

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 15, 1965.

An Act relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith. [Assented to, 26th November, 1965.]

BE it enacted by the Queen'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, 1965".

Short title,
citation
and com-
mencement.

P 35311 A [1s. 0d. (10c)]

(2)

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act No.
41, 1912.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

Sec. 79.

(Every voter
qualified to
be elected
as a
member.)

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

(5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.

Sec. 87A.

(Mobile
booths in
hospitals,
etc.)

(b) (i) by omitting from subsection one of section 87A the words “at least two polling booths therein” and by inserting in lieu thereof the words “such number of polling booths therein as he may determine”;

(ii) by omitting from subsection two of the same section the words “One or more of such booths designated by the returning officer shall be used as a mobile booth” and by inserting in lieu thereof the words “Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so provided

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

- (c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections :—
- Sec. 114A.**
(Application for a postal vote certificate and postal ballot-paper.)
- (1) An elector who—
 - (a) will not throughout the hours of polling on polling day be within the State;
 - (b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;
 - (c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;
 - (d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or
 - (e) is, by reason of his membership of a religious order or his religious beliefs—
 - (i) precluded from attending at a polling booth; or
 - (ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours,

may make application for a postal vote certificate and postal ballot-paper.

Parliamentary Electorates and Elections (Amendment).

(2) The application must contain a declaration by the elector setting out the grounds upon which he applies for a postal vote certificate and postal ballot-paper, and shall be in or to the effect of the form prescribed in Schedule Thirteen to this Act, and must be signed by the elector in his own handwriting in the presence of an authorised witness, and must be made and sent, after the tenth day prior to the issue of the writ for the election to which it relates, and before six o'clock in the afternoon of the day immediately preceding the polling day for the election, to the returning officer for the district for which the elector is enrolled, or to some other district returning officer if the elector has reason to believe that the application may not in the ordinary course of post reach the returning officer for the district for which he is enrolled so as to enable him to receive a postal vote certificate and postal ballot-paper from that officer in time to permit the elector voting at the election.

(ii) by omitting from subsection (2A) of the same section the words "if his application is received by the returning officer for the district to which it relates less than seven days before" and by inserting in lieu thereof the words "unless his application is received by the returning officer to whom it is addressed before six o'clock in the afternoon of the day immediately preceding";

(d) by omitting subsections one and (1A) of section 114B and by inserting in lieu thereof the following subsection :—

(1) Subject to subsection two of this section an elector whose name appears on the roll for the State of New South Wales, on the Commonwealth

roll

Sec. 114B.
(Authorised
witnesses.)

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
 - (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
 - (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.
- (e) (i) by omitting from subsection one of section 114c the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness"; Sec. 114c.
(Duty of witnesses to applications.)
- (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";
- (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";
- (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D.
(Issue of certificate and ballot-paper.)

(g)

Parliamentary Electorates and Elections (Amendment).

Sec. 114E.
(Inspection
of applica-
tions.)

- (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words ", if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";

Sec. 114H.
(Directions
for postal
voting.)

- (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";

Sec. 114L.
(Prelimin-
ary scrutiny
of postal
ballot-
papers.)

- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";

Sec. 114M.
(Postal and
absent
voters'
ballot-
papers not to
be informal
because of
certain
omissions or
mistakes.)

- (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";

Sec. 114o.
(Illness,
infirmity,
approaching
maternity.)

- (k) by omitting section 114o;

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule :— Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

STATE ELECTIONS

STATE OF NEW SOUTH WALES

(Parliamentary Electorates and Elections Act, 1912, as amended)

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date/.../...
Signature of Issuing Officer
Place of Issue

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 ten 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.

To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

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.

Parliamentary Electorates and Elections (Amendment).

I declare—

- 1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of
- 2. That my answers to the following questions are true and correct in every particular:—

(†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).

Question	Applicant's Answer
(A) Is your place of living within the Electorate in respect of which you claim to vote?(†)
(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 Electorate in respect of which you claim to vote?

NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

‡ The elector **MUST STRIKE OUT** any of these grounds which do not apply to his or her particular case.

- ‡(a) That I will not throughout the hours of polling on polling day be within the State;
- (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 voting at any polling booth in the State ;
- (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 ;
- (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
 - (i) from attending at a polling booth ; or
 - (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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:—

..... Here insert
 full place
 of living
 address to
 which it is
 required
 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. postal voting papers be posted.

PENALTY: Fifty pounds, or imprisonment for one month.

Signed by the elector in his own handwriting in my presence—	}	Signature of Applicant	Note.— Who is an Authorised Witness? (See below.)
Signature of Authorised Witness .....		..... (in own handwriting)
Address.....		(NOTE.—A Marksman cannot vote by post.)	

Dated at the day of 19 ..

OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

An authorised witness 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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The

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

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 an elector for the purpose of posting or delivery to a 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.

WHO IS AN AUTHORISED WITNESS.—

An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

Parliamentary Electorates and Elections (Amendment).

- (m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days"; **Sch. 14.**
- (n) by omitting Schedule Fifteen and by inserting in lieu thereof the following Schedule :— **Subst. Sch. 15.**

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 (in blank) to the Authorised Witness.

POSTAL BALLOT-PAPER

Place the number "1" in the square opposite the name of the candidate for whom you desire to give your first preference vote. Give contingent votes for all remaining candidates by placing the numbers "2", "3", "4", and so on, in the squares opposite the names of remaining candidates in the order of your preference; fold the ballot-paper so that the vote cannot be seen and place it in the envelope addressed to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

Election of Member of the Legislative Assembly.

Candidates.

-
-
-
-
-
-
-

BY AUTHORITY:

1892

1893

The following is a list of the names of the persons who have been
 named in the report of the committee on the subject of the
 proposed amendment to the constitution of the State of New York.
 The names are given in the order in which they were named in the
 report.

The names of the persons who have been named in the report of the
 committee on the subject of the proposed amendment to the constitution
 of the State of New York are given in the order in which they were
 named in the report.

The names of the persons who have been named in the report of the
 committee on the subject of the proposed amendment to the constitution
 of the State of New York are given in the order in which they were
 named in the report.

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

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 November, 1965.*

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 15, 1965.

An Act relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith. [Assented to, 26th November, 1965.]

BE it enacted by the Queen'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, 1965".

Short title,
citation
and com-
mencement.

(2)

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 41, 1912. **2.** The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

Sec. 79.
(Every voter qualified to be elected as a member.)

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

(5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.

Sec. 87A.
(Mobile booths in hospitals, etc.)

(b) (i) by omitting from subsection one of section 87A the words "at least two polling booths therein" and by inserting in lieu thereof the words "such number of polling booths therein as he may determine";

(ii) by omitting from subsection two of the same section the words "One or more of such booths designated by the returning officer shall be used as a mobile booth" and by inserting in lieu thereof the words "Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so provided

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

(c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections :—

Sec. 114A.
(Application for a postal vote certificate and postal ballot-paper.)

(1) An elector who—

(a) will not throughout the hours of polling on polling day be within the State;

(b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;

(c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;

(d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or

(e) is, by reason of his membership of a religious order or his religious beliefs—

(i) precluded from attending at a polling booth; or

(ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours,

may make application for a postal vote certificate and postal ballot-paper.

(2)

Parliamentary Electorates and Elections (Amendment).

(2) The application must contain a declaration by the elector setting out the grounds upon which he applies for a postal vote certificate and postal ballot-paper, and shall be in or to the effect of the form prescribed in Schedule Thirteen to this Act, and must be signed by the elector in his own handwriting in the presence of an authorised witness, and must be made and sent, after the tenth day prior to the issue of the writ for the election to which it relates, and before six o'clock in the afternoon of the day immediately preceding the polling day for the election, to the returning officer for the district for which the elector is enrolled, or to some other district returning officer if the elector has reason to believe that the application may not in the ordinary course of post reach the returning officer for the district for which he is enrolled so as to enable him to receive a postal vote certificate and postal ballot-paper from that officer in time to permit the elector voting at the election.

(ii) by omitting from subsection (2A) of the same section the words "if his application is received by the returning officer for the district to which it relates less than seven days before" and by inserting in lieu thereof the words "unless his application is received by the returning officer to whom it is addressed before six o'clock in the afternoon of the day immediately preceding";

Sec. 114B.
(Authorised
witnesses.)

(d) by omitting subsections one and (1A) of section 114B and by inserting in lieu thereof the following subsection :—

(1) Subject to subsection two of this section an elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act :—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
 - (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
 - (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.
- (e) (i) by omitting from subsection one of section 114c the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness"; Sec. 114c. (Duty of witnesses to applications.)
- (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";
- (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";
- (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D. (Issue of certificate and ballot-paper.)

(g)

Parliamentary Electorates and Elections (Amendment).

- Sec. 114E.
(Inspection
of applica-
tions.)
- (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words ", if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";
- Sec. 114H.
(Directions
for postal
voting.)
- (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";
- Sec. 114L.
(Prelimin-
ary scrutiny
of postal
ballot-
papers.)
- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";
- Sec. 114M.
(Postal and
absent
voters'
ballot-
papers not to
be informal
because of
certain
omissions or
mistakes.)
- (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";
- Sec. 114O.
(Illness,
infirmity,
approaching
maternity.)
- (k) by omitting section 114O;

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule : — Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

STATE ELECTIONS

STATE OF NEW SOUTH WALES

(Parliamentary Electorates and Elections Act, 1912, as amended)

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date .../.../...
Signature of Issuing Officer
Place of Issue

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 ten 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.

To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

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

Parliamentary Electorates and Elections (Amendment).

I declare—

1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of

2. That my answers to the following questions are true and correct in every particular:—

(†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).

Question	Applicant's Answer
(A) Is your place of living within the Electorate in respect of which you claim to vote?(†)
(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 Electorate in respect of which you claim to vote?

NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

‡ The elector MUST STRIKE OUT any of these grounds which do not apply to his or her particular case.

- ‡(a) That I will not throughout the hours of polling on polling day be within the State;
- (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 voting at any polling booth in the State ;
- (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 ;
- (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
 - (i) from attending at a polling booth ; or
 - (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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:—

..... Here insert full place of living address to which it is required postal voting papers be posted.

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 Authorised Witness
(in own handwriting)
Address.....

Signature of Applicant
.....
(in own handwriting)
(NOTE.—A Marksman cannot vote by post.)

Note.—Who is an Authorised Witness? (See below.)

Dated at the day of 19 ..

OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

An authorised witness 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.

The

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

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 an elector for the purpose of posting or delivery to a 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.

WHO IS AN AUTHORISED WITNESS.—

An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

(m)

Parliamentary Electorates and Elections (Amendment).

- (m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days";
- (n) by omitting Schedule Fifteen and by inserting in lieu thereof the following Schedule :—

Sch. 14.
Subst. Sch. 15.

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 (in blank) to the Authorised Witness.

POSTAL BALLOT-PAPER

Place the number "1" in the square opposite the name of the candidate for whom you desire to give your first preference vote. Give contingent votes for all remaining candidates by placing the numbers "2", "3", "4", and so on, in the squares opposite the names of remaining candidates in the order of your preference; fold the ballot-paper so that the vote cannot be seen and place it in the envelope addressed to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

Election of Member of the Legislative Assembly.

Candidates.

-
-
-
-
-
-
-

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

K. W. STREET,
Lieutenant-Governor.

Government House,
Sydney, 26th November, 1965.

Parliamentary Elections and Elections (Amendment).

(m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days";

(n) by omitting Schedule Fifteen and by inserting in lieu thereof the following Schedule:—

SCHEDULE FIFTEEN

(Parliamentary Elections and Elections Act 1975, as amended)

The following persons shall be entitled to be elected as members of the House of Representatives:

SECTION 14

14. (1) A person shall be eligible for election as a member of the House of Representatives if he is a citizen of the Republic of Kenya and is at least twenty-one years of age on the day of his nomination.

SCHEDULE SIXTEEN

(Parliamentary Elections and Elections Act 1975, as amended)

The following persons shall be entitled to be elected as members of the House of Representatives:

-
-
-
-
-
-
-
-
-
-

In the name and on behalf of His Excellency the President

M. W. STREET

Minister of Home Affairs

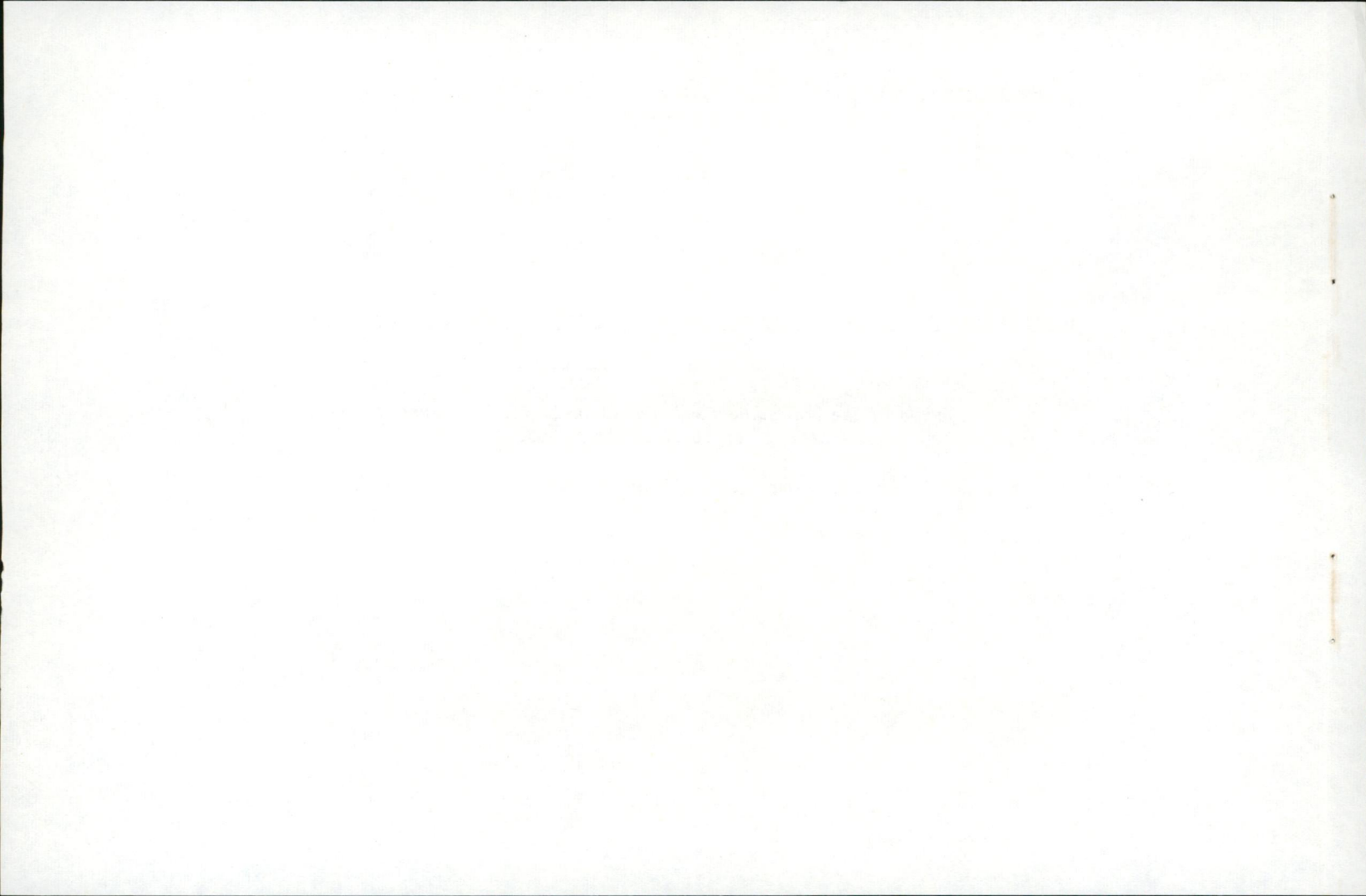
Government House

Nairobi, Kenya, 1985

PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL.

*Schedule of the Amendment referred to in Legislative Council's
Message of 16 November, 1965.*

Page 5, clause 2, line 20. *After "elector" insert "where firstly occurring".*



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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 28 October, 1965.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

J. R. STEVENSON,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 16 November, 1965.*

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1965.

An Act relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith.

BE it enacted by the Queen'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, 1965".

Short title,
citation
and com-
mencement.

29595 77—A

(2)

NOTE.—The words to be inserted are printed in black letter.

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

Amendment of Act No. 41, 1912.

10 (a) by inserting next after subsection five of section seventy-nine the following new subsection :—

Sec. 79. (Every voter qualified to be elected as a member.)

15 (5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.

25 (b) (i) by omitting from subsection one of section 87A the words "at least two polling booths therein" and by inserting in lieu thereof the words "such number of polling booths therein as he may determine";

Sec. 87A. (Mobile booths in hospitals, etc.)

30 (ii) by omitting from subsection two of the same section the words "One or more of such booths designated by the returning officer shall be used as a mobile booth" and by inserting in lieu thereof the words "Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so

provided

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

- 5 (c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections :—
- Sec. 114A.
(Application for a postal vote certificate and postal ballot-paper.)
- 10 (1) An elector who—
- (a) will not throughout the hours of polling on polling day be within the State;
- 15 (b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;
- 20 (c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;
- 25 (d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or
- 30 (e) is, by reason of his membership of a religious order or his religious beliefs—
- (i) precluded from attending at a polling booth; or
- 35 (ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours,
- may make application for a postal vote certificate and postal ballot-paper.

(2)

Parliamentary Electorates and Elections (Amendment).

5 (2) The application must contain a
declaration by the elector setting out the
grounds upon which he applies for a postal
vote certificate and postal ballot-paper, and
shall be in or to the effect of the form
prescribed in Schedule Thirteen to this Act,
and must be signed by the elector in his own
handwriting in the presence of an authorised
witness, and must be made and sent, after
10 the tenth day prior to the issue of the writ
for the election to which it relates, and before
six o'clock in the afternoon of the day im-
mediately preceding the polling day for the elec-
tion, to the returning officer for the district for
which the elector is enrolled, or to some other
district returning officer if the elector has
reason to believe that the application may not
in the ordinary course of post reach the return-
ing officer for the district for which he is
enrolled so as to enable him to receive a postal
vote certificate and postal ballot-paper from
that officer in time to permit the elector voting
at the election.

25 (ii) by omitting from subsection (2A) of the
same section the words "if his application is
received by the returning officer for the dis-
trict to which it relates less than seven days
before" and by inserting in lieu thereof the
words "unless his application is received by
30 the returning officer to whom it is addressed
before six o'clock in the afternoon of the day
immediately preceding";

(d) by omitting subsections one and (1A) of section **Sec. 114B.**
114B and by inserting in lieu thereof the following (Authorised
35 subsection :— witnesses.)

(1) Subject to subsection two of this section an
elector whose name appears on the roll for the
State of New South Wales, on the Commonwealth
roll

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

5 Outside Australia the following persons are also authorised witnesses for the purposes of this Act : —

- 10 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- 15 (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.
- 20 (e) (i) by omitting from subsection one of section 114C the word "elector" **where firstly occurring** and by inserting in lieu thereof the words "authorised witness"; Sec. 114C. (Duty of witnesses to applications.)
- 25 (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";
- 30 (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";
- 35 (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D. (Issue of certificate and ballot-paper.)

(g)

Parliamentary Electorates and Elections (Amendment).

- 5 (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words ", if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";
- 10
- 15 (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";
- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";
- 20 (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";
- 25 (k) by omitting section 114O;

Sec. 114E.
(Inspection
of applica-
tions.)

Sec. 114H.
(Directions
for postal
voting.)

Sec. 114L.
(Prelimin-
ary scrutiny
of postal
ballot-
papers.)

Sec. 114M.
(Postal and
absent
voters'
ballot-
papers not to
be informal
because of
certain
omissions or
mistakes.)

Sec. 114O.
(Illness,
infirmity,
approaching
maternity.)

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule :—

Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

5 STATE ELECTIONS
STATE OF NEW SOUTH WALES
(Parliamentary Electorates and Elections Act, 1912, as amended)
10 APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date .../.../...
Signature of Issuing Officer
Place of Issue

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 ten 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.

To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

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

Parliamentary Electorates and Elections (Amendment).

I declare—

1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of

5 2. That my answers to the following questions are true and correct in every particular:—

Question	Applicant's Answer
10 (A) Is your place of living within the Electorate in respect of which you claim to vote?	.....(†) (†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).
15 (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 Electorate in respect of which you claim to vote?	.....

20 NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

- 25 ‡(a) That I will not throughout the hours of polling on polling day be within the State; ‡ The elector MUST STRIKE OUT any of these grounds which do not apply to his or her particular case.
- 30 (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 voting at any polling booth in the State;
- 35 (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;
- 40 (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
 - (i) from attending at a polling booth; or
 - (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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 Here insert full place of living address to which it is required postal voting papers be posted.

10 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.

15 Signed by the elector in his own handwriting in my presence— Signature of Applicant
Signature of Authorised Witness (in own handwriting) (NOTE.—A Marksman cannot vote by post.)
Address..... Note.—Who is an Authorised Witness? (See below.)

Dated at the day of 19 ..

20 OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

25 An authorised witness 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
- 30 (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.

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

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 an elector for the purpose of posting or delivery to a 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.

WHO IS AN AUTHORISED WITNESS.—

An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions ;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions ; and
- (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

(m)

Parliamentary Electorates and Elections (Amendment).

(m) by omitting from Schedule Fourteen the words Sch. 14.
“seven days” and by inserting in lieu thereof the
words “ten days”;

5 (n) by omitting Schedule Fifteen and by inserting in Subst.
lieu thereof the following Schedule :— Sch. 15.

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 (in blank) to the Authorised Witness.

10 POSTAL BALLOT-PAPER

Place the number “1” in the square opposite the name of the candi-
date for whom you desire to give your first preference vote. Give
contingent votes for all remaining candidates by placing the numbers
“2”, “3”, “4”, and so on, in the squares opposite the names of remain-
15 ing candidates in the order of your preference ; fold the ballot-paper
so that the vote cannot be seen and place it in the envelope addressed
to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

20 Election of Member of the Legislative Assembly.

Candidates.

-
-
-
- 25
-
-

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[1s. 0d. (10c)]

1941

Administrative Department

That the undersigned hereby certifies that the above named person is a member of the [unclear] in the [unclear] of [unclear]

and that the same person is a member of the [unclear] in the [unclear] of [unclear]

and that the same person is a member of the [unclear] in the [unclear] of [unclear]

and that the same person is a member of the [unclear] in the [unclear] of [unclear]

WITNESSETH

That the undersigned hereby certifies that the above named person is a member of the [unclear] in the [unclear] of [unclear] and that the same person is a member of the [unclear] in the [unclear] of [unclear]

WITNESSETH

That the undersigned hereby certifies that the above named person is a member of the [unclear] in the [unclear] of [unclear] and that the same person is a member of the [unclear] in the [unclear] of [unclear]

WITNESSETH

BY [unclear] SECRETARY

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 28 October, 1965.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with
an Amendment.*

Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, November, 1965.*

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1965.

An Act relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith.

BE it enacted by the Queen'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, 1965".

Short title,
citation
and commencement.

29595 77—A

(2)

NOTE.—The words to be *inserted* are printed in **black letter**.

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

Amendment
of Act No.
41, 1912.

10 (a) by inserting next after subsection five of section seventy-nine the following new subsection :—

Sec. 79.
(Every voter
qualified to
be elected
as a
member.)

15 (5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.

25 (b) (i) by omitting from subsection one of section 87A the words "at least two polling booths therein" and by inserting in lieu thereof the words "such number of polling booths therein as he may determine";

Sec. 87A.
(Mobile
booths in
hospitals,
etc.)

30 (ii) by omitting from subsection two of the same section the words "One or more of such booths designated by the returning officer shall be used as a mobile booth" and by inserting in lieu thereof the words "Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so

provided

35

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

5 (c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections :—

Sec. 114A.
(Application for a postal vote certificate and postal ballot-paper.)

(1) An elector who—

10 (a) will not throughout the hours of polling on polling day be within the State;

15 (b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;

20 (c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;

25 (d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or

30 (e) is, by reason of his membership of a religious order or his religious beliefs—

(i) precluded from attending at a polling booth; or

35 (ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours,

may make application for a postal vote certificate and postal ballot-paper.

(2)

Parliamentary Electorates and Elections (Amendment).

5 (2) The application must contain a
declaration by the elector setting out the
grounds upon which he applies for a postal
vote certificate and postal ballot-paper, and
shall be in or to the effect of the form
prescribed in Schedule Thirteen to this Act,
and must be signed by the elector in his own
handwriting in the presence of an authorised
witness, and must be made and sent, after
10 the tenth day prior to the issue of the writ
for the election to which it relates, and before
six o'clock in the afternoon of the day im-
mediately preceding the polling day for the elec-
tion, to the returning officer for the district for
which the elector is enrolled, or to some other
district returning officer if the elector has
reason to believe that the application may not
in the ordinary course of post reach the return-
ing officer for the district for which he is
enrolled so as to enable him to receive a postal
vote certificate and postal ballot-paper from
that officer in time to permit the elector voting
at the election.

25 (ii) by omitting from subsection (2A) of the
same section the words "if his application is
received by the returning officer for the dis-
trict to which it relates less than seven days
before" and by inserting in lieu thereof the
words "unless his application is received by
30 the returning officer to whom it is addressed
before six o'clock in the afternoon of the day
immediately preceding";

(d) by omitting subsections one and (1A) of section Sec. 114B.
114B and by inserting in lieu thereof the following (Authorised
35 subsection :— witnesses.)

(1) Subject to subsection two of this section an
elector whose name appears on the roll for the
State of New South Wales, on the Commonwealth
roll

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

5 Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- 10 (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- 15 (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.
- 20 (e) (i) by omitting from subsection one of section 114C the word "elector" **where firstly occurring** and by inserting in lieu thereof the words "authorised witness"; Sec. 114C. (Duty of witnesses to applications.)
- 25 (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";
- 30 (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";
- 35 (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D. (Issue of certificate and ballot-paper.)

(g)

Parliamentary Electorates and Elections (Amendment).

- 5 (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words ", if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";
- 10
- 15 (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";
- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";
- 20 (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";
- 25 (k) by omitting section 114O;

Sec. 114E.
(Inspection
of applica-
tions.)

Sec. 114H.
(Directions
for postal
voting.)

Sec. 114L.
(Prelimin-
ary scrutiny
of postal
ballot-
papers.)

Sec. 114M.
(Postal and
absent
voters'
ballot-
papers not to
be informal
because of
certain
omissions or
mistakes.)

Sec. 114O.
(Illness,
infirmity,
approaching
maternity.)

(1)

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule : —

Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

5 STATE ELECTIONS
STATE OF NEW SOUTH WALES
(Parliamentary Electorates and Elections Act, 1912, as amended)
10 APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date/.../...
Signature of Issuing Officer
Place of Issue

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.

25 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 ten 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, 30 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.

To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

40 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.

Parliamentary Electorates and Elections (Amendment).

I declare—

1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of

5 2. That my answers to the following questions are true and correct in every particular:—

	Question	Applicant's Answer
10	(A) Is your place of living within the Electorate in respect of which you claim to vote?	.....(†) (†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).
15	(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 Electorate in respect of which you claim to vote?	.....

20 NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

- 25 ‡(a) That I will not throughout the hours of polling on polling day be within the State; ‡ The elector MUST STRIKE OUT any of these grounds which do not apply to his or her particular case.
- 30 (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 voting at any polling booth in the State ;
- 35 (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 ;
- 40 (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
 - (i) from attending at a polling booth ; or
 - (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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:—

..... Here insert
5 full place
..... of living
..... address to
..... which it is
..... required

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
10 in such application. postal voting papers be posted.

PENALTY: Fifty pounds, or imprisonment for one month.

Signed by the elector in his own handwriting in my presence—
15 Signature of Authorised Witness (in own handwriting)
Address..... } Signature of Applicant
..... (in own handwriting)
(NOTE.—A Marksman cannot vote by post.)
Note.—Who is an Authorised Witness? (See below.)

Dated at the day of 19 ..

20 OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

An authorised witness shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper
25 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
- 30 (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.

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

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 an elector for the purpose of posting or delivery to a 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.

WHO IS AN AUTHORISED WITNESS.—

An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

(m)

Parliamentary Electorates and Elections (Amendment).

(m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days";

5 (n) by omitting Schedule Fifteen and by inserting in lieu thereof the following Schedule :—

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 (in blank) to the Authorised Witness.

10 POSTAL BALLOT-PAPER

15 Place the number "1" in the square opposite the name of the candidate for whom you desire to give your first preference vote. Give contingent votes for all remaining candidates by placing the numbers "2", "3", "4", and so on, in the squares opposite the names of remaining candidates in the order of your preference ; fold the ballot-paper so that the vote cannot be seen and place it in the envelope addressed to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

20 Election of Member of the Legislative Assembly.

Candidates.

-
-
-
- 25
-
-

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 28 October, 1965*

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1965.

An Act relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith.

BE it enacted by the Queen'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, 1965".

Short title,
citation
and com-
mencement.

(2)

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

10 (a) by inserting next after subsection five of section seventy-nine the following new subsection :—

(5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.

25 (b) (i) by omitting from subsection one of section 87A the words "at least two polling booths therein" and by inserting in lieu thereof the words "such number of polling booths therein as he may determine";

30 (ii) by omitting from subsection two of the same section the words "One or more of such booths designated by the returning officer shall be used as a mobile booth" and by inserting in lieu thereof the words "Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so provided

Amendment of Act No. 41, 1912.

Sec. 79. (Every voter qualified to be elected as a member.)

Sec. 87A. (Mobile booths in hospitals, etc.)

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

- 5 (c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections :—
- 10 (1) An elector who—
- (a) will not throughout the hours of polling on polling day be within the State;
- 15 (b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;
- 20 (c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;
- 25 (d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or
- 30 (e) is, by reason of his membership of a religious order or his religious beliefs—
- (i) precluded from attending at a polling booth; or
- 35 (ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours, may make application for a postal vote certificate and postal ballot-paper.

Sec. 114A.
(Application for a postal vote certificate and postal ballot-paper.)

Parliamentary Electorates and Elections (Amendment).

(2) The application must contain a declaration by the elector setting out the grounds upon which he applies for a postal vote certificate and postal ballot-paper, and shall be in or to the effect of the form prescribed in Schedule Thirteen to this Act, and must be signed by the elector in his own handwriting in the presence of an authorised witness, and must be made and sent, after the tenth day prior to the issue of the writ for the election to which it relates, and before six o'clock in the afternoon of the day immediately preceding the polling day for the election, to the returning officer for the district for which the elector is enrolled, or to some other district returning officer if the elector has reason to believe that the application may not in the ordinary course of post reach the returning officer for the district for which he is enrolled so as to enable him to receive a postal vote certificate and postal ballot-paper from that officer in time to permit the elector voting at the election.

(ii) by omitting from subsection (2A) of the same section the words "if his application is received by the returning officer for the district to which it relates less than seven days before" and by inserting in lieu thereof the words "unless his application is received by the returning officer to whom it is addressed before six o'clock in the afternoon of the day immediately preceding";

(d) by omitting subsections one and (1A) of section 114B and by inserting in lieu thereof the following subsection :—

(1) Subject to subsection two of this section an elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

5 Outside Australia the following persons are also authorised witnesses for the purposes of this Act :—

10 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;

(b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and

15 (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

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

25 (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";

30 (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";

35 (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D. (Issue of certificate and ballot-paper.)

(g)

Parliamentary Electorates and Elections (Amendment).

- 5 (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words "if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";
- 10
- 15 (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";
- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";
- 20 (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";
- 25 (k) by omitting section 114O;

(1)

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule :— Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

5 STATE ELECTIONS
STATE OF NEW SOUTH WALES
(Parliamentary Electorates and Elections Act, 1912, as amended)
10 APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date .../.../...
Signature of Issuing Officer
Place of Issue

15 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.

20 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.

25 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 ten 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.

35 To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

40 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

Parliamentary Electorates and Elections (Amendment).

I declare—

1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of

5 2. That my answers to the following questions are true and correct in every particular:—

	Question	Applicant's Answer
10	(A) Is your place of living within the Electorate in respect of which you claim to vote?	.....(†) (†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).
15	(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 Electorate in respect of which you claim to vote?	.....

20 NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

- 25 ‡(a) That I will not throughout the hours of polling on polling day be within the State;
- 30 (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 voting at any polling booth in the State ;
- 35 (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 ;
- 40 (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
 - (i) from attending at a polling booth ; or
 - (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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 Here insert full place of living address to which it is required

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 Applicant
15 Signature of Authorised Witness (in own handwriting) (NOTE.—A Marksman cannot vote by post.)
Address..... Note.—Who is an Authorised Witness? (See below.)

Dated at the day of 19 ..

20 OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

25 An authorised witness 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
30 (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.

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

5 A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

10 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 an elector for the purpose of posting or delivery to a Returning Officer, and who fails to post or deliver the application forthwith shall be guilty of an offence.

15 PENALTY: Fifty pounds, or imprisonment for one month.

WHO IS AN AUTHORISED WITNESS.—

20 An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- 25 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions ;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions ; and
- 30 (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

(m)

Parliamentary Electorates and Elections (Amendment).

(m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days";

5 (n) by omitting Schedule Fifteen and by inserting in lieu thereof the following Schedule :—

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 (in blank) to the Authorised Witness.

10 POSTAL BALLOT-PAPER

Place the number "1" in the square opposite the name of the candidate for whom you desire to give your first preference vote. Give contingent votes for all remaining candidates by placing the numbers "2", "3", "4", and so on, in the squares opposite the names of remaining candidates in the order of your preference ; fold the ballot-paper so that the vote cannot be seen and place it in the envelope addressed to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

20 Election of Member of the Legislative Assembly.

Candidates.

-
-
-
- 25
-
-

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[1s. 0d. (10c)]

(m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days";
(n) by omitting Schedule Fifteen and by inserting in lieu thereof the following schedule:—

SCHEDULE FIFTEEN
Parliamentary Elections and Elections (Amendment)

SCHEDULE SIXTEEN
Parliamentary Elections and Elections (Amendment)

SCHEDULE SEVENTEEN
Parliamentary Elections and Elections (Amendment)

SCHEDULE EIGHTEEN
Parliamentary Elections and Elections (Amendment)

No. , 1965.

A BILL

Relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith.

[MR. WILLIS;—26 *October*, 1965.]

BE it enacted by the Queen'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, 1965".

Short title,
citation
and com-
mencement.

(2)

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

- 10 (a) by inserting next after subsection five of section seventy-nine the following new subsection : —
- (5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.
- 15
- 20
- (b) (i) by omitting from subsection one of section 87A the words "at least two polling booths therein" and by inserting in lieu thereof the words "such number of polling booths therein as he may determine";
- 25
- (ii) by omitting from subsection two of the same section the words "One or more of such booths designated by the returning officer shall be used as a mobile booth" and by inserting in lieu thereof the words "Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so
- 30
- 35 provided

Amendment of Act No. 41, 1912.

Sec. 79.
(Every voter qualified to be elected as a member.)

Sec. 87A.
(Mobile booths in hospitals, etc.)

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

5 (c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections:—

Sec. 114A.
(Application for a postal vote certificate and postal ballot-paper.)

(1) An elector who—

10 (a) will not throughout the hours of polling on polling day be within the State;

15 (b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;

20 (c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;

25 (d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or

30 (e) is, by reason of his membership of a religious order or his religious beliefs—

(i) precluded from attending at a polling booth; or

35 (ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours,

may make application for a postal vote certificate and postal ballot-paper.

(2)

Parliamentary Electorates and Elections (Amendment).

5 (2) The application must contain a
declaration by the elector setting out the
grounds upon which he applies for a postal
vote certificate and postal ballot-paper, and
shall be in or to the effect of the form
prescribed in Schedule Thirteen to this Act,
and must be signed by the elector in his own
handwriting in the presence of an authorised
witness, and must be made and sent, after
10 the tenth day prior to the issue of the writ
for the election to which it relates, and before
six o'clock in the afternoon of the day im-
mediately preceding the polling day for the elec-
tion, to the returning officer for the district for
15 which the elector is enrolled, or to some other
district returning officer if the elector has
reason to believe that the application may not
in the ordinary course of post reach the return-
ing officer for the district for which he is
20 enrolled so as to enable him to receive a postal
vote certificate and postal ballot-paper from
that officer in time to permit the elector voting
at the election.

25 (ii) by omitting from subsection (2A) of the
same section the words "if his application is
received by the returning officer for the dis-
trict to which it relates less than seven days
before" and by inserting in lieu thereof the
words "unless his application is received by
30 the returning officer to whom it is addressed
before six o'clock in the afternoon of the day
immediately preceding";

(d) by omitting subsections one and (1A) of section Sec. 114B.
114B and by inserting in lieu thereof the following (Authorised
35 subsection :— witnesses.)

(1) Subject to subsection two of this section an
elector whose name appears on the roll for the
State of New South Wales, on the Commonwealth
roll

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

5 Outside Australia the following persons are also authorised witnesses for the purposes of this Act :—

- 10 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- 15 (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.
- 20 (e) (i) by omitting from subsection one of section 114c the word "elector" and by inserting in lieu thereof the words "authorised witness"; Sec. 114c. (Duty of witnesses to applications.)
- (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";
- 25 (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";
- 30 (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D. (Issue of certificate and ballot-paper.)
- 35

(g)

Parliamentary Electorates and Elections (Amendment).

- 5 (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words ", if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";
- 10
- 15 (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";
- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";
- 20 (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";
- 25 (k) by omitting section 114O;

Sec. 114E.
(Inspection
of applica-
tions.)

Sec. 114H.
(Directions
for postal
voting.)

Sec. 114L.
(Prelimin-
ary scrutiny
of postal
ballot-
papers.)

Sec. 114M.
(Postal and
absent
voters'
ballot-
papers not to
be informal
because of
certain
omissions or
mistakes.)

Sec. 114O.
(Illness,
infirmity,
approaching
maternity.)

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule : —

Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

5 STATE ELECTIONS
STATE OF NEW SOUTH WALES
(Parliamentary Electorates and Elections Act, 1912, as amended)
10 APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date .../.../...
Signature of Issuing Officer
Place of Issue

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 ten 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.

To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

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

Parliamentary Electorates and Elections (Amendment).

I declare—

1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of

5 2. That my answers to the following questions are true and correct in every particular:—

	Question	Applicant's Answer
10	(A) Is your place of living within the Electorate in respect of which you claim to vote?	..... (†) (†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).
15	(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 Electorate in respect of which you claim to vote?	.....

20 NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

- 25 ‡(a) That I will not throughout the hours of polling on polling day be within the State; ‡ The elector MUST STRIKE OUT any of these grounds which do not apply to his or her particular case.
- 30 (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 voting at any polling booth in the State ;
- 35 (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 ;
- 40 (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
- (i) from attending at a polling booth ; or
- (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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 Here insert full place of living address to which it is required

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 10 in such application. postal voting papers be posted.

PENALTY: Fifty pounds, or imprisonment for one month.

Signed by the elector in his own handwriting in my presence—
15 Signature of Authorised Witness (in own handwriting)
Address.....
Signature of Applicant
.....
(in own handwriting)
(NOTE.—A Marksman cannot vote by post.)
Note.—Who is an Authorised Witness? (See below.)

Dated at the day of 19 ..

20 OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

An authorised witness shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper 25 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
- 30 (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.

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

5 A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

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

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

15 PENALTY: Fifty pounds, or imprisonment for one month.

WHO IS AN AUTHORISED WITNESS.—

20 An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- 25 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions ;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions ; and
- 30 (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

(m)

Parliamentary Electorates and Elections (Amendment).

(m) by omitting from Schedule Fourteen the words Sch. 14.
"seven days" and by inserting in lieu thereof the
words "ten days";

5 (n) by omitting Schedule Fifteen and by inserting in Subst.
lieu thereof the following Schedule :— Sch. 15.

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 (in blank) to the Authorised Witness.

10 POSTAL BALLOT-PAPER

Place the number "1" in the square opposite the name of the candi-
date for whom you desire to give your first preference vote. Give
contingent votes for all remaining candidates by placing the numbers
"2", "3", "4", and so on, in the squares opposite the names of remain-
15 ing candidates in the order of your preference ; fold the ballot-paper
so that the vote cannot be seen and place it in the envelope addressed
to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

20 Election of Member of the Legislative Assembly.

Candidates.

-
-
-
- 25
-
-

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[1s. 0d. (10c)]

INTERNATIONAL TRADE AND ECONOMIC COOPERATION

(a) of ... (b) of ... (c) of ...

... (d) of ... (e) of ...

POSTAL MATTERS

... (f) of ... (g) of ...

POSTAL MATTERS

... (h) of ... (i) of ...

POSTAL MATTERS

... (j) of ... (k) of ...

PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL, 1965.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to prevent a candidate from being nominated in respect of more than one electoral district;
- (b) to authorise a booth in a hospital, convalescent home or similar institution to be used both as a stationary as well as a mobile booth;
- (c) to extend the provisions relating to voting by post to the same classes of persons as are entitled to vote by post at Commonwealth Elections;
- (d) to enlarge the class of authorised witnesses;
- (e) to allow an extension of time within which applications for postal vote certificates and postal ballot-papers may be made;
- (f) to extend from seven days to ten days the time for receipt by returning officers of postal ballot-papers;
- (g) to repeal section 114o of the Parliamentary Electorates and Elections Act relating to electoral visitors;
- (h) to make other amendments of a machinery or incidental character.

INTERNATIONAL ELECTRONICS AND TELECOMMUNICATIONS

EXHIBIT 101

EXHIBIT 101

No. , 1965.

A BILL

Relating to nomination of candidates for elections, polling booths at hospitals and like institutions, and voting by post; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912-1961; and for purposes connected therewith.

[MR. WILLIS;—26 *October*, 1965.]

BE it enacted by the Queen'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, 1965".

Short title,
citation
and com-
mencement.

(2)

Parliamentary Electorates and Elections (Amendment).

(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, 1912-1965.

5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

10 (a) by inserting next after subsection five of section seventy-nine the following new subsection : —

(5A) No elector shall consent to his being nominated as a candidate for more than one electoral district at the same general election or at by-elections to be held on the same polling day. Where two or more nominations have been made in respect of the same elector in contravention of the foregoing provisions of this subsection and all such nominations except one have not been withdrawn in pursuance of section eighty-one of this Act, all such nominations shall be void and deposits paid in respect of them forfeited.

25 (b) (i) by omitting from subsection one of section 87A the words "at least two polling booths therein" and by inserting in lieu thereof the words "such number of polling booths therein as he may determine";

30 (ii) by omitting from subsection two of the same section the words "One or more of such booths designated by the returning officer shall be used as a mobile booth" and by inserting in lieu thereof the words "Where one booth is so provided such booth shall in addition to being used as a stationary booth be used as a mobile booth, and where more than one booth is so provided

Amendment
of Act No.
41, 1912.

Sec. 79.
(Every voter
qualified to
be elected to
as a
member.)

Sec. 87A.
(Mobile
booths in
hospitals,
etc.)

Parliamentary Electorates and Elections (Amendment).

provided one or more of such booths designated by the returning officer shall be used as a mobile booth or booths. A mobile booth shall be used”;

- 5 (c) (i) by omitting subsections one and two of section 114A and by inserting in lieu thereof the following subsections:—
- Sec. 114A.
(Application for a postal vote certificate and postal ballot-paper.)
- 10 (1) An elector who—
- (a) will not throughout the hours of polling on polling day be within the State;
- 15 (b) will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open for the purposes of an election;
- 20 (c) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from voting at any polling booth;
- 25 (d) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will, by approaching maternity, be precluded from attending at any polling booth to vote; or
- 30 (e) is, by reason of his membership of a religious order or his religious beliefs—
- (i) precluded from attending at a polling booth; or
- 35 (ii) precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours,
- may make application for a postal vote certificate and postal ballot-paper.

(2)

Parliamentary Electorates and Elections (Amendment).

5 (2) The application must contain a
declaration by the elector setting out the
grounds upon which he applies for a postal
vote certificate and postal ballot-paper, and
shall be in or to the effect of the form
prescribed in Schedule Thirteen to this Act,
and must be signed by the elector in his own
handwriting in the presence of an authorised
witness, and must be made and sent, after
10 the tenth day prior to the issue of the writ
for the election to which it relates, and before
six o'clock in the afternoon of the day im-
mediately preceding the polling day for the elec-
tion, to the returning officer for the district for
15 which the elector is enrolled, or to some other
district returning officer if the elector has
reason to believe that the application may not
in the ordinary course of post reach the return-
ing officer for the district for which he is
20 enrolled so as to enable him to receive a postal
vote certificate and postal ballot-paper from
that officer in time to permit the elector voting
at the election.

25 (ii) by omitting from subsection (2A) of the
same section the words "if his application is
received by the returning officer for the dis-
trict to which it relates less than seven days
before" and by inserting in lieu thereof the
words "unless his application is received by
30 the returning officer to whom it is addressed
before six o'clock in the afternoon of the day
immediately preceding";

(d) by omitting subsections one and (1A) of section Sec. 114B.
114B and by inserting in lieu thereof the following (Authorised
35 subsection : — witnesses.)

(1) Subject to subsection two of this section an
elector whose name appears on the roll for the
State of New South Wales, on the Commonwealth
roll

Parliamentary Electorates and Elections (Amendment).

roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

5 Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- 10 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions; and
- 15 (c) a justice of the peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.
- 20 (e) (i) by omitting from subsection one of section 114C the word "elector" and by inserting in lieu thereof the words "authorised witness"; Sec. 114C. (Duty of witnesses to applications.)
- 25 (ii) by omitting from subsection two of the same section the word "elector" where firstly occurring and by inserting in lieu thereof the words "authorised witness";
- 30 (iii) by omitting from the same subsection the words "the name of the electoral district for which he is enrolled as an elector" and by inserting in lieu thereof the words "his address";
- 35 (f) by omitting from subsection one of section 114D the words "not less than seven days before" and by inserting in lieu thereof the words "before six o'clock in the afternoon of the day immediately preceding"; Sec. 114D. (Issue of certificate and ballot-paper.)

(g)

Parliamentary Electorates and Elections (Amendment).

- 5 (g) by omitting from subsection one of section 114E the words "be kept by him" and by inserting in lieu thereof the words ", if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district, but any application which has not been received before six o'clock in the afternoon of the day immediately preceding the polling day shall be kept by the returning officer to whom it was made";
- 10
- 15 (h) by omitting from subsection two of section 114H the words "seven days" and by inserting in lieu thereof the words "ten days";
- (i) by omitting from section 114L the words "seven days" and by inserting in lieu thereof the words "ten days";
- 20 (j) by inserting in section 114M after the word "because" the words "in the case of any candidate his surname only has been written thereon if no other candidate has the same surname, or by reason";
- 25 (k) by omitting section 114O;

Sec. 114E.
(Inspection
of applica-
tions.)

Sec. 114H.
(Directions
for postal
voting.)

Sec. 114L.
(Prelimin-
ary scrutiny
of postal
ballot-
papers.)

Sec. 114M.
(Postal and
absent
voters'
ballot-
papers not to
be informal
because of
certain
omissions or
mistakes.)

Sec. 114O.
(Illness,
infirmity,
approaching
maternity.)

Parliamentary Electorates and Elections (Amendment).

(1) by omitting Schedule Thirteen and by inserting in lieu thereof the following Schedule : — Subst. Sch. 13.

SCHEDULE THIRTEEN.

RO. 23

5 STATE ELECTIONS
STATE OF NEW SOUTH WALES
(Parliamentary Electorates and Elections Act, 1912, as amended)
10 APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

Application No.
Time a.m. .../.../...
and Date received p.m. .../.../...
Postal Vote Certificate and Postal Ballot-paper issued, date .../.../...
Signature of Issuing Officer
Place of Issue

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 ten 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.

To the Returning Officer for the Electoral District of (*)

(*) Here insert name of Electoral District to which the application is to be sent.

Surname (in block letters).	Christian Names (in full).	Place of Living as appearing on Roll.	Occupation (as shown on Roll).
I,			

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.

Parliamentary Electorates and Elections (Amendment).

I declare—

1. That I am an elector enrolled on the Electoral Roll for the Subdivision of State Electoral District of

5 2. That my answers to the following questions are true and correct in every particular:—

	Question	Applicant's Answer
10	(A) Is your place of living within the Electorate in respect of which you claim to vote?	.....(†) (†) If answer to Question (A) is "Yes" the applicant is not required to answer Question (B).
15	(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 Electorate in respect of which you claim to vote?	.....

20 NOTE.—The words "place of living" in Questions (A) and (B) include the place of living to which a person, temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live thereat.

3. That the ground on which I apply to vote by post is:—

- 25 ‡(a) That I will not throughout the hours of polling on polling day be within the State; ‡ The elector MUST STRIKE OUT any of these grounds which do not apply to his or her particular case.
- 30 (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 voting at any polling booth in the State ;
- 35 (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 ;
- 40 (f) That I am, by reason of my membership of a religious order or my religious beliefs, precluded—
- (i) from attending at a polling booth ; or
 - (ii) from voting throughout the hours of polling on polling day or throughout the greater part of those hours.

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:—

..... Here insert full place of living address to which it is required postal voting papers be posted.
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
10 in such application.

PENALTY: Fifty pounds, or imprisonment for one month.

Signed by the elector in his own handwriting in my presence—
15 Signature of Authorised Witness (in own handwriting)
Address.....
Signature of Applicant
.....
(in own handwriting)
(NOTE.—A Marksman cannot vote by post.)
Note.— Who is an Authorised Witness? (See below.)

Dated at the day of 19 ..

20 OBLIGATIONS OF AUTHORISED WITNESS WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER

An authorised witness shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper
25 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
- 30 (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.

Parliamentary Electorates and Elections (Amendment).

The authorised witness witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add his address and the date.

5 A person 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.

PENALTY: Fifty pounds, or imprisonment for one month.

10 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 an elector for the purpose of posting or delivery to a Returning Officer, and who fails to post or deliver the application forthwith shall be guilty of an offence.

15 PENALTY: Fifty pounds, or imprisonment for one month.

WHO IS AN AUTHORISED WITNESS.—

20 An elector whose name appears on the roll for the State of New South Wales, on the Commonwealth roll for any other State, on the roll for the Australian Capital Territory or on the roll for the Northern Territory of Australia is an authorised witness for the purposes of this Act.

Outside Australia the following persons are also authorised witnesses for the purposes of this Act:—

- 25 (a) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen's dominions ;
- (b) a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth or of a part of the Queen's dominions ; and
- 30 (c) a Justice of the Peace for or a minister of religion or medical practitioner resident in a territory of the Commonwealth or a part of the Queen's dominions.

(m)

Parliamentary Electorates and Elections (Amendment).

- (m) by omitting from Schedule Fourteen the words "seven days" and by inserting in lieu thereof the words "ten days";
- 5 (n) by omitting Schedule Fifteen and by inserting in lieu thereof the following Schedule :—

Subst. Sch. 15.

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 (in blank) to the Authorised Witness.

10

POSTAL BALLOT-PAPER

Place the number "1" in the square opposite the name of the candidate for whom you desire to give your first preference vote. Give contingent votes for all remaining candidates by placing the numbers "2", "3", "4", and so on, in the squares opposite the names of remaining candidates in the order of your preference; fold the ballot-paper so that the vote cannot be seen and place it in the envelope addressed to the Returning Officer and fasten the envelope.

NEW SOUTH WALES

Electoral District of (here insert name of district).

20

Election of Member of the Legislative Assembly.

Candidates.

25

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965

The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1921. The names are listed in alphabetical order of their surnames.

The names of the persons who have been elected to the office of Justice of the Peace for the year 1921 are as follows:

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