

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 November, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Parliamentary Electorates and Elections Act, 1912, to make alternative provisions where Commonwealth divisional returning officers fail to perform their duties in respect of the preparation, alteration, revision and transmission of rolls of electors for the

Legislative

Parliamentary Electorates and Elections (Further Amendment).

Legislative Assembly of New South Wales; to make the residential qualifications of those electors the same as the residential qualifications of electors for Commonwealth elections; and for certain other purposes.

5 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. This Act may be cited as the "Parliamentary Short title.
10 Electorates and Elections (Further Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act Commence-
shall commence on the date of assent to this Act. ment.

(2) Section 3, in its application to Schedule 1 (1),
(2) and (4), and Schedule 1 (1), (2) and (4) shall be
15 deemed to have commenced on 23rd May, 1977.

3. The Parliamentary Electorates and Elections Act, Amendment
1912, is amended in the manner set forth in Schedule 1. of Act No.
41, 1912.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1912.

(1) Section 1, matter relating to Part IIIB—

5 Omit "21B, 21C", insert instead "21B-21D".

(2) (a) Section 20 (1) (b)—

Omit ", and in New South Wales for at least three months,".

(b) Section 20 (3)—

10 Omit the subsection.

(3) Section 21c (4) (a)—

Omit "Part", insert instead "Act".

(4) Section 21D—

After section 21c, insert :—

15 21D. (1) Where—

(a) rolls of electors for the purpose of elections for the Assembly and of Commonwealth elections are required to be prepared, altered or revised jointly under an arrangement referred to in section 21B; and

Failure of registrar or Commonwealth divisional returning officer to prepare, alter or revise joint rolls for State elections.

20

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

5 (b) a registrar or Commonwealth divisional
returning officer prepares, alters or revises
any such roll for a subdivision for the
purpose of Commonwealth elections but
not for the purpose of elections for the
Assembly,

10 that roll shall, subject to any direction referred to in
subsection (2)—

(c) be, for the purpose of elections for the
Assembly, the roll in force for the
subdivision—

15 (i) that has the same boundaries as the
subdivision referred to in paragraph
(b); or

20 (ii) if there is no such subdivision, that
has the same name as the subdivision
so referred to; and

(d) be deemed to have been duly prepared,
altered or revised in accordance with this
Act and the arrangement.

25 (2) Where the Electoral Commissioner is
satisfied that a roll in force pursuant to subsection
(1) contains the names and descriptions of persons
who are not entitled to be enrolled thereon as electors

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

5 for the Assembly, the Electoral Commissioner shall,
by a notice published in the Gazette, specify the names
and descriptions of those persons and direct that—

10 (a) an indication in the manner prescribed for
the purposes of section 21B (2) (a) (i)
shall be deemed to have been made on the
roll in respect of the names and descriptions
of those persons at the time they were
enrolled; and

15 (b) if those persons are entitled to be enrolled
on another roll for the purpose only of
elections for the Assembly, the names and
descriptions of those persons and the
distinguishing marks referred to in section
21B (2) (a) (ii) shall be deemed to have
20 been added to that other roll at the time
they were enrolled.

(5) Section 25 (4)—

Omit “Commonwealth Electoral Officer”, insert
instead “Australian Electoral Officer for New South
Wales”.

25 (6) Section 29 (3)—

Omit “; and the registrar for each subdivision shall
forthwith sign and transmit a copy of the roll for the
subdivision for which he is registrar to the State
returning officer for the district”.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

**AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.***

(7) Section 35 (1) (b) (iv)—

5 Omit the subparagraph.

(8) Section 50 (5)—

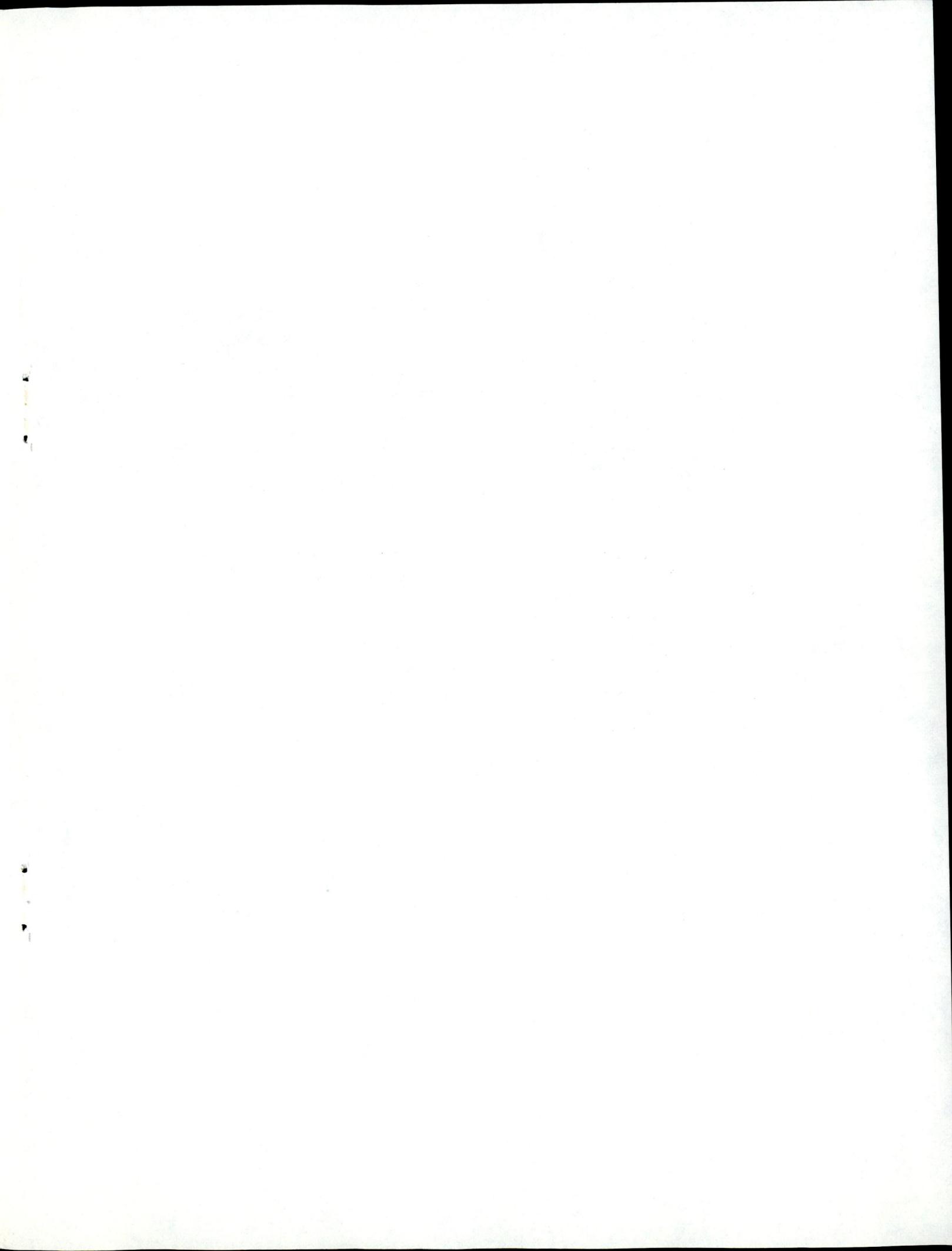
After section 50 (4), insert :—

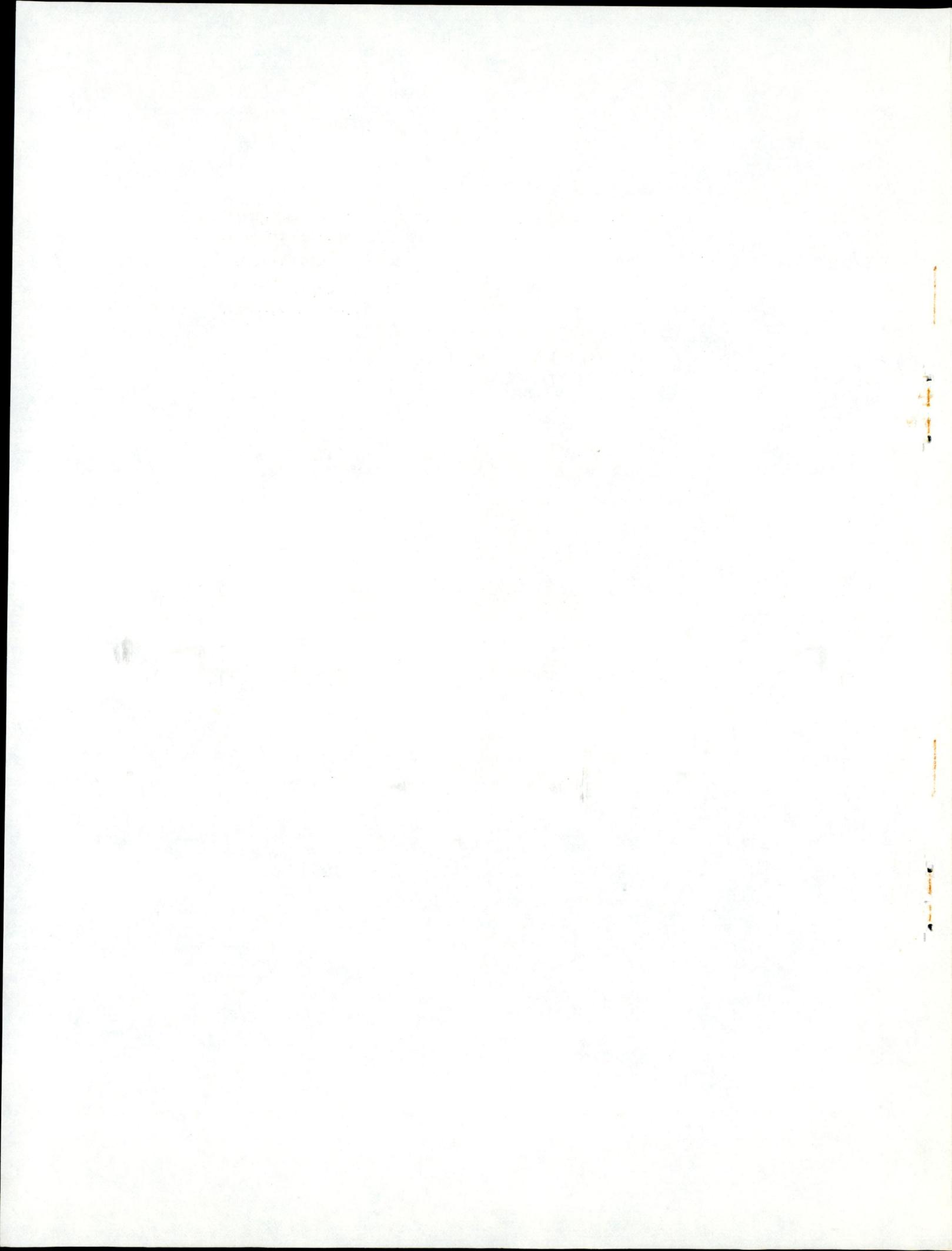
10 (5) Where the Electoral Commissioner is satisfied
that any divisional returning officer refuses or has
failed to perform any duty imposed on him under
subsection (1), the Electoral Commissioner or a
person authorised by him may perform that duty and
for the purpose of performing that duty the Electoral
15 Commissioner or authorised person shall have and
may exercise and perform all of the powers,
authorities, duties and functions of a registrar or
divisional returning officer under this Act.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]





**PARLIAMENTARY ELECTORATES AND
ELECTIONS (FURTHER AMENDMENT)
BILL, 1977**

Legislative Assembly of New South Wales; to make the residential qualifications of those electors the same as the residential qualifications of electors for Commonwealth elections; and for certain other purposes.

1977, 2 November—Mrs. HAYES

It is 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 (Further Amendment) Act, 1977.

No. , 1977.

A BILL FOR

An Act to amend the Parliamentary Electorates and Elections Act, 1912, to make alternative provisions where Commonwealth divisional returning officers fail to perform their duties in respect of the preparation, alteration, revision and transmission of rolls of electors for the

Legislative

Parliamentary Electorates and Elections (Further Amendment).

Legislative Assembly of New South Wales; to make the residential qualifications of those electors the same as the residential qualifications of electors for Commonwealth elections; and for certain other purposes.

[MR HAIGH—8 November, 1977.]

5 **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. This Act may be cited as the "Parliamentary Short title.
10 Electorates and Elections (Further Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act Commence-
shall commence on the date of assent to this Act. ment.

(2) Section 3, in its application to Schedule 1 (1), (2) and (4), and Schedule 1 (1), (2) and (4) shall be
15 deemed to have commenced on 23rd May, 1977.

3. The Parliamentary Electorates and Elections Act, Amendment
1912, is amended in the manner set forth in Schedule 1. of Act No.
41, 1912.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912.

(1) Section 1, matter relating to Part IIIB—

5 Omit "21B, 21C", insert instead "21B-21D".

(2) (a) Section 20 (1) (b)—

Omit ", and in New South Wales for at least
three months,".

(b) Section 20 (3)—

10 Omit the subsection.

(3) Section 21C (4) (a)—

Omit "Part", insert instead "Act".

(4) Section 21D—

After section 21C, insert :—

15 21D. (1) Where—

(a) rolls of electors for the purpose of elections
for the Assembly and of Commonwealth
elections are required to be prepared,
altered or revised jointly under an
20 arrangement referred to in section 21B; and

Failure of
registrar or
Common-
wealth
divisional
returning
officer to
prepare,
alter or
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rolls for
State
elections.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

- 5 (b) a registrar or Commonwealth divisional returning officer prepares, alters or revises any such roll for a subdivision for the purpose of Commonwealth elections but not for the purpose of elections for the Assembly,
- 10 that roll shall, subject to any direction referred to in subsection (2)—
- (c) be, for the purpose of elections for the Assembly, the roll in force for the subdivision—
- 15 (i) that has the same boundaries as the subdivision referred to in paragraph (b); or
- (ii) if there is no such subdivision, that
- 20 has the same name as the subdivision so referred to; and
- (d) be deemed to have been duly prepared, altered or revised in accordance with this Act and the arrangement.
- 25 (2) Where the Electoral Commissioner is satisfied that a roll in force pursuant to subsection (1) contains the names and descriptions of persons who are not entitled to be enrolled thereon as electors

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

5 for the Assembly, the Electoral Commissioner shall,
by a notice published in the Gazette, specify the names
and descriptions of those persons and direct that—

10 (a) an indication in the manner prescribed for
the purposes of section 21B (2) (a) (i)
shall be deemed to have been made on the
roll in respect of the names and descriptions
of those persons at the time they were
enrolled; and

15 (b) if those persons are entitled to be enrolled
on another roll for the purpose only of
elections for the Assembly, the names and
descriptions of those persons and the
distinguishing marks referred to in section
21B (2) (a) (ii) shall be deemed to have
20 been added to that other roll at the time
they were enrolled.

(5) Section 25 (4)—

Omit “Commonwealth Electoral Officer”, insert
instead “Australian Electoral Officer for New South
Wales”.

25 (6) Section 29 (3)—

Omit “; and the registrar for each subdivision shall
forthwith sign and transmit a copy of the roll for the
subdivision for which he is registrar to the State
returning officer for the district”.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

(7) Section 35 (1) (b) (iv)—

5 Omit the subparagraph.

(8) Section 50 (5)—

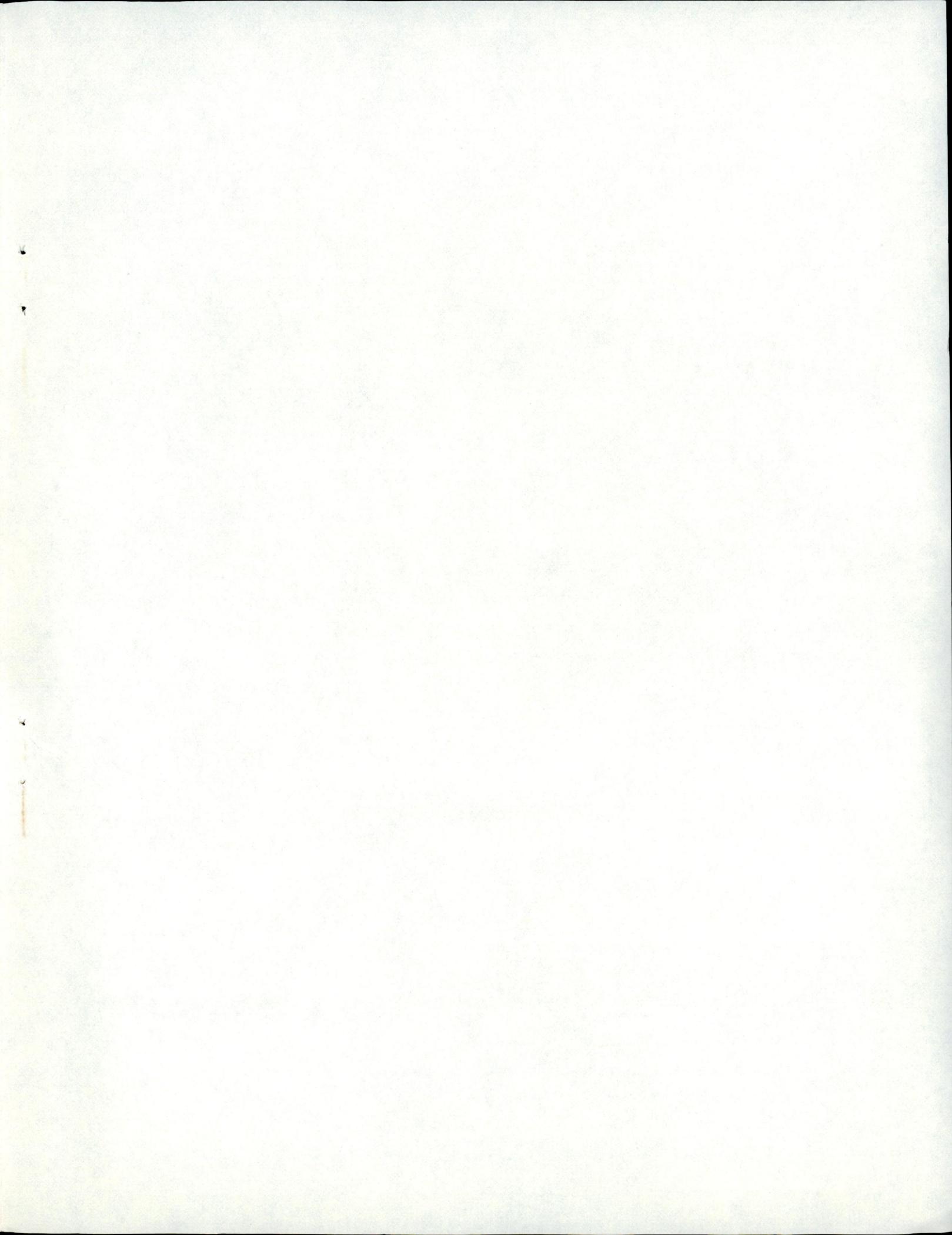
After section 50 (4), insert :—

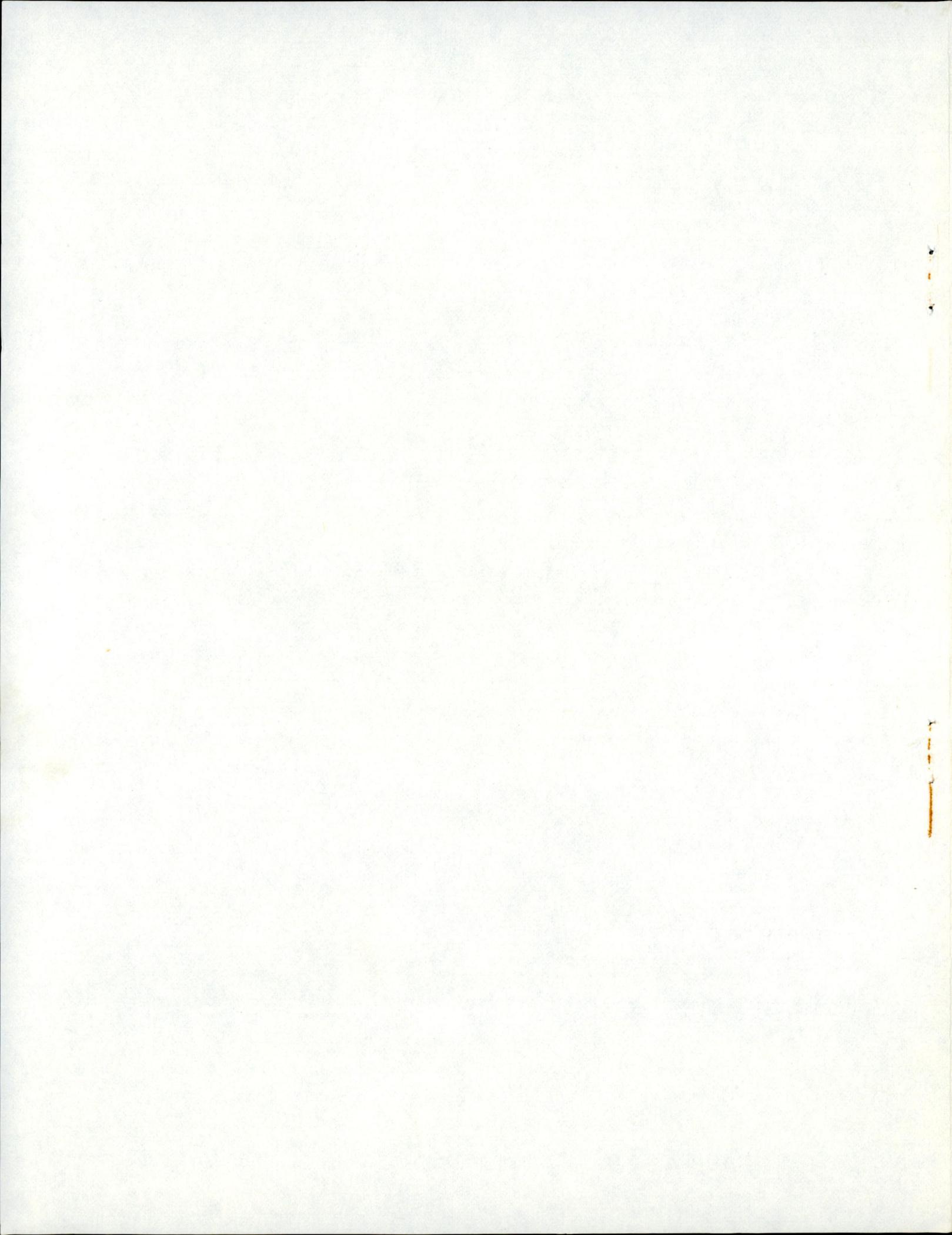
10 (5) Where the Electoral Commissioner is satisfied
that any divisional returning officer refuses or has
failed to perform any duty imposed on him under
subsection (1), the Electoral Commissioner or a
15 person authorised by him may perform that duty and
for the purpose of performing that duty the Electoral
Commissioner or authorised person shall have and
may exercise and perform all of the powers,
authorities, duties and functions of a registrar or
divisional returning officer under this Act.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]





PROOF

**PARLIAMENTARY ELECTORATES AND ELECTIONS
(FURTHER AMENDMENT) BILL, 1977**

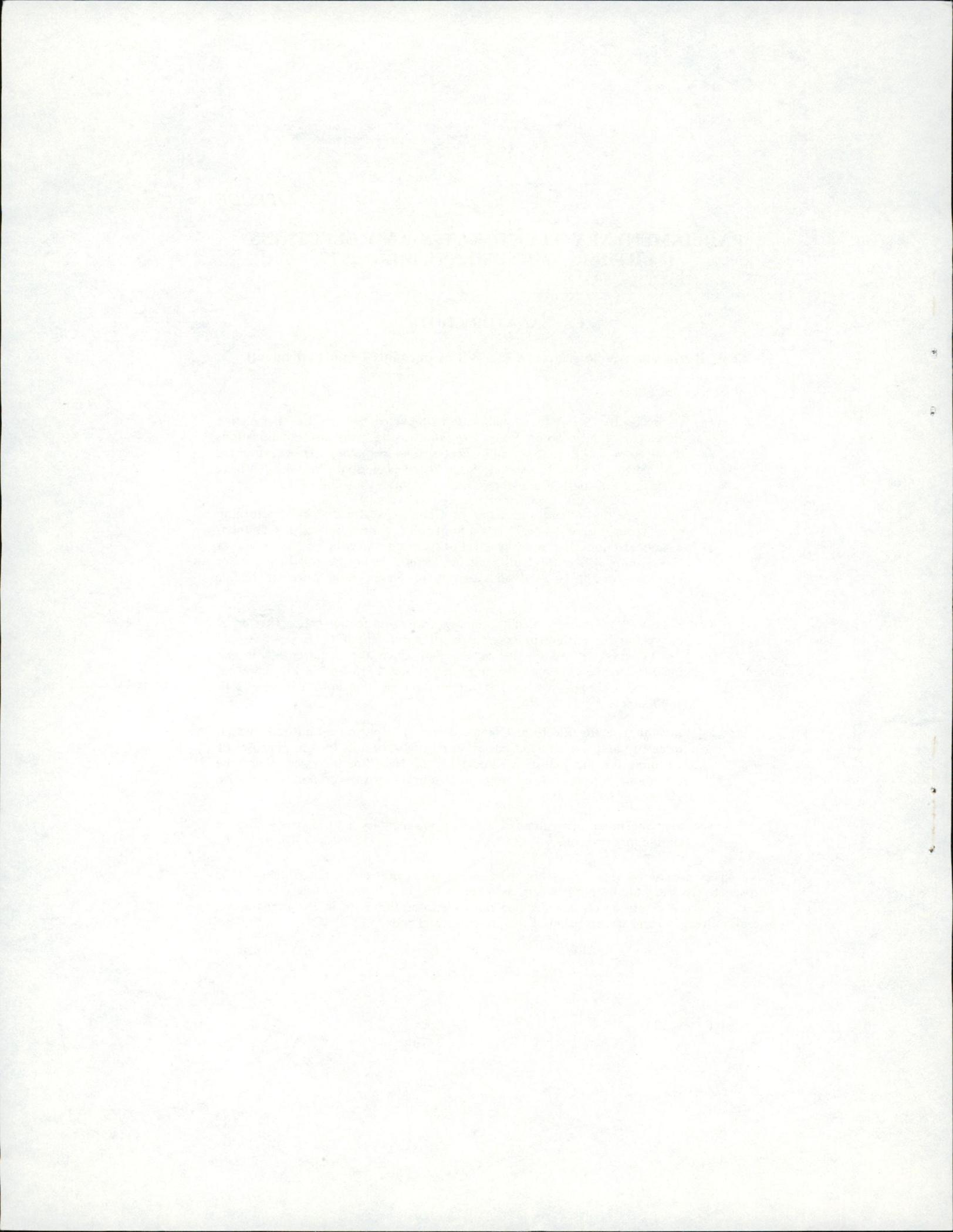
EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are—

- (a) to make the residential qualifications of electors for the Legislative Assembly of New South Wales the same as the residential qualifications of electors for Commonwealth elections by removing the requirement that electors for the Legislative Assembly of New South Wales must have lived in New South Wales for at least 3 months (Schedule 1 (2) (a));
- (b) to provide that where a registrar or Commonwealth divisional returning officer prepares, alters or revises a joint roll for the purposes of Commonwealth elections but not for elections for the Legislative Assembly of New South Wales, that roll shall be deemed to be the roll in force for elections for the Legislative Assembly of New South Wales (Schedule 1 (4));
- (c) to remove the requirement that a registrar refer to the police for report any claim for enrolment or transfer of enrolment if he is satisfied that the claimant is entitled to be enrolled since the requirement is not included in the Commonwealth Electoral Act 1918 and is therefore not observed by registrars in the preparation of the joint electoral rolls (Schedule 1 (7));
- (d) to authorise the Electoral Commissioner or a person authorised by him to certify and transmit to State returning officers rolls for the purposes of elections for the Legislative Assembly of New South Wales where the Commonwealth divisional returning officer refuses or fails to do so (Schedule 1 (8)); and
- (e) to make other provisions of a minor or ancillary nature or by way of statute law revision.

The provisions referred to in paragraphs (a) and (b) are to take effect retrospectively from the date on which, as a result of an industrial dispute, Commonwealth divisional returning officers decided not to act for the State in the preparation, alteration, revision and transmission of the joint electoral rolls.



PROOF

**PARLIAMENTARY ELECTORATES AND
ELECTIONS (FURTHER AMENDMENT)
BILL, 1977**

No. , 1977.

A BILL FOR

An Act to amend the Parliamentary Electorates and Elections Act, 1912, to make alternative provisions where Commonwealth divisional returning officers fail to perform their duties in respect of the preparation, alteration, revision and transmission of rolls of electors for the

Legislative

Parliamentary Electorates and Elections (Further Amendment).

Legislative Assembly of New South Wales; to make the residential qualifications of those electors the same as the residential qualifications of electors for Commonwealth elections; and for certain other purposes.

[MR HAIGH—8 November, 1977.]

5 **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. This Act may be cited as the "Parliamentary Short title.
10 Electorates and Elections (Further Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act Commence-
shall commence on the date of assent to this Act. ment.

(2) Section 3, in its application to Schedule 1 (1),
15 (2) and (4), and Schedule 1 (1), (2) and (4) shall be deemed to have commenced on 23rd May, 1977.

3. The Parliamentary Electorates and Elections Act, Amendment
1912, is amended in the manner set forth in Schedule 1. of Act No.
41, 1912.

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912.

(1) Section 1, matter relating to Part III B—

5 Omit "21B, 21C", insert instead "21B-21D".

(2) (a) Section 20 (1) (b)—

Omit " , and in New South Wales for at least
three months,".

(b) Section 20 (3)—

10 Omit the subsection.

(3) Section 21C (4) (a)—

Omit "Part", insert instead "Act".

(4) Section 21D—

After section 21C, insert :—

15 21D. (1) Where—

(a) rolls of electors for the purpose of elections
for the Assembly and of Commonwealth
elections are required to be prepared,
altered or revised jointly under an
arrangement referred to in section 21B; and

Failure of
registrar or
Common-
wealth
divisional
returning
officer to
prepare,
alter or
revise joint
rolls for
State
elections.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

- 5 (b) a registrar or Commonwealth divisional returning officer prepares, alters or revises any such roll for a subdivision for the purpose of Commonwealth elections but not for the purpose of elections for the Assembly,
- 10 that roll shall, subject to any direction referred to in subsection (2)—
- (c) be, for the purpose of elections for the Assembly, the roll in force for the subdivision—
- 15 (i) that has the same boundaries as the subdivision referred to in paragraph (b); or
- (ii) if there is no such subdivision, that
- 20 has the same name as the subdivision so referred to; and
- (d) be deemed to have been duly prepared, altered or revised in accordance with this Act and the arrangement.
- 25 (2) Where the Electoral Commissioner is satisfied that a roll in force pursuant to subsection (1) contains the names and descriptions of persons who are not entitled to be enrolled thereon as electors

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

5 for the Assembly, the Electoral Commissioner shall,
by a notice published in the Gazette, specify the names
and descriptions of those persons and direct that—

(a) an indication in the manner prescribed for
the purposes of section 21B (2) (a) (i)
10 shall be deemed to have been made on the
roll in respect of the names and descriptions
of those persons at the time they were
enrolled; and

(b) if those persons are entitled to be enrolled
15 on another roll for the purpose only of
elections for the Assembly, the names and
descriptions of those persons and the
distinguishing marks referred to in section
20 21B (2) (a) (ii) shall be deemed to have
been added to that other roll at the time
they were enrolled.

(5) Section 25 (4)—

Omit “Commonwealth Electoral Officer”, insert
instead “Australian Electoral Officer for New South
Wales”.

25 (6) Section 29 (3)—

Omit “; and the registrar for each subdivision shall
forthwith sign and transmit a copy of the roll for the
subdivision for which he is registrar to the State
returning officer for the district”.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

(7) Section 35 (1) (b) (iv)—

5 Omit the subparagraph.

(8) Section 50 (5)—

After section 50 (4), insert :—

10 (5) Where the Electoral Commissioner is satisfied
that any divisional returning officer refuses or has
failed to perform any duty imposed on him under
subsection (1), the Electoral Commissioner or a
person authorised by him may perform that duty and
for the purpose of performing that duty the Electoral
15 Commissioner or authorised person shall have and
may exercise and perform all of the powers,
authorities, duties and functions of a registrar or
divisional returning officer under this Act.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

**PARLIAMENTARY ELECTORATES AND
ELECTIONS (FURTHER AMENDMENT) ACT,
1977**

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 133, 1977.

An Act to amend the Parliamentary Electorates and Elections Act, 1912, to make alternative provisions where Commonwealth divisional returning officers fail to perform their duties in respect of the preparation, alteration, revision and transmission of rolls of electors for the

Parliamentary Electorates and Elections (Further Amendment).

Legislative Assembly of New South Wales; to make the residential qualifications of those electors the same as the residential qualifications of electors for Commonwealth elections; and for certain other purposes. [Assented to, 14th December, 1977.]

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 :—

- Short title. **1.** This Act may be cited as the "Parliamentary Electorates and Elections (Further Amendment) Act, 1977".
- Commence- **2.** (1) Except as provided in subsection (2), this Act
ment. shall commence on the date of assent to this Act.
- (2) Section 3, in its application to Schedule 1 (1), (2) and (4), and Schedule 1 (1), (2) and (4) shall be deemed to have commenced on 23rd May, 1977.
- Amendment **3.** The Parliamentary Electorates and Elections Act,
of Act No. 1912, is amended in the manner set forth in Schedule 1.
41, 1912.

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912.

(1) Section 1, matter relating to Part IIIB—

Omit “21B, 21C”, insert instead “21B–21D”.

(2) (a) Section 20 (1) (b)—

Omit “, and in New South Wales for at least
three months,”.

(b) Section 20 (3)—

Omit the subsection.

(3) Section 21c (4) (a)—

Omit “Part”, insert instead “Act”.

(4) Section 21D—

After section 21c, insert :—

21D. (1) Where—

(a) rolls of electors for the purpose of elections
for the Assembly and of Commonwealth
elections are required to be prepared,
altered or revised jointly under an
arrangement referred to in section 21B; and

Failure of
registrar or
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SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

- (b) a registrar or Commonwealth divisional returning officer prepares, alters or revises any such roll for a subdivision for the purpose of Commonwealth elections but not for the purpose of elections for the Assembly,

that roll shall, subject to any direction referred to in subsection (2)—

- (c) be, for the purpose of elections for the Assembly, the roll in force for the subdivision—

(i) that has the same boundaries as the subdivision referred to in paragraph (b); or

(ii) if there is no such subdivision, that has the same name as the subdivision so referred to; and

- (d) be deemed to have been duly prepared, altered or revised in accordance with this Act and the arrangement.

(2) Where the Electoral Commissioner is satisfied that a roll in force pursuant to subsection (1) contains the names and descriptions of persons who are not entitled to be enrolled thereon as electors

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

for the Assembly, the Electoral Commissioner shall, by a notice published in the Gazette, specify the names and descriptions of those persons and direct that—

- (a) an indication in the manner prescribed for the purposes of section 21B (2) (a) (i) shall be deemed to have been made on the roll in respect of the names and descriptions of those persons at the time they were enrolled; and
- (b) if those persons are entitled to be enrolled on another roll for the purpose only of elections for the Assembly, the names and descriptions of those persons and the distinguishing marks referred to in section 21B (2) (a) (ii) shall be deemed to have been added to that other roll at the time they were enrolled.

(5) Section 25 (4)—

Omit “Commonwealth Electoral Officer”, insert instead “Australian Electoral Officer for New South Wales”.

(6) Section 29 (3)—

Omit “; and the registrar for each subdivision shall forthwith sign and transmit a copy of the roll for the subdivision for which he is registrar to the State returning officer for the district”.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

(7) Section 35 (1) (b) (iv)—

Omit the subparagraph.

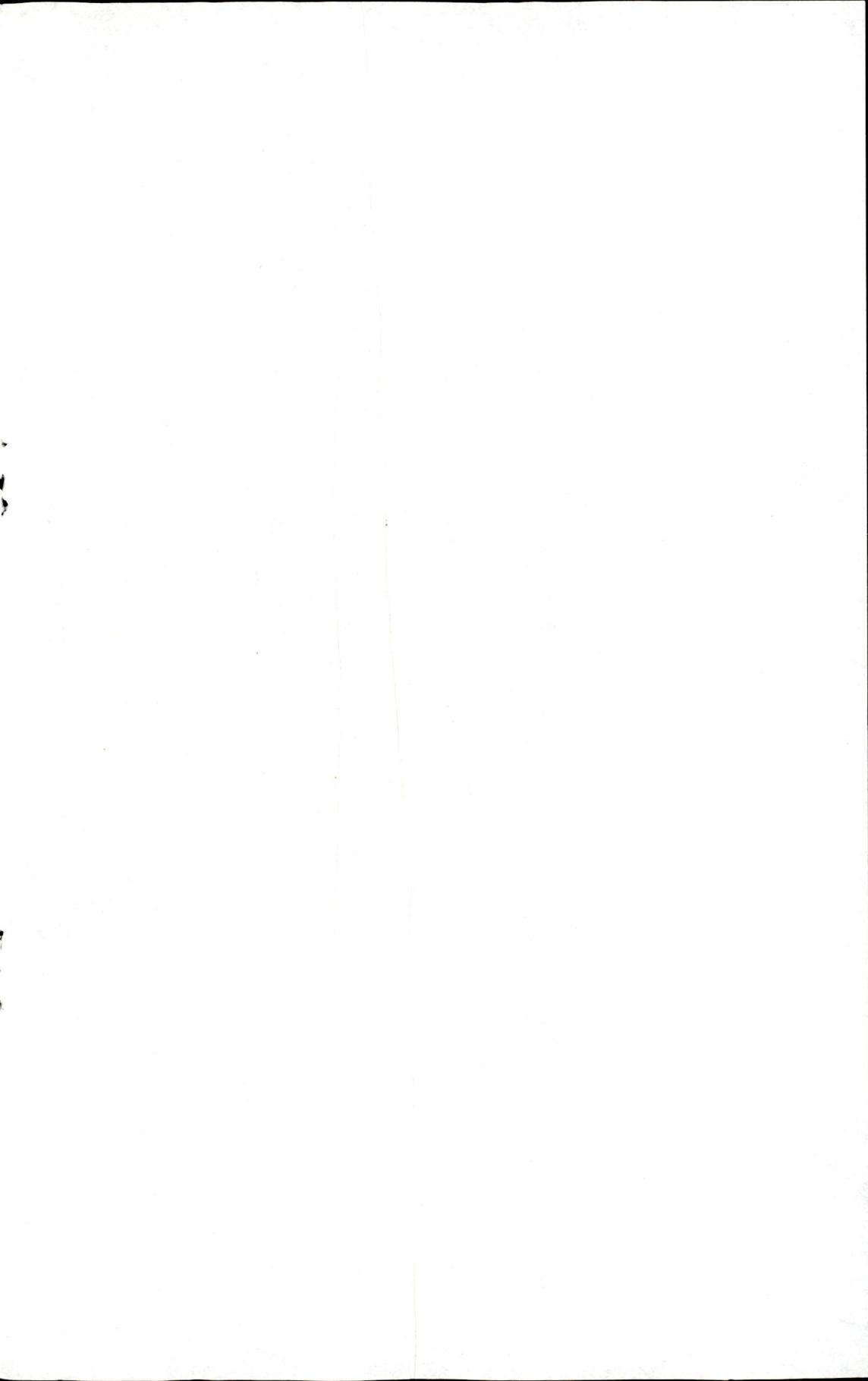
(8) Section 50 (5)—

After section 50 (4), insert :—

(5) Where the Electoral Commissioner is satisfied that any divisional returning officer refuses or has failed to perform any duty imposed on him under subsection (1), the Electoral Commissioner or a person authorised by him may perform that duty and for the purpose of performing that duty the Electoral Commissioner or authorised person shall have and may exercise and perform all of the powers, authorities, duties and functions of a registrar or divisional returning officer under this Act.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978



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.

*R. E. WARD,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 1 December, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 133, 1977.

An Act to amend the Parliamentary Electorates and Elections Act, 1912, to make alternative provisions where Commonwealth divisional returning officers fail to perform their duties in respect of the preparation, alteration, revision and transmission of rolls of electors for the

Legislative

SCHEDULE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Parliamentary Electorates and Elections (Further Amendment).

Legislative Assembly of New South Wales; to make the residential qualifications of those electors the same as the residential qualifications of electors for Commonwealth elections; and for certain other purposes. [Assented to, 14th December, 1977.]

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 :—

Short title. 1. This Act may be cited as the "Parliamentary Electorates and Elections (Further Amendment) Act, 1977".

**Commence-
ment.** 2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to Schedule 1 (1), (2) and (4), and Schedule 1 (1), (2) and (4) shall be deemed to have commenced on 23rd May, 1977.

**Amendment
of Act No.
41, 1912.** 3. The Parliamentary Electorates and Elections Act, 1912, is amended in the manner set forth in Schedule 1.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912.

(1) Section 1, matter relating to Part IIIB—

Omit “21B, 21C”, insert instead “21B–21D”.

(2) (a) Section 20 (1) (b)—

Omit “, and in New South Wales for at least
three months,”.

(b) Section 20 (3)—

Omit the subsection.

(3) Section 21c (4) (a)—

Omit “Part”, insert instead “Act”.

(4) Section 21D—

After section 21c, insert :—

21D. (1) Where—

- (a) rolls of electors for the purpose of elections for the Assembly and of Commonwealth elections are required to be prepared, altered or revised jointly under an arrangement referred to in section 21B; and

Failure of registrar or Commonwealth divisional returning officer to prepare, alter or revise joint rolls for State elections.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

- (b) a registrar or Commonwealth divisional returning officer prepares, alters or revises any such roll for a subdivision for the purpose of Commonwealth elections but not for the purpose of elections for the Assembly,

that roll shall, subject to any direction referred to in subsection (2)—

- (c) be, for the purpose of elections for the Assembly, the roll in force for the subdivision—

(i) that has the same boundaries as the subdivision referred to in paragraph (b); or

(ii) if there is no such subdivision, that has the same name as the subdivision so referred to; and

- (d) be deemed to have been duly prepared, altered or revised in accordance with this Act and the arrangement.

(2) Where the Electoral Commissioner is satisfied that a roll in force pursuant to subsection (1) contains the names and descriptions of persons who are not entitled to be enrolled thereon as electors

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

for the Assembly, the Electoral Commissioner shall, by a notice published in the Gazette, specify the names and descriptions of those persons and direct that—

(a) an indication in the manner prescribed for the purposes of section 21B (2) (a) (i) shall be deemed to have been made on the roll in respect of the names and descriptions of those persons at the time they were enrolled; and

(b) if those persons are entitled to be enrolled on another roll for the purpose only of elections for the Assembly, the names and descriptions of those persons and the distinguishing marks referred to in section 21B (2) (a) (ii) shall be deemed to have been added to that other roll at the time they were enrolled.

(5) Section 25 (4)—

Omit “Commonwealth Electoral Officer”, insert instead “Australian Electoral Officer for New South Wales”.

(6) Section 29 (3)—

Omit “; and the registrar for each subdivision shall forthwith sign and transmit a copy of the roll for the subdivision for which he is registrar to the State returning officer for the district”.

SCHEDULE

Parliamentary Electorates and Elections (Further Amendment).

SCHEDULE 1—continued.**AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—continued.**

(7) Section 35 (1) (b) (iv)—

Omit the subparagraph.

(8) Section 50 (5)—

After section 50 (4), insert :—

(5) Where the Electoral Commissioner is satisfied that any divisional returning officer refuses or has failed to perform any duty imposed on him under subsection (1), the Electoral Commissioner or a person authorised by him may perform that duty and for the purpose of performing that duty the Electoral Commissioner or authorised person shall have and may exercise and perform all of the powers, authorities, duties and functions of a registrar or divisional returning officer under this Act.

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

A. R. CUTLER,
Governor.

Government House,
Sydney, 14th December, 1977.

