

*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 11 April, 1973, A.M.*

## New South Wales



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No.           , 1973.**

An Act to increase the number of members of the Legislative Assembly; to make further provisions with respect to the number and distribution of electoral districts in New South Wales and with respect to the conduct of elections; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912; and for purposes connected therewith.

BE

*Parliamentary Electorates and Elections (Amendment).*

**B**E 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. This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1973". Short title.

2. (1) The Parliamentary Electorates and Elections Act, 1912, is amended— Amendment of Act No. 41, 1912.

10 (a) by omitting from section 4 the word "ninety-six" and by inserting instead the word "ninety-nine"; Sec. 4. (Number of members of Assembly.)

(b) by omitting from section 5 the word "ninety-six" and by inserting instead the word "ninety-nine"; Sec. 5. (Number of electorates.)

15 (c) by omitting section 13 and by inserting instead the following section :— Subst. sec. 13.

13. (1) It shall be the duty of the commissioners, and they are hereby directed, to distribute New South Wales into electoral districts for the purposes of this Act. Redistribution of electoral districts by commissioners, &c.

20 (2) The first distribution after the commencement of the Parliamentary Electorates and Elections (Amendment) Act, 1973, shall commence upon the day on which the names of the persons appointed as Electoral Districts Commissioners are published in the Gazette pursuant to subsection (3) of section 6, that day being a day within six months after the date of assent to that Act has been signified.

25 (3) Subsequent distributions shall commence upon the expiration of six years from the date on which the last preceding distribution commenced.

(d)

*Parliamentary Electorates and Elections (Amendment).*

- (d) (i) by omitting from section 17A (1) the word "ninety-six" wherever occurring and by inserting instead the word "ninety-nine";
- (ii) by omitting from section 17A the word "sixty-three" wherever occurring and by inserting instead the word "sixty-six";
- (iii) by omitting from section 17A the word "fifteen" wherever occurring and by inserting instead the word "twenty".

(2) For the purposes of the first distribution of electoral districts after the date of assent to this Act and of any matters necessary or incidental to that distribution the amendments made by subsection (1) shall commence upon that date.

(3) Upon the day upon which the proclamation in respect of the first distribution of electoral districts referred to in subsection (2) is published in the Gazette pursuant to section 15 (2) of the Parliamentary Electorates and Elections Act, 1912, the amendments made by subsection (1) (c) and (d) shall come into force for all purposes.

(4) The amendments made by subsection (1) (a) and (b) shall apply to and in respect of, and shall come into force for all purposes as on and from, the general election next following the day upon which the proclamation referred to in subsection (3) is published in the Gazette.

3. The Parliamentary Electorates and Elections Act, 1912, is further amended—

- (a) (i) by omitting from section 75 the words "and every such appointment shall be notified in the Gazette";

(ii)

*Parliamentary Electorates and Elections (Amendment).*

- (ii) by inserting in section 75 after the word "stead." the following new paragraphs :—

Any appointment made by the Governor under this section may be terminated by the Governor on the recommendation of the Public Service Board.

Every appointment made by the Governor under this section and every termination of such an appointment shall be notified in the Gazette.

- (iii) by inserting in section 75 after the word "election" where secondly occurring the words "or to act as clerical assistants to assist the returning officer in the performance of his duties";

- (b) by inserting in section 75A after the words "poll clerk" wherever occurring the words ", clerical assistant";
- Sec. 75A.  
(Qualification of returning officers, &c.)

- (c) (i) by inserting in section 88 (1) after the words "and poll clerk" the words "and clerical assistant";
- Sec. 88.  
(Returning officers, etc., to make declarations.)

- (ii) by inserting in section 88 (1) after the words "or poll clerk," the words "or clerical assistant,";

- (d) by omitting section 114F (1) and by inserting instead the following subsection :—
- Sec. 114F.  
(Numbering of applications and certificates.)

- (1) The returning officer shall—

- (a) number all applications for postal vote certificates and postal ballot-papers received by him in consecutive order in respect of each subdivision of an electoral district (whether or not it is a subdivision of the electoral district for which he is the returning officer) to which they relate;

(b)

*Parliamentary Electorates and Elections (Amendment).*

5 (b) prefix each number given to an application under paragraph (a) with other numbers identifying the electoral district and subdivision thereof to which it relates; and

10 (c) number each postal vote certificate issued pursuant to such an application with numbers corresponding to the numbers endorsed on the application pursuant to paragraphs (a) and (b).

(e) by inserting at the end of section 122A the following new subsection :—

Sec. 122A.  
(Ballot-papers not to be informal in certain circumstances.)

15 (3) Notwithstanding anything to the contrary in this Act, a ballot-paper shall not be informal by reason only of the fact that it is not duly signed or initialled by the presiding officer if it bears such mark as is prescribed as an official mark.

(f) by omitting from section 130 (3) the word "seven" and by inserting instead the word "twenty-one";

Sec. 130.  
(When polling may be adjourned.)

20 (g) by omitting section 131A and by inserting instead the following section :—

Subst. sec. 131A.

25 131A. Where the poll has been adjourned at one or more booths within a subdivision or subdivisions within an electoral district, only those electors who are enrolled for the subdivision or subdivisions within which the booth or booths is or are situated shall be entitled to vote as provided in this Act at the adjourned poll.

Votes at adjourned poll.

30 (h) by inserting in section 135 after the words "poll clerk," wherever occurring the words "clerical assistant";

Sec. 135.  
(Violation of secrecy by officers, &c.)

(i)

*Parliamentary Electorates and Elections (Amendment).*

- (i) by inserting next after section 151D the following New sec. 151E.  
new section :—

5 151E. (1) Any person who prints, publishes or distributes any matter, being an advertisement, "how to vote" card, handbill, pamphlet, poster, or notice, containing any electoral matter as defined in section 151B (other than the announcement in a newspaper of the holding of a meeting), without—

Name and address of author and printer to be printed on advertisements, etc.

- 10 (a) the name and address of the person on whose instructions the matter was printed ; and  
(b) the name of the printer and address at which it was printed,

15 being printed in legible characters thereon, shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

20 (2) Where a newspaper contains an advertisement referred to in subsection (1) and the name of the printer of the newspaper and the address at which it was printed appear on the newspaper in accordance with any Act, subsection (1) does not apply so as to require that name and address to be printed on the advertisement.

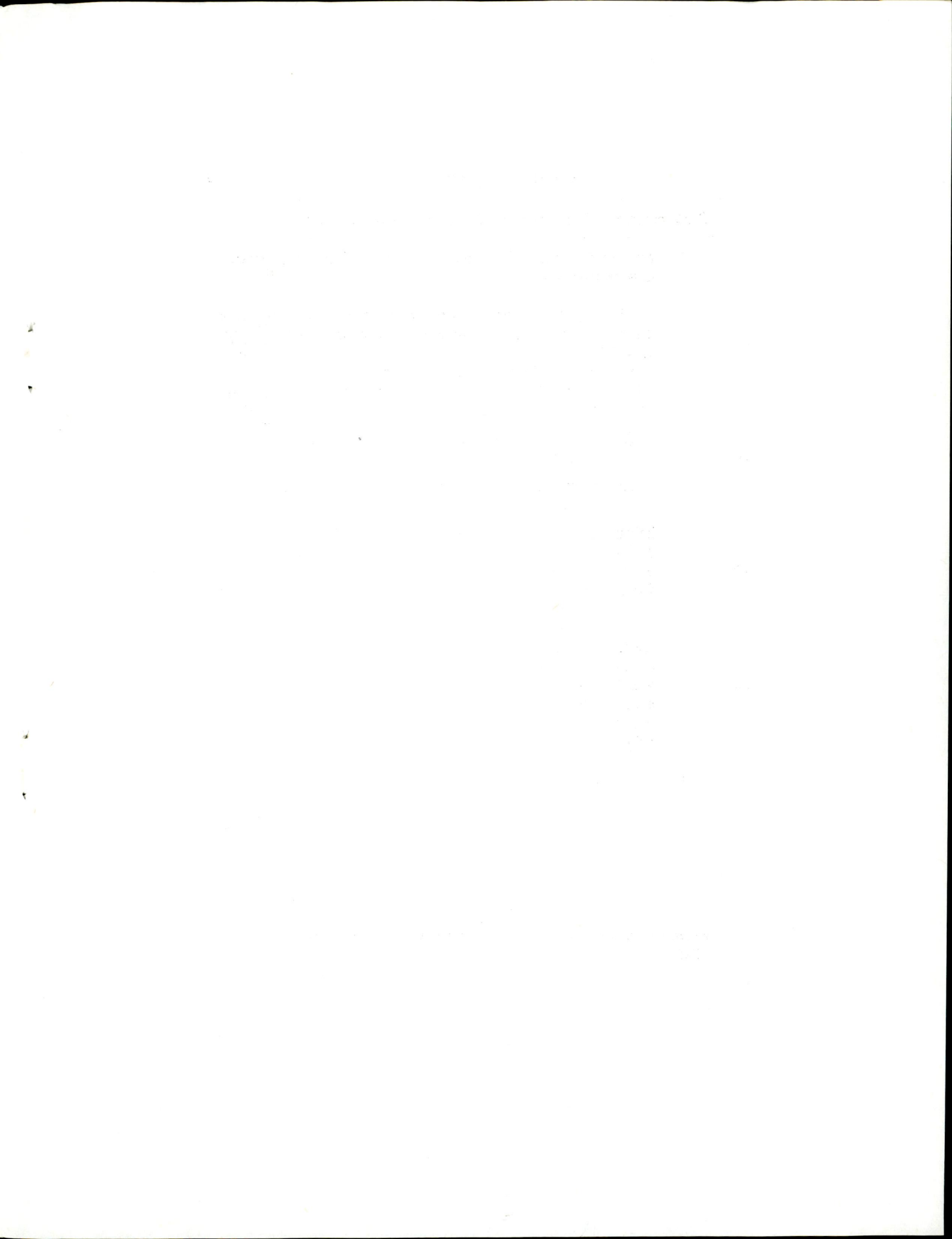
- (j) by omitting section 162.

Sec. 162.  
(Production of postal vote certificate, &c.)

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[5c]







## PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL, 1973

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### EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to increase from 96 to 99 the number of members of the Legislative Assembly;
- (b) to provide that the Governor may terminate the services of Returning Officers on the recommendation of the Public Service Board;
- (c) to require a person employed as a clerical assistant by a Returning Officer to make a declaration of secrecy;
- (d) to enable a revised system of numbering postal vote applications and certificates consecutively in respect of subdivisions to be introduced;
- (e) to provide that the omission of the signature of or initials of the Returning Officer or his deputy on a ballot-paper will not render it informal where the ballot-paper bears the prescribed mark;
- (f) to extend from seven to twenty-one days the period for which a poll may be adjourned in certain circumstances;
- (g) to provide for absent voting at an adjourned poll where more than one subdivision is involved;
- (h) to make it an offence for any person employed by a Returning Officer to violate his declaration of secrecy;
- (i) to require all printed electoral advertising to bear—
  - (i) the name and address of the person on whose instructions it was printed; and
  - (ii) the name of the printer and the address at which it was printed;
- (j) to omit section 162 of the Parliamentary Electorates and Elections Act, 1912, which is unnecessary in view of the provisions of section 161 of that Act;
- (k) to make other provisions of a minor or consequential nature.

PARLIAMENTARY ELECTORAL ACT  
SECTION (AMENDMENT) BILL 1973

SHORT TITLE

The short title of this Act shall be

the Parliamentary Electoral Act (Amendment) Act, 1973.

1. In section 2 of the Parliamentary Electoral Act, 1962, the definition of "elector" shall be amended to read as follows:—

"elector" means a person who is entitled to vote in an election for a member of the House of Representatives, whether or not he is entitled to vote in an election for a member of the House of Assembly;

2. In section 3 of the Parliamentary Electoral Act, 1962, the definition of "electoral roll" shall be amended to read as follows:—

"electoral roll" means a list of the names of electors in a constituency, as compiled from time to time by the Electoral Commission, and as amended from time to time by the Electoral Commission;

3. In section 4 of the Parliamentary Electoral Act, 1962, the definition of "electoral district" shall be amended to read as follows:—

"electoral district" means a constituency for the election of a member of the House of Representatives, whether or not it is also a constituency for the election of a member of the House of Assembly;

No. , 1973.

# A BILL

To increase the number of members of the Legislative Assembly; to make further provisions with respect to the number and distribution of electoral districts in New South Wales and with respect to the conduct of elections; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912; and for purposes connected therewith.

BE

*Parliamentary Electorates and Elections (Amendment).*

**B**E 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. This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1973". Short title.
  
- 2. (1) The Parliamentary Electorates and Elections Act, 1912, is amended— Amendment of Act No. 41, 1912.
  - 10 (a) by omitting from section 4 the word "ninety-six" and by inserting instead the word "ninety-nine"; Sec. 4. (Number of members of Assembly.)
  - (b) by omitting from section 5 the word "ninety-six" and by inserting instead the word "ninety-nine"; Sec. 5. (Number of electorates.)
  - 15 (c) by omitting section 13 and by inserting instead the following section :— Subst. sec. 13.
    - 13. (1) It shall be the duty of the commissioners, and they are hereby directed, to distribute New South Wales into electoral districts for the purposes of this Act. Redistribution of electoral districts by commissioners, &c.
    - 20 (2) The first distribution after the commencement of the Parliamentary Electorates and Elections (Amendment) Act, 1973, shall commence upon the day on which the names of the persons appointed as Electoral Districts Commissioners are published in the Gazette pursuant to subsection (3) of section 6, that day being a day within six months after the date of assent to that Act has been signified.
    - 25 (3) Subsequent distributions shall commence upon the expiration of six years from the date on which the last preceding distribution commenced.
    - 30 (d)

*Parliamentary Electorates and Elections (Amendment).*

- (d) (i) by omitting from section 17A (1) the word "ninety-six" wherever occurring and by inserting instead the word "ninety-nine";
- (ii) by omitting from section 17A the word "sixty-three" wherever occurring and by inserting instead the word "sixty-six";
- (iii) by omitting from section 17A the word "fifteen" wherever occurring and by inserting instead the word "twenty".

(2) For the purposes of the first distribution of electoral districts after the date of assent to this Act and of any matters necessary or incidental to that distribution the amendments made by subsection (1) shall commence upon that date.

(3) Upon the day upon which the proclamation in respect of the first distribution of electoral districts referred to in subsection (2) is published in the Gazette pursuant to section 15 (2) of the Parliamentary Electorates and Elections Act, 1912, the amendments made by subsection (1) (c) and (d) shall come into force for all purposes.

(4) The amendments made by subsection (1) (a) and (b) shall apply to and in respect of, and shall come into force for all purposes as on and from, the general election next following the day upon which the proclamation referred to in subsection (3) is published in the Gazette.

3. The Parliamentary Electorates and Elections Act, 1912, is further amended—

- (a) (i) by omitting from section 75 the words " , and every such appointment shall be notified in the Gazette";

(ii)

*Parliamentary Electorates and Elections (Amendment).*

- (ii) by inserting in section 75 after the word "stead." the following new paragraphs :—

Any appointment made by the Governor under this section may be terminated by the Governor on the recommendation of the Public Service Board.

Every appointment made by the Governor under this section and every termination of such an appointment shall be notified in the Gazette.

- (iii) by inserting in section 75 after the word "election" where secondly occurring the words "or to act as clerical assistants to assist the returning officer in the performance of his duties";

- (b) by inserting in section 75A after the words "poll clerk" wherever occurring the words ", clerical assistant";
- Sec. 75A.  
(Qualification of returning officers, &c.)

- (c) (i) by inserting in section 88 (1) after the words "and poll clerk" the words "and clerical assistant";
- Sec. 88.  
(Returning officers, etc., to make declarations.)

- (ii) by inserting in section 88 (1) after the words "or poll clerk," the words "or clerical assistant,";

- (d) by omitting section 114F (1) and by inserting instead the following subsection :—
- Sec. 114F.  
(Numbering of applications and certificates.)

- (1) The returning officer shall—

- (a) number all applications for postal vote certificates and postal ballot-papers received by him in consecutive order in respect of each subdivision of an electoral district (whether or not it is a subdivision of the electoral district for which he is the returning officer) to which they relate;

(b)

*Parliamentary Electorates and Elections (Amendment).*

- 5 (b) prefix each number given to an application under paragraph (a) with other numbers identifying the electoral district and subdivision thereof to which it relates; and
- 10 (c) number each postal vote certificate issued pursuant to such an application with numbers corresponding to the numbers endorsed on the application pursuant to paragraphs (a) and (b).
- (e) by inserting at the end of section 122A the following new subsection :—
- 15 (3) Notwithstanding anything to the contrary in this Act, a ballot-paper shall not be informal by reason only of the fact that it is not duly signed or initialled by the presiding officer if it bears such mark as is prescribed as an official mark.
- (f) by omitting from section 130 (3) the word "seven" and by inserting instead the word "twenty-one";
- 20 (g) by omitting section 131A and by inserting instead the following section :—
- 25 131A. Where the poll has been adjourned at one or more booths within a subdivision or subdivisions within an electoral district, only those electors who are enrolled for the subdivision or subdivisions within which the booth or booths is or are situated shall be entitled to vote as provided in this Act at the adjourned poll.
- 30 (h) by inserting in section 135 after the words "poll clerk," wherever occurring the words "clerical assistant";
- (i)

Sec. 122A.

(Ballot-papers

not to be informal in certain circumstances.)

Sec. 130.

(When polling may be adjourned.)

Subst. sec. 131A.

Votes at adjourned poll.

Sec. 135.

(Violation of secrecy by officers, &amp;c.)

*Parliamentary Electorates and Elections (Amendment).*

(i) by inserting next after section 151D the following new section :— New sec. 151E.

151E. (1) Any person who prints, publishes or distributes any matter, being an advertisement, "how to vote" card, handbill, pamphlet, poster, or notice, containing any electoral matter as defined in section 151B (other than the announcement in a newspaper of the holding of a meeting), without— Name and address of author and printer to be printed on advertisements, etc.

10 (a) the name and address of the person on whose instructions the matter was printed ; and

(b) the name of the printer and address at which it was printed,

15 being printed in legible characters thereon, shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

20 (2) Where a newspaper contains an advertisement referred to in subsection (1) and the name of the printer of the newspaper and the address at which it was printed appear on the newspaper in accordance with any Act, subsection (1) does not apply so as to require that name and address to be printed on the advertisement.

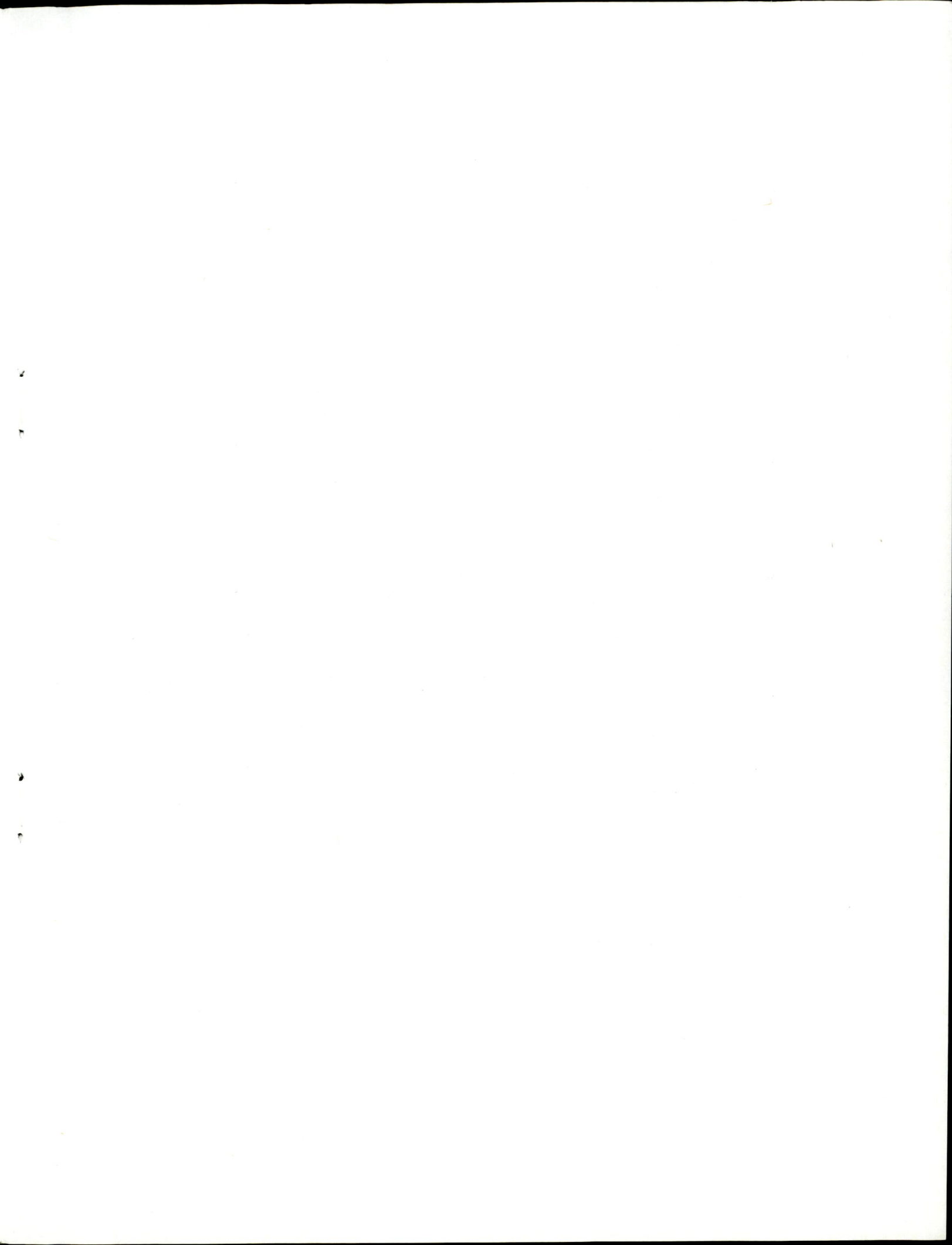
(j) by omitting section 162.

**Sec. 162.**  
(Production of postal vote certificate, &c.)

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973





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New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

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Act No. 44, 1973.

An Act to increase the number of members of the Legislative Assembly; to make further provisions with respect to the number and distribution of electoral districts in New South Wales and with respect to the conduct of elections; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912; and for purposes connected therewith. [Assented to, 8th May, 1973.]

BE

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*Parliamentary Electorates and Elections (Amendment).*

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**B**E 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 :—

Short title.           **1.** This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1973".

Amendment of Act No. 41, 1912.       **2.** (1) The Parliamentary Electorates and Elections Act, 1912, is amended—

Sec. 4. (Number of members of Assembly.)       (a) by omitting from section 4 the word "ninety-six" and by inserting instead the word "ninety-nine";

Sec. 5. (Number of electorates.)       (b) by omitting from section 5 the word "ninety-six" and by inserting instead the word "ninety-nine";

Subst. sec. 13.       (c) by omitting section 13 and by inserting instead the following section :—

Redistribution of electoral districts by commissioners, &c.       13. (1) It shall be the duty of the commissioners, and they are hereby directed, to distribute New South Wales into electoral districts for the purposes of this Act.

(2) The first distribution after the commencement of the Parliamentary Electorates and Elections (Amendment) Act, 1973, shall commence upon the day on which the names of the persons appointed as Electoral Districts Commissioners are published in the Gazette pursuant to subsection (3) of section 6, that day being a day within six months after the date of assent to that Act has been signified.

(3) Subsequent distributions shall commence upon the expiration of six years from the date on which the last preceding distribution commenced.

(d)

*Parliamentary Electorates and Elections (Amendment).*

- (d) (i) by omitting from section 17A (1) the word "ninety-six" wherever occurring and by inserting instead the word "ninety-nine"; Sec. 17A. (Method of distribution, &c.)
- (ii) by omitting from section 17A the word "sixty-three" wherever occurring and by inserting instead the word "sixty-six";
- (iii) by omitting from section 17A the word "fifteen" wherever occurring and by inserting instead the word "twenty".

(2) For the purposes of the first distribution of electoral districts after the date of assent to this Act and of any matters necessary or incidental to that distribution the amendments made by subsection (1) shall commence upon that date.

(3) Upon the day upon which the proclamation in respect of the first distribution of electoral districts referred to in subsection (2) is published in the Gazette pursuant to section 15 (2) of the Parliamentary Electorates and Elections Act, 1912. the amendments made by subsection (1) (c) and (d) shall come into force for all purposes.

(4) The amendments made by subsection (1) (a) and (b) shall apply to and in respect of, and shall come into force for all purposes as on and from, the general election next following the day upon which the proclamation referred to in subsection (3) is published in the Gazette.

3. The Parliamentary Electorates and Elections Act, 1912. is further amended— Further amendment of Act No. 41, 1912.

- (a) (i) by omitting from section 75 the words "and every such appointment shall be notified in the Gazette"; Sec. 75. (Returning officers for districts.)

(ii)

*Parliamentary Electorates and Elections (Amendment).*

- (ii) by inserting in section 75 after the word "stead." the following new paragraphs :—

Any appointment made by the Governor under this section may be terminated by the Governor on the recommendation of the Public Service Board.

Every appointment made by the Governor under this section and every termination of such an appointment shall be notified in the Gazette.

- (iii) by inserting in section 75 after the word "election" where secondly occurring the words "or to act as clerical assistants to assist the returning officer in the performance of his duties";

Sec. 75A.  
(Qualification of returning officers, &c.)

- (b) by inserting in section 75A after the words "poll clerk" wherever occurring the words ", clerical assistant";

Sec. 88.  
(Returning officers, etc., to make declarations.)

- (c) (i) by inserting in section 88 (1) after the words "and poll clerk" the words "and clerical assistant";
- (ii) by inserting in section 88 (1) after the words "or poll clerk," the words "or clerical assistant,";

Sec. 114F.  
(Numbering of applications and certificates.)

- (d) by omitting section 114F (1) and by inserting instead the following subsection :—

(1) The returning officer shall—

- (a) number all applications for postal vote certificates and postal ballot-papers received by him in consecutive order in respect of each subdivision of an electoral district (whether or not it is a subdivision of the electoral district for which he is the returning officer) to which they relate :

(b)

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*Parliamentary Electorates and Elections (Amendment).*


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- (b) prefix each number given to an application under paragraph (a) with other numbers identifying the electoral district and subdivision thereof to which it relates; and
- (c) number each postal vote certificate issued pursuant to such an application with numbers corresponding to the numbers endorsed on the application pursuant to paragraphs (a) and (b).
- (e) by inserting at the end of section 122A the following new subsection :—
- Sec. 122A  
(Ballot-papers not to be informal in certain circumstances.)
- (3) Notwithstanding anything to the contrary in this Act, a ballot-paper shall not be informal by reason only of the fact that it is not duly signed or initialled by the presiding officer if it bears such mark as is prescribed as an official mark.
- (f) by omitting from section 130 (3) the word “seven” and by inserting instead the word “twenty-one”;
- Sec. 130.  
(When polling may be adjourned.)
- (g) by omitting section 131A and by inserting instead the following section :—
- Subst.  
sec. 131A.
- 131A. Where the poll has been adjourned at one or more booths within a subdivision or subdivisions within an electoral district, only those electors who are enrolled for the subdivision or subdivisions within which the booth or booths is or are situated shall be entitled to vote as provided in this Act at the adjourned poll.
- Votes at adjourned poll.
- (h) by inserting in section 135 after the words “poll clerk.” wherever occurring the words “clerical assistant”;
- Sec. 135.  
(Violation of secrecy by officers, &c.)
- (i)

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*Parliamentary Electorates and Elections (Amendment).*

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New sec.  
151E.

- (i) by inserting next after section 151D the following new section :—

Name and  
address of  
author and  
printer to  
be printed  
on  
advertisements,  
etc.

151E. (1) Any person who prints, publishes or distributes any matter, being an advertisement, "how to vote" card, handbill, pamphlet, poster, or notice, containing any electoral matter as defined in section 151B (other than the announcement in a newspaper of the holding of a meeting), without—

- (a) the name and address of the person on whose instructions the matter was printed ; and
- (b) the name of the printer and address at which it was printed,

being printed in legible characters thereon, shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

(2) Where a newspaper contains an advertisement referred to in subsection (1) and the name of the printer of the newspaper and the address at which it was printed appear on the newspaper in accordance with any Act, subsection (1) does not apply so as to require that name and address to be printed on the advertisement.

Sec. 162.  
(Production  
of postal  
vote  
certificate,  
&c.)

- (j) by omitting section 162.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976



*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 12 April, 1973, A.M.*

## New South Wales



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. 44, 1973.**

An Act to increase the number of members of the Legislative Assembly; to make further provisions with respect to the number and distribution of electoral districts in New South Wales and with respect to the conduct of elections; for these and other purposes to amend the Parliamentary Electorates and Elections Act, 1912; and for purposes connected therewith. [Assented to, 8th May, 1973.]

BE

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

J. H. BROWN,  
*Chairman of Committees of the Legislative Assembly.*

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*Parliamentary Electorates and Elections (Amendment).*

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**B**E 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 :—

- |   |  |
|---|--|
| Short title.  | 1. This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1973".   |
| Amendment of Act No. 41, 1912.                              | 2. (1) The Parliamentary Electorates and Elections Act, 1912, is amended—  |
| Sec. 4.<br>(Number of members of Assembly.)                 | (a) by omitting from section 4 the word "ninety-six" and by inserting instead the word "ninety-nine";  |
| Sec. 5.<br>(Number of electorates.)                         | (b) by omitting from section 5 the word "ninety-six" and by inserting instead the word "ninety-nine";  |
| Subst. sec. 13.   | (c) by omitting section 13 and by inserting instead the following section :—   |
| Redistribution of electoral districts by commissioners, &c. | <p>13. (1) It shall be the duty of the commissioners, and they are hereby directed, to distribute New South Wales into electoral districts for the purposes of this Act.</p> <p>(2) The first distribution after the commencement of the Parliamentary Electorates and Elections (Amendment) Act, 1973, shall commence upon the day on which the names of the persons appointed as Electoral Districts Commissioners are published in the Gazette pursuant to subsection (3) of section 6, that day being a day within six months after the date of assent to that Act has been signified.</p> <p>(3) Subsequent distributions shall commence upon the expiration of six years from the date on which the last preceding distribution commenced.</p> |

(d)

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*Parliamentary Electorates and Elections (Amendment).*


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- (d) (i) by omitting from section 17A (1) the word "ninety-six" wherever occurring and by inserting instead the word "ninety-nine";
- (ii) by omitting from section 17A the word "sixty-three" wherever occurring and by inserting instead the word "sixty-six";
- (iii) by omitting from section 17A the word "fifteen" wherever occurring and by inserting instead the word "twenty".

Sec. 17A.  
(Method of  
distribution,  
&c.)

(2) For the purposes of the first distribution of electoral districts after the date of assent to this Act and of any matters necessary or incidental to that distribution the amendments made by subsection (1) shall commence upon that date.

(3) Upon the day upon which the proclamation in respect of the first distribution of electoral districts referred to in subsection (2) is published in the Gazette pursuant to section 15 (2) of the Parliamentary Electorates and Elections Act, 1912, the amendments made by subsection (1) (c) and (d) shall come into force for all purposes.

(4) The amendments made by subsection (1) (a) and (b) shall apply to and in respect of, and shall come into force for all purposes as on and from, the general election next following the day upon which the proclamation referred to in subsection (3) is published in the Gazette.

3. The Parliamentary Electorates and Elections Act, 1912, is further amended—

Further  
amendment  
of Act No.  
41, 1912.

- (a) (i) by omitting from section 75 the words " , and every such appointment shall be notified in the Gazette";

Sec. 75.  
(Returning  
officers for  
districts.)

(ii)

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*Parliamentary Electorates and Elections (Amendment).*

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- (ii) by inserting in section 75 after the word "stead." the following new paragraphs :—

Any appointment made by the Governor under this section may be terminated by the Governor on the recommendation of the Public Service Board.

Every appointment made by the Governor under this section and every termination of such an appointment shall be notified in the Gazette.

- (iii) by inserting in section 75 after the word "election" where secondly occurring the words "or to act as clerical assistants to assist the returning officer in the performance of his duties";

Sec. 75A.  
(Qualifica-  
tion of  
returning  
officers, &c.)

- (b) by inserting in section 75A after the words "poll clerk" wherever occurring the words ", clerical assistant";

Sec. 88.  
(Returning  
officers, etc.,  
to make  
declara-  
tions.)

- (c) (i) by inserting in section 88 (1) after the words "and poll clerk" the words "and clerical assistant";

- (ii) by inserting in section 88 (1) after the words "or poll clerk," the words "or clerical assistant,";

Sec. 114F.  
(Numbering  
of applica-  
tions and  
certificates.)

- (d) by omitting section 114F (1) and by inserting instead the following subsection :—

(1) The returning officer shall—

- (a) number all applications for postal vote certificates and postal ballot-papers received by him in consecutive order in respect of each subdivision of an electoral district (whether or not it is a subdivision of the electoral district for which he is the returning officer) to which they relate ;

(b)

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*Parliamentary Electorates and Elections (Amendment).*


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- (b) prefix each number given to an application under paragraph (a) with other numbers identifying the electoral district and subdivision thereof to which it relates; and
- (c) number each postal vote certificate issued pursuant to such an application with numbers corresponding to the numbers endorsed on the application pursuant to paragraphs (a) and (b).
- (e) by inserting at the end of section 122A the following new subsection :—
- (3) Notwithstanding anything to the contrary in this Act, a ballot-paper shall not be informal by reason only of the fact that it is not duly signed or initialled by the presiding officer if it bears such mark as is prescribed as an official mark.
- Sec. 122A.  
(Ballot-papers not to be informal in certain circumstances.)
- (f) by omitting from section 130 (3) the word “seven” and by inserting instead the word “twenty-one”;
- Sec. 130.  
(When polling may be adjourned.)
- (g) by omitting section 131A and by inserting instead the following section :—
- 131A. Where the poll has been adjourned at one or more booths within a subdivision or subdivisions within an electoral district, only those electors who are enrolled for the subdivision or subdivisions within which the booth or booths is or are situated shall be entitled to vote as provided in this Act at the adjourned poll.
- Votes at adjourned poll.
- (h) by inserting in section 135 after the words “poll clerk,” wherever occurring the words “clerical assistant”;
- Sec. 135.  
(Violation of secrecy by officers, &c.)
- (i)

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*Parliamentary Electorates and Elections (Amendment).*

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New sec.  
151E.

- (i) by inserting next after section 151D the following new section :—

Name and  
address of  
author and  
printer to  
be printed  
on  
advertisements,  
etc.

151E. (1) Any person who prints, publishes or distributes any matter, being an advertisement, "how to vote" card, handbill, pamphlet, poster, or notice, containing any electoral matter as defined in section 151B (other than the announcement in a newspaper of the holding of a meeting), without—

- (a) the name and address of the person on whose instructions the matter was printed ; and  
(b) the name of the printer and address at which it was printed,

being printed in legible characters thereon, shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

(2) Where a newspaper contains an advertisement referred to in subsection (1) and the name of the printer of the newspaper and the address at which it was printed appear on the newspaper in accordance with any Act, subsection (1) does not apply so as to require that name and address to be printed on the advertisement.

Sec. 162.  
(Production  
of postal  
vote  
certificate,  
&c.)

- (j) by omitting section 162.

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

JOHN R. KERR,  
*Administrator.*

*Government House,  
Sydney, 8th May, 1973.*

