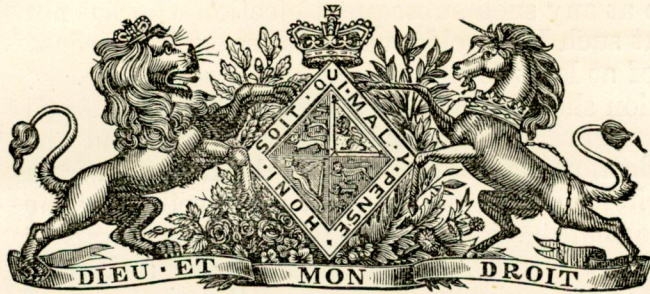


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 30 March, 1887.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ.

No. .

An Act to amend the "Public Vehicles Regulation Act Amendment Act of 1886" and to provide for the election of Licensees' Commissioner by Ballot.

WHEREAS under the "Public Vehicles Regulation Act Amendment Act of 1886" the persons entitled to vote at Elections of a Licensees' Commissioner are limited to such as at the time of voting should have held for not less than three months previous to such
5 Elections valid and unexpired licenses under the Principal Act by reason of which limitation a large number of licensees would in the present year be disqualified from voting And whereas it is expedient to alter the system of voting at such Elections as prescribed by the said first-cited Act from open voting to voting by ballot and to amend the said Act
10 in other respects Be it therefore 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 "Public Vehicles Regulation
15 Act Amendment Act of 1887" and in its construction the expression "Principal Act" means the Act thirty-sixth Victoria number fourteen

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[the "Public Vehicles Regulation Act of 1873"] And the said Principal Act as amended by the "Public Vehicles Regulation Amendment Act of 1886" and this Act may be collectively cited for all purposes as the "Public Vehicles Regulation Acts 1873-1887."

5 2. So much of the second section of the Act fiftieth Victoria number fourteen [the "Public Vehicles Regulation Act Amendment Act of 1886"] as is inconsistent with this Act is hereby repealed. Repeal.

10 3. Every person shall be entitled to vote at the first election of a Fourth [herein termed the Licensees'] Commissioner who at the time of voting shall be the holder of a valid and unexpired license granted under the Principal Act such license not being at the time suspended for misconduct or other cause provided the name of such person be contained in the Licensees' Roll hereinafter mentioned At all subsequent elections the right to vote shall be determined by refer- Alteration of qualifi-
cation of voters at
elections of Licensees'
Commissioner.

15 "Public Vehicles Regulation Act Amendment Act of 1886" Pro-
vided that no person shall be entitled to have his name entered on the
Licensees' Roll or to vote at any such subsequent election who has not
at the time of making out such Roll held a valid and unexpired license
20 as aforesaid for a period of at least fourteen days before such time.

4. Such first election shall be held on the twelfth day of April Licensees' Roll at
first election.
in the year one thousand eight hundred and eighty-seven And the
Licensees' Roll for such election shall be made up by the Registrar from
the names of persons having the qualification firstly prescribed by the
25 last preceding section who shall have taken out licenses or renewals of
licenses on or before the sixth day of April in the said year and such
Roll shall be completed by the Registrar on or before the ninth day of
April in the said year and when signed by the Mayor shall be the
Licensees' Roll by reference to which the title of any person to vote at
30 such first election shall be finally determined.

5. The mode of voting at every election of a Licensees' Com- Voting to be by
ballot.
missioner shall be by ballot and not by open voting as prescribed by
the last-cited Act and the rules prescribing the mode of voting at and
the conduct of such first election shall be those contained in the
35 Schedule hereto which rules shall be of the same legal effect as if
they had been embodied in this Act All subsequent elections of such
Commissioner shall be in accordance with by-laws to be made by the
Commissioners and confirmed and dealt with as provided by the
Principal Act.

40 6. The chairman at all meetings of the Board of Commissioners shall in case of equality of votes have a casting vote besides his
original vote. Casting vote.

7. For the purpose of any election of a Commissioner or Com- Deputy Presiding
Officer.
missioners under the "Public Vehicles Regulation Acts 1873-1887"
45 the Mayor by writing under his hand may nominate any member or
members of the Board of Commissioners to exercise as his Deputy or
Deputies all powers and authorities which he himself could exercise as
Presiding Officer at such election.

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SCHEDULE.

Rules for the conduct of the First Election.

1. Every candidate must at least seven days before the day of election be nominated in writing by at least two qualified voters and such writing must be delivered
5 to the Presiding Officer at the "Metropolitan Transit Office" within the like period of seven days At such election the Mayor of Sydney shall be the Presiding Officer.
2. The place or places and time for holding the election shall be notified by the Presiding Officer in some newspaper circulating in the Metropolitan Police District and also in the *Government Gazette* at least four days before the day of the election.
- 10 3. If only one candidate is nominated the Presiding Officer shall declare him elected but if more than one candidate is nominated the Presiding Officer shall notify in a newspaper and the *Government Gazette* as aforesaid the names of the candidates the day of taking the poll and the polling place or polling places but any candidate may at any time before the polling day withdraw his candidature Provided that the day for
15 taking the poll shall not be deferred beyond the fourteenth day of April in any year.
4. The voting shall commence at nine o'clock in the forenoon and shall finally close at four o'clock in the afternoon of the same day.
5. The Presiding Officer may appoint such polling clerks as may be required for taking the poll and may make and enforce all necessary regulations and provide proper
20 and convenient rooms or booths for polling.
6. Every candidate or in his absence any one of the voters by whom he has been nominated may appoint one person at each polling place to be Scrutineer.
7. The Presiding Officer shall have power and authority to maintain and enforce order and keep the Peace at the election or polling held by him and for that purpose
25 and without any other authority to cause to be arrested and taken before a Justice any person reasonably suspected of knowingly and wilfully making a false answer to any of the questions hereinafter mentioned or of personating or attempting to personate any voter or of attempting unlawfully to vote more than once or wilfully entering or remain-
30 ing in a polling room or compartment or who shall cause a disturbance Also to cause any person to be removed who shall obstruct the approaches to any polling room or shall conduct himself in a disorderly manner. And all Constables and Peace Officers shall aid and assist such Presiding Officer in the performance of his duties.
8. At every polling-place there shall be provided and set apart a separate ballot-room or compartment into or in which no person may enter or remain except voters
35 while preparing their ballot-papers as hereinafter provided but no longer and the Polling Clerk shall cause pencils or pens ink and blotting-paper to be placed in the said room or compartment.
9. Before and in time for every election by ballot the Presiding Officer shall cause to be printed or written a sufficient number of ballot-papers to be initialled by him
40 on the back thereof which shall be available at each polling-place.
10. The Presiding Officer shall provide for each polling place a ballot-box the front of which shall be of glass and on the top of which there shall be an opening sufficient to receive the ballot-papers folded as hereinafter mentioned And such box being previously locked by the Presiding Officer with a key which shall be kept by himself and of which
45 it shall be unlawful for any other person to possess a counterpart shall be placed on a table before the Presiding Officer And every voter on applying in person shall receive one of the ballot-papers signed as aforesaid and shall in the ballot-room aforesaid without leaving the same strike through the names of all persons named in such ballot-paper except the names of each persons for whom he intends to vote and shall then fold up the
50 paper so as to conceal the interior and disclose only the Presiding Officer's name so signed upon the back and shall then return to the polling-table and there openly in the presence of the Presiding Officer Poll Clerk and Scrutineers present deposit such ballot-paper in the ballot-box Provided that in the case of any elector who is blind or cannot read the Presiding Officer shall in the presence of such Scrutineers as may then be in attendance
55 strike through upon such ballot-paper the names of all persons so nominated except such as the voter shall declare his intention of voting for Provided also that before any ballot-paper shall be deposited in the box the Presiding Officer or Poll Clerk shall upon a certified copy of the electoral roll write his initials against the name of the person then voting which initial shall be *primâ facie* evidence of the identity of such voter with the
60 person whose name shall be so initialed on such roll and of the fact of his having voted at such election.
11. If any voter shall on his ballot-paper leave any two names not struck out the vote given on and by such paper shall be void and of no effect.
12. The Presiding Officer shall give a vote only in the case of any two or more
65 candidates polling an equal number of votes and in that case he shall declare in writing which candidate shall be declared elected.

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13. No inquiry shall be permitted to be put to any person applying to vote except by the Presiding Officer at the request of a Scrutineer and such inquiry shall be limited to the questions following:—

5 (I) Are you the person whose name appears as A.B. number — in the Licensee's Roll?

(II) Have you already voted at the present election?

No person who shall refuse to answer the first of such questions in the affirmative and the second in the negative shall be permitted to vote. And all persons making false answers to such questions or to either of them shall be deemed guilty of perjury and

10 shall be dealt with accordingly.

14. The Presiding Officer shall immediately on the close of the poll cause the ballot-box to be transmitted locked to the Registrar and shall also send carefully sealed up the roll initialled and signed by him and the Poll Clerk—the remainder of the ballot-papers not used and all books or official memoranda kept by him during the polling with

15 an exact statement of the number of voters who have voted. And such statement shall be signed by himself and the Poll Clerk and verified by the signatures of the Scrutineers then present.

15. The Presiding Officer or one of his Deputies shall thereupon in the presence of the Registrar and such of the Scrutineers as may then be in attendance open the

20 ballot-boxes and examine the voting papers and thereby ascertain the result of the election and he shall then publicly announce the state of the poll. Provided that if it shall be found impossible to examine the ballot-papers and ascertain the result of the election on the same day that the poll has been taken he may adjourn such examination until some hour on the next following day. And such ballot-boxes and sealed up

25 documents shall remain until the time of such examination in the custody of the Presiding Officer or in such custody as he may appoint.