

[MR. BADDELEY; -2 March, 1944.]

B^E 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 Short title Electorates and Elections (Amendment) Act, 1944."

and citation.

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this 10 Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1944.

44775-43

2. The Parliamentary Electorates and Elections Act, Amendment of Act No. 41, 1912-1941, is amended— 1912-1941, is amended-

(a) by omitting section one hundred and eight and Subst. sec. 108. by inserting in lieu thereof the following section :---

108. (1) If an elector satisfies the returning Assistance officer or deputy that his sight is so impaired or electors. that he is so physically incapacitated that he is cf. Cwth. unable to vote without assistance, the returning Electoral officer or deputy shall permit a person appointed 1940, s. 120. by the elector to enter an unoccupied compartment of the booth with the elector and mark, fold and deposit the elector's ballot-paper for him.

(2) If any such elector fails to appoint a person in pursuance of subsection one of this section, or if any elector satisfies the returning officer or deputy that he is so illiterate that he is unable to vote without assistance, the returning officer or deputy, in the presence of such scrutineers as are present, or if there are no scrutineers present, then in the presence of-

(a) the poll clerk; or

(b) if the elector so desires, in the presence of a person appointed by such elector, instead of the poll clerk,

shall mark the ballot-paper according to the instruction of such elector, and shall fold and deposit the ballot-paper in the ballot-box.

- (b) (i) by omitting from paragraph (a) of subsec- sec. 114A. tion one of section 114A the word "ten" and (Applicaby inserting in lieu thereof the word "five"; tion for postal vote
 - (ii) by inserting after the same paragraph the certificate.) following new paragraph:-
 - (a1) will not throughout the hours of polling on polling day be within the State of New South Wales.
 - (iii) by omitting from subsection two of the same section the words "authorised witness, and must be made and sent, after" and by inserting

to certain Act, 1918-

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inserting in lieu thereof the words "elector, or, where the elector making the application is outside the State, in the presence of a person whose name appears on the electoral roll for an electoral division of the Commonwealth, and must be made and sent, after the tenth day prior to":

- (iv) by omitting from subsection (2A) of the same section the words "at least thirtyeight hours prior to the hour at which the polling is to commence on" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding";
- (c) (i) by omitting from paragraph (a) of subsec- Sec. 114B. tion one of section 114B the words "head (Authorised teachers" and by inserting in lieu thereof witnesses.) the words "adult teachers";
 - (ii) by omitting from the same paragraph the word "and" where lastly occurring, and by inserting in lieu thereof the words "all assistant returning officers; all commissioners for taking declarations or affidavits; all members of a municipal, shire or county council or of a roads board; all town clerks, deputy town clerks, shire clerks or shire secretaries, municipal or shire engineers; all roads board secretaries and roads board engineers; all midwives and nurses registered by the Midwives Board or Nurses Board of a State; all secretaries of hospitals; all assistant lighthouse-keepers; all overseers and foremen of Group Settlements; all permanent way inspectors and roadmasters employed in the railway service of the Commonwealth; all engineers engaged upon railway or road construction; all mail contractors; all naval commissioned officers in the service of the Commonwealth while employed on a ship of war; all licensed surveyors or Government

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Government surveyors; all station owners, station managers and station overseers: and";

(iii) by inserting after subsection one of the same section the following new subsection :---

> (1A) A person who holds any of the offices or qualifications referred to in subsection one of this section shall be an authorised witness within the meaning of this Act, whether he holds such office or qualification in this State or in any other State of the Commonwealth.

- (d) (i) by omitting from subsection one of section Sec. 114c. 114c the words "authorised witness" and (Duty of by inserting in lieu thereof the word electors as witnesses.) "elector";
 - (ii) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections:-

(2) The elector witnessing the signature of any elector to an application for a postal vote certificate and postal ballot-paper shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the name of the electoral district for which he is enrolled as an elector and the date.

(3) Any such elector shall not persuade cf. Cwth. or induce, or associate himself with any Electoral person in persuading or inducing, any 1940, s. 87 person to make application for a postal (3). vote certificate and postal ballot-paper.

Act, 1918-

(e)

Any person contravening any provision of this subsection shall be liable to a penalty not exceeding fifty pounds, or to be imprisoned for a term not exceeding one month.

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 (c) by omitting from section 114b the words "at Sec 114. least thirty-eight hours prior to the hour at (Issue of which polling is to commence on" and by insert- and blaits of paper.) ing in lieu thereof the words "before six o'clock paper.) 5 in the afternoon of the day immediately preceding"; (f) by omitting from section 114b the words "at Sec 114. least thirty-eight hours prior to the hour at (Issue of application which the polling is to commence on" and by inserting in least thirty-eight hours prior to the hour at (Issue of applications) o'clock in the afternoon of the day immediately preceding"; (g) (i) by omitting paragraphs (f) and (g) of Sec 114. section 114n and by inserting in lieu thereof (Ibreedan view) of application (f) and (g) of sec 114. section 114n and by inserting in lieu thereof (Ibreedan view) of the following paragraphs:— (f) If the elector's sight is so impaired effective that he cannot vote without assist ance, a person appointed by the elector's vote (1) (f). 20 on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the returning officer. 30 Travided that if no person is appointed by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. 30 (g) The authorised witness shall not, et <i>Dia</i>, and in taking such action shall mark the ballot-paper according to the instruction of the elector's sight is so "20("). 40 (g) The authorised witness hall not, et <i>Dia</i>, and in taking such action vote without (g). 		
 (f) by omitting from section 114± the words "at Sec.114±. least thirty-eight hours prior to the hour at (Inspection of applications) inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; (g) (i) by omitting paragraphs (f) and (g) of Sec.114π. Section 114± and by inserting in lieu thereof the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (g) (i) by omitting paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's sight is so impaired the following paragraphs:— (f) If the elector's vote (1) (f). 20 on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the returning officer; 30 Provided that if no person is appointed by the elector, the authorised witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. (g) The authorised witness shall not, cf. Ibid. unless the elector's sight is so s.92(1) impaired that he cannot vote without (g).	5	least thirty-eight hours prior to the hour at (Issue of which polling is to commence on' and by insert- ing in lieu thereof the words "before six o'clock paper.) in the afternoon of the day immediately
 section 114π and by inserting in lieu thereof ^{(b)rections} for postal voting.) (f) If the elector's sight is so impaired that he cannot vote without assist the elector's ance, a person appointed by the ¹⁹⁴⁰, s. 92 elector shall mark the elector's vote (1) (f). 20 on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it or cause it to be posted or delivered, to the returning officer: 30 Provided that if no person is appointed by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. 40 (g) The authorised witness shall not, cf. <i>Ibid.</i> unless the elector's sight is so "92(1) impaired that he cannot vote without (g). 	10	(f) by omitting from section 114E the words "at Sec. 114E. least thirty-eight hours prior to the hour at (Inspection which the polling is to commence on" and by of applica- inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding";
 that he cannot vote without assist- Electoral ance, a person appointed by the ¹⁹⁴⁰, s.92 elector shall mark the elector's vote ⁽¹⁾ (f). on the ballot-paper in the presence of the authorised witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place it in the envelope addressed to the returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it or cause it to be posted or delivered, to the returning officer: 30 Provided that if no person is appointed by the elector, the authorrised witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. 40 (g) The authorised witness shall not, cf. <i>Ibid.</i> unless the elector's sight is so s.92(1) impaired that he cannot vote without (g). 	15	section 114 ^H and by inserting in lieu thereof ^{(Directions} the following paragraphs:—
 so that the vote cannot be seen, place it in the envelope addressed to the returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it or cause it to be posted or delivered, to the returning officer: 30 Provided that if no person is appointed by the elector, the authorised witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. 40 (g) The authorised witness shall not, cf. Ibid. unless the elector's sight is so s. 92 (1) impaired that he cannot vote without 	20	that he cannot vote without assist- ance, a person appointed by the 1940, s. 92 elector shall mark the elector's vote (1) (f). on the ballot-paper in the presence of the authorised witness, and shall
 30 returning officer: 30 Provided that if no person is appointed by the elector, the authorised witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. 40 (g) The authorised witness shall not, cf. Ibid. unless the elector's sight is so s.92(1) impaired that he cannot vote without (g). 	25	so that the vote cannot be seen, place it in the envelope addressed to the returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it or cause
 35 by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector. (g) The authorised witness shall not, cf. Ibid. unless the elector's sight is so s.92(1) impaired that he cannot vote without (g). 	30	returning officer: Provided that if no person is appointed by the elector, the autho- rised witness, if so requested by the
40 unless the elector's sight is so s. 92 (1) impaired that he cannot vote without ^(g) .	35	by this paragraph to be taken by a person appointed by the elector, and in taking such action shall mark the ballot-paper according to the instruction of the elector.
	40	unless the elector's sight is so $s. 92$ (1) impaired that he cannot vote without (g).

assistance and no person is appointed by the elector to mark his vote for him, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of this subsection, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote or to assist the elector to vote or to interfere in any way with the elector in relation to his vote.

(ii) by inserting at the end of the same section the following new subsection:—

(2) Notwithstanding anything contained cf. Cwth. Electoral in this section, in any case in which a postal Act, 1918ballot-paper, if posted prior to the close of 1940, s. 92 (2).the poll, as provided in paragraph (e) or paragraph (f) of subsection one of this section, would not reach the returning officer for the district in respect of which the elector claims to vote before the end of the period of seven days immediately succeeding the close of the poll, or if delivered as provided in paragraph (e) or paragraph (f) of that subsection, would not reach that returning officer before the close of the poll, the envelope in which the ballot-paper is enclosed may be addressed to, and posted or delivered to, any other returning officer, or may be delivered on polling day to any deputy returning officer, and the returning officer or the deputy returning officer, as the case may be, shall deal with it in the prescribed manner.

(Duty of authorised witnesses.)

An authorised witness shall not influence or witnesses.) attempt to influence, in any way, the vote of an cf. *Ibid.* s. 93 (2). elector voting by post before him.

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(i)

Act No. . 1944.

Parliamentary Electorates and Elections (Amendment).

- (i) by omitting section 114J and by inserting in lieu Subst. sec. 114.т. thereof the following section :---
 - 114J. (1) No person other than
 - unlawfully (a) the elector to whom the postal ballot- marking ballotpaper has been issued; or paper.
 - (b) a person appointed by the elector or an cf. Cwth. authorised witness acting in pursuance Electoral Act, 1918of paragraph (f) of subsection one of 1940, s. 93A. section 114_H of this Act, assisting an elector whose sight is so impaired that he cannot vote without assistance,

shall mark a vote upon the ballot-paper.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.

(2) No person other than the return- Unlawfully ing officer for the district in respect of which a opening postal ballot-paper has been issued or an officer postal ballotacting under his directions shall open the en- paper. velope in which the postal ballot-paper has been cf. Ibid. placed pursuant to paragraph (e) or paragraph (f) of subsection one of section 114H of this Act and which has been fastened by an authorised witness or a person appointed by the elector in accordance with the provisions of whichever of those paragraphs is applicable to the case.

Any person contravening any of the provisions of this subsection shall be liable to a penalty not exceeding fifty pounds.

(3) Any person to whom an application Penalty for for a postal vote certificate and postal ballot- failure to paper or an envelope containing or purporting deliver to contain a postal ballot-paper is entrusted by documents. an elector for the purpose of posting or delivery s. 94. to a returning officer or delivery to a deputy returning officer and who fails to post or deliver forthwith

s. 93B.

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Penalty for

 section 114x and by inserting in lieu thereof the following word and paragraph:— following word and paragraph (f) of following the following word and paragraph (f) of following word and paragraph (f) of following word and paragraph (f) of following form section in any manner interfering with him in relation to his vote; following word and form form looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote." following from section 114t the words "close of the poll' and by inserting in lieu for forstal seven days immediately succeeding the close ballot. for the poll by him, or received up to the close ballot. for the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114t of this Act"; for the poll by any other returning officer		
 following word and paragraph — "and "electron in the altered is provided in paragraph (f) of the electron is ubsection one of section 114 m of this Act, 191 Act in the case of persons whose sight is impaired— (i) refrain from making any communication whatever to the electron in relation to his vote; (ii) refrain from assisting the electron or in any manner interfering with him in relation to his vote; (iii) refrain from looking at the electron's vote or from doing anything whereby he may become acquainted with the electron's vote." (k) (i) by omitting from section 114L the words "even days immediately succeeding the close papers.) of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114 m of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "authorised or delivered prior to the close of the poll"; 	5	guilty of an offence and shall be liable to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding one
 (i) refrain from making any communication whatever to the elector in relation to his vote; (i) refrain from making any communication whatever to the elector in relation to his vote; (ii) refrain from assisting the elector or in any manner interfering with him in relation to his vote; and (iii) refrain from looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote.'' (k) (i) by omitting from section 114L the words "close of the poll" and by inserting in lieu thereof the words "end of the period of ary serut of postal seven days immediately succeeding the close papers.) of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "authorised witness" the words "authorised or delivered prior to the close of the poll"; 	(j)	section 114k and by inserting in lieu thereof the (Duty of persons) following word and paragraph:—
 15 munication whatever to the elector in relation to his vote; (ii) refrain from assisting the elector or in any manner interfering with him in relation to his vote; and (iii) refrain from looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote." (k) (i) by omitting from section 114L the words "close of the poll" and by inserting in lieu thereof the words "end of the period of seven days immediately succeeding the close papers.) of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll"; 	10	subsection one of section 114 π of this Act, 1918 Act in the case of persons whose sight 1940 , s. 9
 tor or in any manner interfering with him in relation to his vote; and (iii) refrain from looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote." (k) (i) by omitting from section 114L the words ''close of the poll'' and by inserting in lieu thereof the words ''end of the period of ary serul seven days immediately succeeding the close papers.) of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act''; (ii) by inserting in paragraph (b) of the same section after the words ''authorised witness'' the words ''and that the envelope bearing the certificate was posted or delivered prior to the close of the poll''; 	15	munication whatever to the
 (iii) refrain from looking at the elector's vote or from doing anything whereby he may become acquainted with the elector's vote." (k) (i) by omitting from section 114L the words "close of the poll" and by inserting in lieu thereof the words "end of the period of seven days immediately succeeding the close papers.) of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "authorised witness" the words "authorised or delivered prior to the close of the poll"; 		tor or in any manner inter- fering with him in relation to
 elector's vote or from doing anything whereby he may become acquainted with the elector's vote." (k) (i) by omitting from section 114L the words Sec. 114L "close of the poll" and by inserting in lieu (Preliming thereof the words "end of the period of ary serut seven days immediately succeeding the close ballot. 30 of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll"; 	20	
 (k) (i) by omitting from section 114L the words Sec. 114L "close of the poll" and by inserting in lieu (Preliming thereof the words "end of the period of ary serue of postal seven days immediately succeeding the close ballot. 30 of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114H of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll"; 		elector's vote or from doing anything whereby he may be- come acquainted with the elec-
 "close of the poll" and by inserting in lieu (Preliming thereof the words "end of the period of any serul seven days immediately succeeding the close ballot-of the poll by him, or received up to the close papers.) of the poll by any other returning officer or any deputy returning officer in pursuance of subsection two of section 114 m of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "authorised witness" the words "authorised or delivered prior to the close of the poll"; 		
 any deputy returning officer in pursuance of subsection two of section 114^H of this Act"; (ii) by inserting in paragraph (b) of the same section after the words "authorised witness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll"; 		"close of the poll" and by inserting in lieu (Prelimit thereof the words "end of the period of ary scrut seven days immediately succeeding the close ballot- of the poll by him, or received up to the close papers.)
35 section after the words "authorised wit- ness" the words "and that the envelope bearing the certificate was posted or delivered prior to the close of the poll";		any deputy returning officer in pursuance of
(1)	35	section after the words "authorised wit- ness" the words "and that the envelope bearing the certificate was posted or
		(1)

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(1) by omitting Schedules Thirteen, Fourteen, and Schedules Fifteen and by inserting in lieu thereof the Fourteen following Schedules:—

SCHEDULE THIRTEEN.

This application should be made and sent, after the tenth day prior to the issue of the Writ for the election to which it relates and before polling day, to the Returning Officer for the District for which the elector is enrolled; but if the elector has reason to believe that it may not in the ordinary course of post reach that officer so as to enable him to send a Postal Vote Certificate and Postal Ballot-paper to the elector in time to permit of his voting at the election, the application may, for purposes of expedition, be made and sent to some other Returning Officer.

Unless the application reaches the Returning Officer to whom it is addressed before six o'clock in the afternoon of the day immediately preceding the polling day for the election, a Postal Vote Certificate or Postal Ballot-paper shall not be issued in respect of it.

In order that a Postal Ballot-paper may be admitted to the scrutiny it should be posted prior to the close of the poll to the Returning Officer for the District in respect of which the elector claims to vote, so as to reach him before the end of the period of seven days immediately succeeding the close of the poll, or delivered to that officer prior to the close of the poll. If, however, time does not permit of that course, it may be posted or delivered to any other Returning Officer, or delivered on polling day to any Deputy Returning Officer, but in any such case it must reach such officer before the close of the poll.

STATE ELECTIONS.

 Number

 Postal Vote Certificate

 and Postal Ballot-paper

 issued..../lissued..../19...

 Initials of

 Returning

 Officer for the

 Electoral

 District of

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

To the Returning Officer for the Electoral District of

45	(1) Here insert(name of District to which appli- cation is being sent.	Surname.	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation.
	(2) Here insert Surname, Christian names, place of living, and occupation	,(2)			
	as appearing on - the Roll.				hereby

Sec. 114A.

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Parliamentary	Electorates	and Elections	(Amendment).
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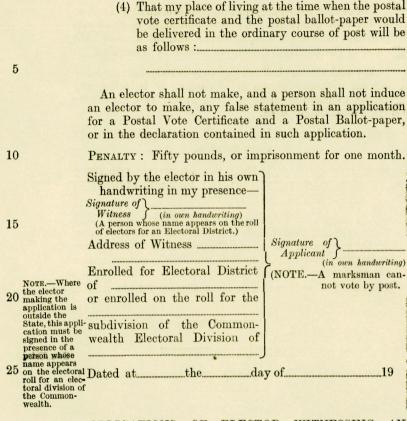
Ballot-p	apply for a Postal Vote Certificate and a Postal aper to enable me to vote by post at the forthcoming of Members of the Legislative Assembly.
(3) Here insert name of Sub- division for which enrolled. (4) Here insert name of Electoral	are— That I am an elector enrolled on the Electoral Roll for the (³)Subdivision of the Electoral District of (⁴) That my answers to the following questions are
10	 true and correct in every particular : Question. Applicant's answer. (The following question (A) must be answered by the applicant.) (A) Is your place of living within
15	the Electoral District in respect of which you claim to vote ? (<i>The following question</i> (B) <i>must be</i>
20	answered by the applicant if his answer to question (A) is in the negative.)
25 NOTE. — If answer to ques- tion (A) is "yes," the applicant is not required to answer question (B).	(B) Was your place of living, at any time within the three months immediately preced- ing the date fixed for the polling at the election, within the Electoral District in
	respect of which you claim to vote ? That the ground on which I apply to vote by post is—
30	 (a) That I will not throughout the hours of polling on polling day be within the State of New South Wales; (b) That I will not throughout the hours of polling on polling day be within five miles by the
35 NOTE. — The elector MUST strike out any	nearest practicable route of any polling booth open in the State for the purposes of an election; (c) That I will throughout the hours of polling
40 of these grounds which do not apply to his or her particular case.	 on polling day be travelling under conditions which will preclude me from attending at any polling booth to vote; (d) That I am seriously ill or infirm, and by reason of such illness or infirmity will be
45	 precluded from attending at any polling booth to vote; (e) That I will, by approaching maternity, be precluded from attending at any polling booth to vote.
	(4)

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OBLIGATIONS OF ELECTOR WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTI-FICATE AND POSTAL BALLOT-PAPER.

An elector shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless—

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his (the applicant's) own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

PENALTY: Fifty pounds, or imprisonment for one month.

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NOTE.—Where the elector The elector witnessing the application shall sign his name the elector making the application is outside the State, this appli-ration must be signed in the presence of a name of the Electoral District for which he is enrolled. Any such elector shall not persuade or induce, or associate himself with any person in persuading or inducing, any on the electoral person to make application for a Postal Vote Certificate toral division of and Postal Ballot-paper.

5 the Common-wealth.

PENALTY: One hundred pounds, or imprisonment for three months.

PENALTY FOR FAILURE TO POST OR DELIVER APPLICATION FOR POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

Any person to whom an application for a Postal Vote Certificate and Postal Ballot-paper is entrusted by a voter for the purpose of posting or delivery to a Returning Officer or Deputy Returning Officer, and who fails to post or deliver the application forthwith shall be guilty of an offence.

PENALTY : Fifty pounds, or imprisonment for one month.

SCHEDULE FOURTEEN.

Sec. 114D,

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

Postal Vote Certificate.

I hereby certify that.

is entitled (subject to the provisions of the Parliamentary Electorates and Elections Act, 1912, as amended) to vote by post in respect of the Electoral District of...... at the election to be held on the.....day of

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Returning Officer for the Electoral District of Date

Certificate of Voter.

I, the person named in the above certificate, hereby certify that the signature of voter hereunder is my personal signature written by me with my own hand.

> Signature of Voter... (in his or her own handwriting)

Certificate

No.....

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Certificate of Authorised Witness.*

I hereby certify that the above certificate was signed by the voter in his or her own handwriting in my presence(here insert address of place where at. signature is made and witnessed).

> Signature of Authorised Witness (in his own handwriting)

Title under which witness acts as Authorised Witness (in full)_____

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Address of Witness....

Date_____19____

* No person other than a person indicated in the list of Authorised Witnesses printed on the "Directions to Elector and Authorised Witness" issued by the Electoral Commissioner is authorised to act as an Authorised Witness for Postal Voting purposes.

Nottes.—(1) This envelope, containing the ballot-paper marked by the voter, should be forthwith posted or delivered to the Returning Officer to whom it is addressed, but if it cannot be delivered to that officer prior to the close of the poll, would not reach him before the end of the period of seven days immediately succeeding the close of the poll, would not reach him before the close of the poll, by the posted or delivered to any other Returning Officer or delivered to any other Returning Officer, but so as to reach such officer before the close of the poll.
(2) Any person to whom this envelope, containing a ballot-paper, is entrusted by the voter for the purpose of posting of delivery to a Deputy Returning Officer, or delivery to a Deputy Returning Officer, envelope forthwith shall be guilty of an offence. Penalty: Fifty pounds or imprisonment for one month.
(3) No person other than the Returning Officer ating under this directions, shall open this envelope after the ballot-paper has been placed therein and the envelope fastened. Penalty: Fifty pounds.

The

RETURNING OFFICER

for the Electoral District

of

(Postal Address)

SCHEDULE

SCHEDULE FIFTEEN.

Sec. 114D.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912, AS AMENDED.

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorised Witness.

POSTAL BALLOT-PAPER.

NEW SOUTH WALES.

Electoral District of.....

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Election of a Member of the Legislative Assembly.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers_______ in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper so that the vote cannot be seen and hand it so folded to the Authorised Witness.

Candidates.



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Sydney: Alfred Henry Pettifer, Acting Government Printer-1944. [1s. 1d.]

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