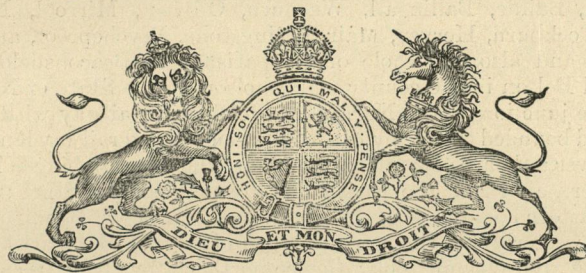


New South Wales.



ANNO PRIMO

GEORGII V REGIS.

Act No. 13, 1910.

An Act to make certain provisions in respect of the acquisition of land required for irrigation and other purposes in connection with the Barren Jack Dam and Murrumbidgee Canals Construction Act, 1906. [Assented to, 27th August, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Murrumbidgee Irrigation Short title. Area Resumption Act, 1910."

2.

Murrumbidgee Irrigation Area Resumption.

Exclusion of certain
added value on
resumption of land
described in
Schedule.

2. In determining the value for the purpose of the acquisition by the Government of any part of the land described in the Schedule to this Act required for irrigation or other purposes in connection with the Barren Jack Dam and Murrumbidgee Canals Construction Act, 1906, there shall be excluded any added value which may, after the commencement of that Act, accrue to the land from the construction of any works under the said Act.

SCHEDULE.

ALL that area or tract of country comprising part of the parish of Narrandera and the whole of the parishes of Cudgel, Yarangery, Willimbong, Brobenah, Gibbs, Edon, Tuckerbil, Gogeldrie, Dallas, Tenningerie, Hebden, Bondi, Yenda, Stanbridge, Wyangan, Jondaryan, Gorton, Colchester, Camarooka, Willbriggie, Naunton, Bringan, Hulong, Cuba, and Colaragang, in the county of Cooper; the whole of the parishes of Benerambah, Wowong, Djallah, Baillie, Ballingall, Warburn, O'Brien, Mirrool, North Bringagee, Denny, Maiden, Cockburn, Hervey, Mair, Livingstone, Wycheproof, and Carrego, in the county of Sturt; and also the whole of the parishes of Beaconsfield, Synnot, Elliott, Warrabalong, and Bolton in the county of Nicholson, in the State of New South Wales: Commencing at the junction of the Narrandera-Jerilderie Railway with the Narrandera-Hay Railway; and bounded thence by part of first-mentioned railway land southerly to the Murrumbidgee River; thence generally westerly by the Murrumbidgee River downwards to the south-western corner of the parish of Wowong, county Sturt; thence generally northerly by the eastern boundaries of the parishes of Bringagee, Bendigo, and Learmonth, thence generally westerly by the northern boundaries of the parishes of Learmonth (aforesaid), Wiveon, and Quambatook; thence northerly by the eastern boundary of the parish of Buckley; thence generally westerly by the northern and western boundaries of the last parish, and by the northern boundary of the parish of Lethington, to the south-western corner of portion 37, parish of Carrego; thence generally northerly by part of the eastern boundary of the parish of Mills, and the eastern boundaries of the parishes of Honuna, Gonowlia, and Russell, county of Nicholson, to the south-western corner of the parish of Moncton; thence generally easterly by the southern boundaries of the parishes of Moncton, Griffiths, and Weerie; thence southerly by part of the western boundary of the parish of Goolgowi South; thence north-easterly by the south-eastern boundaries of the last parish and Stackpoole; thence southerly by the western boundary of the parish of Munro, county of Sturt; thence generally easterly and south-easterly, by the south boundaries of the parishes of Munro and Kooba, part of the western boundary of parish of Tabbita, county Cooper, the southern boundary of the last parish, southern boundaries of the parish of Bingar, to the western boundary of the parish of Binya; by part of the western and the southern boundary of the last-named parish to the north-western corner of portion 12, parish of Moura; by the western and southern boundaries of the last parish, part of the western and the southern boundary of the parish of Waugh, and part of the southern boundary of the parish of Barralong to north-eastern corner of portion 16, parish of Brobenah; thence generally southerly by part of the western boundary of the parish of Bunganbil, the western boundaries of the parishes of Beremabere and Cudjello, and a line to the southern side of the Narrandera-Hay railway land; and by that railway land generally south-easterly to the point of commencement,—having an area of about 1,020,000 acres.

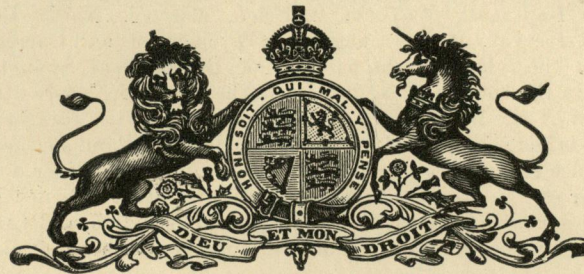
By Authority: WILLIAM APPLIGATE GULLICK, Government Printer, Sydney, 1910.

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, 19 August, 1910, A.M.*

*RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.*

New South Wales.



ANNO PRIMO

GEORGII V REGIS.

Act No. , 1910.

An Act to make certain provisions in respect of the acquisition of land required for irrigation and other purposes in connection with the Barren Jack Dam and Murrumbidgee Canals Construction Act, 1906.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 **1.** This Act may be cited as the "Murrumbidgee Irrigation Short title. Area Resumption Act, 1910."

2.

Murrumbidgee Irrigation Area Resumption.

- 2.** In determining the value for the purpose of the acquisition by the Government of any part of the land described in the Schedule to this Act required for irrigation or other purposes in connection with the Barren Jack Dam and Murrumbidgee Canals Construction Act, 1906, there shall be excluded any added value which may, after the commencement of that Act, accrue to the land from the construction of any works under the said Act.

Exclusion of certain added value on resumption of land described in Schedule.

SCHEDULE.

- ALL that area or tract of country comprising part of the parish of Narrandera and the whole of the parishes of Cudgel, Yarangery, Willimbong, Brobenah, Gibbs, Edon, Tuckerbil, Gogeldrie, Dallas, Tenningerie, Hebden, Bondi, Yenda, Stanbridge, Wyangan, Jondaryan, Gorton, Colchester, Camarooka, Willbriggie, Naunton, Bringan, Hulong, Cuba, and Colaragang, in the county of Cooper; the whole of the parishes of Benerambah, Wowong, Djallah, Baillie, Ballingall, Warburn, O'Brien, Mirrool, North Bringagee, Denny, Maiden, Cockburn, Hervey, Mair, Livingstone, Wycheproof, and Carrego, in the county of Sturt; and also the whole of the parishes of Beaconsfield, Synnot, Elliott, Warrabalong, and Bolton in the county of Nicholson, in the State of New South Wales: Commencing at the junction of the Narrandera-Jerilderie Railway with the Narrandera-Hay Railway; and bounded thence by part of first-mentioned railway land southerly to the Murrumbidgee River; thence generally westerly by the Murrumbidgee River downwards to the south-western corner of the parish of Wowong, county Sturt; thence generally northerly by the eastern boundaries of the parishes of Bringagee, Bendigo, and Learmonth, thence generally westerly by the northern boundaries of the parishes of Learmonth (aforesaid), Wiveon, and Quambatook; thence northerly by the eastern boundary of the parish of Buckley; thence generally westerly by the northern and western boundaries of the last parish, and by the northern boundary of the parish of Lethington, to the south-western corner of portion 37, parish of Carrego; thence generally northerly by part of the eastern boundary of the parish of Mills, and the eastern boundaries of the parishes of Honuna, Gonowlia, and Russell, county of Nicholson, to the south-western corner of the parish of Moncton; thence generally easterly by the southern boundaries of the parishes of Moncton, Griffiths, and Weerie; thence southerly by part of the western boundary of the parish of Goolgowi South; thence north-easterly by the south-eastern boundaries of the last parish and Stackpoole; thence southerly by the western boundary of the parish of Munro, county of Sturt; thence generally easterly and south-easterly, by the south boundaries of the parishes of Munro and Kooba, part of the western boundary of parish of Tabbita, county Cooper, the southern boundary of the last parish, southern boundaries of the parish of Bingar, to the western boundary of the parish of Binya; by part of the western and the southern boundary of the last-named parish to the north-western corner of portion 12, parish of Moura; by the western and southern boundaries of the last parish, part of the western and the southern boundary of the parish of Waugh, and part of the southern boundary of the parish of Barralong to north-eastern corner of portion 16, parish of Brobenah; thence generally southerly by part of the western boundary of the parish of Bungabil; the western boundaries of the parishes of Beremabere and Cudjello, and a line to the southern side of the Narrandera-Hay railway land; and by that railway land generally south-easterly to the point of commencement,—having an area of about 1,020,000 acres.

No. , 1910.

A BILL

To make certain provisions in respect of the acquisition of land required for irrigation and other purposes in connection with the Barren Jack Dam and Murrumbidgee Canals Construction Act, 1906.

[MR. WOOD;—18 *August*, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 **1.** This Act may be cited as the "Murrumbidgee Irrigation Short title.
Area Resumption Act, 1910."

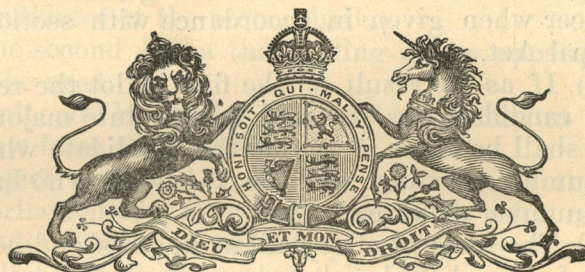
Exclusion of certain
added value on
resumption of land
described in
Schedule.

2. In determining the value for the purpose of the acquisition by the Government of any part of the land described in the Schedule to this Act required for irrigation or other purposes in connection with the Barren Jack Dam and Murrumbidgee Canals Construction Act, 1906, there shall be excluded any added value which may, after 5 the commencement of that Act, accrue to the land from the construction of any works under the said Act.

SCHEDULE.

ALL that area or tract of country comprising part of the parish of Narrandera and the whole of the parishes of Cudgel, Yarangery, Willimbong, Brobenah, Gibbs, Edon, 10 Tuckerbil, Gogeldrie, Dallas, Tenningerie, Hebden, Bondi, Yenda, Stanbridge, Wyangan, Jondaryan, Gorton, Colchester, Camarooka, Willbriggie, Naunton, Bringan, Hulong, Cuba, and Colaragang, in the county of Cooper; the whole of the parishes of Benerambah, Wowong, Djallah, Baillie, Ballingall, Warburn, O'Brien, Mirrool, North Bringagee, Denny, Maiden, Cockburn, Hervey, Mair, Livingstone, Wycheproof, and Carrego, in the 15 county of Sturt; and also the whole of the parishes of Beaconsfield, Synnot, Elliott, Warrabalong, and Bolton in the county of Nicholson, in the State of New South Wales: Commencing at the junction of the Narrandera-Jerilderie Railway with the Narrandera-Hay Railway; and bounded thence by part of first-mentioned railway land southerly to the Murrumbidgee River; thence generally westerly by the Murrumbidgee River downwards 20 to the south-western corner of the parish of Wowong, county Sturt; thence generally northerly by the eastern boundaries of the parishes of Bringagee, Bendigo, and Learmonth, thence generally westerly by the northern boundaries of the parishes of Learmonth (aforesaid), Wiveon, and Quambatook; thence northerly by the eastern boundary of the parish of Buckley; thence generally westerly by the northern and western boundaries of 25 the last parish, and by the northern boundary of the parish of Lethington, to the south-western corner of portion 37, parish of Carrego; thence generally northerly by part of the eastern boundary of the parish of Mills, and the eastern boundaries of the parishes of Honuna, Gonowlia, and Russell, county of Nicholson, to the south-western corner of the parish of Moncton; thence generally easterly by the southern boundaries 30 of the parishes of Moncton, Griffiths, and Weerie; thence southerly by part of the western boundary of the parish of Goolgowi South; thence north-easterly by the south-eastern boundaries of the last parish and Stackpoole; thence southerly by the western boundary of the parish of Munro, county of Sturt; thence generally easterly and south-easterly, by the south boundaries of the parishes of Munro and Kooba, 35 part of the western boundary of parish of Tabbita, county Cooper, the southern boundary of the last parish, southern boundaries of the parish of Bingar, to the western boundary of the parish of Binya; by part of the western and the southern boundary of the last-named parish to the north-western corner of portion 12, parish of Moura; by the western and southern boundaries of the last 40 parish, part of the western and the southern boundary of the parish of Waugh, and part of the southern boundary of the parish of Barralong to north-eastern corner of portion 16, parish of Brobenah; thence generally southerly by part of the western boundary of the parish of Bunganbil, the western boundaries of the parishes of Beremabere and Cudjello, and a line to the southern side of the Narrandera-Hay railway land; and by that railway 45 land generally south-easterly to the point of commencement,—having an area of about 1,020,000 acres.

New South Wales.



ANNO PRIMO

GEORGI V REGIS.

Act No. 18, 1910.

An Act to amend the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906 ;
and for other purposes. [Assented to, 31st August, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with
the advice and consent of the Legislative Council and Legislative
Assembly of New South Wales in Parliament assembled, and by the
authority of the same, as follows :—

PART I.

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title.
(Second Ballot) Act, 1910."

This Act shall be construed with the Parliamentary Electorates
and Elections Act, 1902 (hereinafter referred to as the Principal Act),
and the Parliamentary Elections Act, 1906.

A

Second

Parliamentary Elections (Second Ballot).

Second Ballot.

Elected candidate
must receive an
absolute majority of
votes.

2. (1) Notwithstanding anything in the Principal Act, no candidate shall at any election be deemed to be elected for any electoral district as the result of the ballot taken at the poll under the Principal Act (hereinafter called the first ballot) unless he has received an absolute majority of votes.

(2) The expression "absolute majority of votes" means a number of valid votes greater than one-half of the number of all the valid votes recorded at the election, including the casting-vote of the returning officer when given in accordance with section ninety-eight of the Principal Act.

Second ballot.

3. (1) If as the result of the first ballot the returning officer finds that no candidate has received an absolute majority of votes, a second ballot shall be taken between the candidate who has received the highest number of votes and the candidate who has received the next highest number of votes.

(2) The second ballot shall in all cases, and notwithstanding any equality of votes, be taken between two candidates only.

(3) If no candidate has received an absolute majority of votes, but two or more candidates have received the same number of votes, and it is necessary for the purposes of a second ballot to determine the order of precedence of those candidates, the returning officer shall determine the order of their precedence by giving such casting vote or votes as may be necessary for this purpose to such of those candidates as he thinks fit, and the candidates at the second ballot shall be determined accordingly.

Date of second
ballot.

4. (1) Except in the electoral districts mentioned in Schedule One hereto, the second ballot shall be taken on the seventh day after the close of the poll on the first ballot.

(2) In the electoral districts mentioned in the said Schedule hereto, the second ballot shall be taken on a day to be fixed by proclamation of the Governor in the Gazette, not being less than fourteen nor more than twenty-one days after the close of the poll on the first ballot.

(3) The electoral districts referred to in the said Schedule are the electoral districts as notified by the Electoral Districts Commissioners.

Notification of
second ballot.

5. When the returning officer finds as the result of the first ballot that a second ballot is required in accordance with the foregoing provisions, he shall thereupon make a public declaration to that effect in the form contained in Schedule Two hereto, and shall as soon as practicable thereafter give public notice in such newspaper or newspapers circulating in the electoral district, as he thinks fit, of the day on which the second ballot is to be taken, and of the names of candidates at that ballot.

6.

Parliamentary Elections (Second Ballot).

6. (1) The candidate who at the second ballot receives the higher number of votes shall be declared to be elected. Election of candidate at second ballot.

(2) If at the second ballot the candidates receive an equal number of votes, the returning officer shall give his casting vote in favor of one of the candidates, and that candidate shall be declared to be elected accordingly.

7. For the purpose of the second ballot, the returning officer shall cause ballot-papers to be printed in accordance with the provisions of section forty-five of the Parliamentary Elections Act, 1906, save that those papers shall contain the names of those persons only who are candidates at the second ballot. Ballot-papers.

8. At the second ballot the polling-places appointed for the first ballot shall be used. Polling-places.

9. It shall not be lawful for any candidate at the second ballot to withdraw from the election. Candidate may not withdraw from second ballot.

10. Subject to this Act, all the provisions of the Principal Act and the Parliamentary Elections Act, 1906, with respect to a ballot or poll under those Acts shall apply, with the necessary modifications, to a ballot or poll under this Act. Application of Principal and the 1906 Acts.

11. When in any election a second ballot is required to be taken by virtue of this Act, the time for the return of the writ may, by proclamation of the Governor in the Gazette, be extended to any day within ten days after the close of the poll on the second ballot, anything to the contrary in the Principal Act or in the tenor of the writ notwithstanding. Return of writ.

12. Nothing in the above provisions shall affect the right of a person under Part VII of the Principal Act to present an electoral petition in respect of any first ballot, or the powers of the Committee of Elections and Qualifications in respect of any such petition; and the provisions of the said Part shall, with the necessary modifications, extend and apply to every second ballot as in the case of a first ballot. Electoral petition.

PART II.

Revision courts before general election.

13. A revision court consisting of any stipendiary or police magistrate shall, before every general election, be held in each district to revise the supplemental rolls for such district on a day and at a place to be proclaimed not sooner than twelve days nor later than eighteen days after the issue of the writs. Revision courts before general election.

14. The registrar and such deputy-registrars as there may be within each district shall as soon as practicable after the day of the issue of the writs exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, the said supplemental rolls for the polling-places of which they have charge. Exhibition of lists.

15.

*Parliamentary Elections (Second Ballot).***Objections.**

15. (1) Any person may, by writing in duplicate, object to any name on the supplemental roll on any of the following grounds:—

- (a) That the person named is not qualified to have his name on the roll.
- (b) That the person named does not reside or have his principal place of abode in the district.

(2) Every such objection must be lodged with the registrar or deputy-registrar, on whose roll the name objected to appears, within seven days before the holding of the revision court, and the duplicate copy of such objection shall forthwith be sent by such registrar or deputy-registrar to the person whose name has been objected to.

(3) Such registrar and deputy-registrar shall as early as possible, and at least three days before the sitting of the revision court, exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, a list of the names of all persons against whom objections have been so lodged.

Powers of revision court.

16. The revision court shall strike out or refuse to enrol the names of any person shown—

- (a) to be dead;
- (b) not to be qualified to have his name placed on the roll;
- (c) to be disqualified;
- (d) not to reside or to have his principal place of abode in the district;

and shall correct mistakes and supply omissions.

Hearing before court.

17. (1) The objector and the person whose name is objected to may appear before the revision court and be heard. If the objector or his agent does not appear the objection shall be deemed to be invalid.

(2) If any objection is not established the court may award to the person whose name is objected to a reasonable sum not exceeding five pounds for costs, and such person may recover the sum so awarded in any court of competent jurisdiction as a debt due to him by the objector: Provided that, where the objector is the registrar, deputy or assistant registrar, or any officer of police, this subsection shall not apply.

Documents to be forwarded to the court.

18. The registrar and deputy registrar shall forward to the revision court, prior to the day proclaimed for the holding of such court, all documents in their possession relating to the objections lodged as aforesaid against persons whose names appear on the supplemental rolls for the districts of which they have charge.

Amendment of Principal Act.

19. The Principal Act is amended as follows:—

- (a) Subsection one of section twenty-one of the Principal Act is amended by inserting after "continuous period of one year" the following words:—"or who has resided or had his principal place of abode within the Commonwealth of Australia for

Parliamentary Elections (Second Ballot).

a continuous period of one year, and has, during six months at least of such period, resided or had his principal place of abode in New South Wales."

(b) Section fifty-one, omit "thirty-fifth" and substitute "forty-fifth"

(c) Section fifty-six, omit "eighteenth" substitute "twenty-eighth"

20. The Parliamentary Elections Act, 1906, is amended in section thirteen by the omission of the words "proclaimed in that behalf." Amendment of s. 13 of 1906 Act.

21. If the boundaries of any electoral district become altered by virtue of any proclamation issued under the authority of the Seat of Government Acceptance Act, 1909, the provisions of the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906, and of this Act, shall apply as fully in respect of the reduced area as to the original electoral district before the alteration of such boundaries. Application of Electoral Acts where boundaries of districts are altered under Seat of Government Acceptance Act.

SCHEDULES.

SCHEDULE ONE.

| | | | |
|------------------|----------------------|-------------------|-------------------|
| Albury | Clyde, The | Hawkesbury, The | Richmond, The |
| Allowrie | Cobar | Lachlan, The | Rous |
| Armidale | Cootamundra | Liverpool Plains | Sherbrooke |
| Ashburnham | Corowa | Macquarie, The | Singleton |
| Bathurst | Darling, The | Monaro | Sturt |
| Bega | Deniliquin | Mudgee | Tamworth |
| Belubula | Durham | Murray, The | Tenterfield |
| Bingara | Gloucester | Murrumbidgee, The | Upper Hunter, The |
| Blayney | Gough | Namoi, The | Wollondilly |
| Burrangong | Goulburn | Northumberland | Wollongong |
| Camden | Gwydir, The | Orange | Wynyard |
| Castlereagh, The | Hartley | Queanbeyan | Yass |
| Clarence, The | Hastings and Macleay | Raleigh | |

Parliamentary Elections (Second Ballot).

SCHEDULE TWO.

Declaration of result of poll and notification of second ballot.

I, A.B., returning officer of the Electoral district of _____, do hereby
 declare the result of the poll taken on the _____ day of _____, 19____, for the
 election of a member of the Legislative Assembly for the said district to be as follows:—

Candidates.

Votes polled.

Total number of votes polled.....

Absolute majority required

Number of votes rejected as informal ...

And I further declare that, as no candidate has received an absolute majority of votes,
 a second ballot will be taken.

(Signed)

Returning Officer.

 By Authority : WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1910.

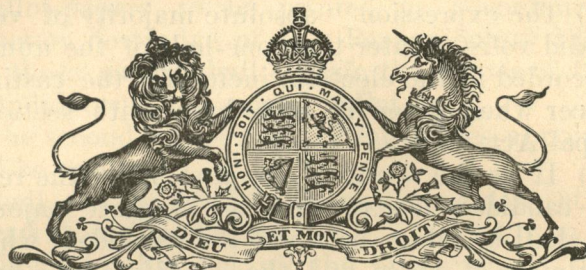
[6d]

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.

*Legislative Assembly Chamber,
Sydney, 19 August, 1910. }*

*RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.*

New South Wales.



ANNO PRIMO

GEORGII V REGIS.

Act No. 18, 1910.

An Act to amend the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906; and for other purposes. [Assented to, 31st August, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Second Ballot) Act, 1910."

This Act shall be construed with the Parliamentary Electorates and Elections Act, 1902 (hereinafter referred to as the Principal Act), and the Parliamentary Elections Act, 1906.

Second

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

*JOHN J. COHEN,
Chairman of Committees of the Legislative Assembly.*

*Parliamentary Elections (Second Ballot).**Second Ballot.*

Elected candidate
must receive an
absolute majority of
votes.

2. (1) Notwithstanding anything in the Principal Act, no candidate shall at any election be deemed to be elected for any electoral district as the result of the ballot taken at the poll under the Principal Act (hereinafter called the first ballot) unless he has received an absolute majority of votes.

(2) The expression "absolute majority of votes" means a number of valid votes greater than one-half of the number of all the valid votes recorded at the election, including the casting-vote of the returning officer when given in accordance with section ninety-eight of the Principal Act.

Second ballot.

3. (1) If as the result of the first ballot the returning officer finds that no candidate has received an absolute majority of votes, a second ballot shall be taken between the candidate who has received the highest number of votes and the candidate who has received the next highest number of votes.

(2) The second ballot shall in all cases, and notwithstanding any equality of votes, be taken between two candidates only.

(3) If no candidate has received an absolute majority of votes, but two or more candidates have received the same number of votes, and it is necessary for the purposes of a second ballot to determine the order of precedence of those candidates, the returning officer shall determine the order of their precedence by giving such casting vote or votes as may be necessary for this purpose to such of those candidates as he thinks fit, and the candidates at the second ballot shall be determined accordingly.

Date of second
ballot.

4. (1) Except in the electoral districts mentioned in Schedule One hereto, the second ballot shall be taken on the seventh day after the close of the poll on the first ballot.

(2) In the electoral districts mentioned in the said Schedule hereto, the second ballot shall be taken on a day to be fixed by proclamation of the Governor in the Gazette, not being less than fourteen nor more than twenty-one days after the close of the poll on the first ballot.

(3) The electoral districts referred to in the said Schedule are the electoral districts as notified by the Electoral Districts Commissioners.

Notification of
second ballot.

5. When the returning officer finds as the result of the first ballot that a second ballot is required in accordance with the foregoing provisions, he shall thereupon make a public declaration to that effect in the form contained in Schedule Two hereto, and shall as soon as practicable thereafter give public notice in such newspaper or newspapers circulating in the electoral district, as he thinks fit, of the day on which the second ballot is to be taken, and of the names of candidates at that ballot.

6.

Parliamentary Elections (Second Ballot).

6. (1) The candidate who at the second ballot receives the higher number of votes shall be declared to be elected. Election of candidate at second ballot.

(2) If at the second ballot the candidates receive an equal number of votes, the returning officer shall give his casting vote in favor of one of the candidates, and that candidate shall be declared to be elected accordingly.

7. For the purpose of the second ballot, the returning officer shall cause ballot-papers to be printed in accordance with the provisions of section forty-five of the Parliamentary Elections Act, 1906, save that those papers shall contain the names of those persons only who are candidates at the second ballot. Ballot-papers.

8. At the second ballot the polling-places appointed for the first ballot shall be used. Polling-places.

9. It shall not be lawful for any candidate at the second ballot to withdraw from the election. Candidate may not withdraw from second ballot.

10. Subject to this Act, all the provisions of the Principal Act and the Parliamentary Elections Act, 1906, with respect to a ballot or poll under those Acts shall apply, with the necessary modifications, to a ballot or poll under this Act. Application of Principal and the 1906 Acts.

11. When in any election a second ballot is required to be taken by virtue of this Act, the time for the return of the writ may, by proclamation of the Governor in the Gazette, be extended to any day within ten days after the close of the poll on the second ballot, anything to the contrary in the Principal Act or in the tenor of the writ notwithstanding. Return of writ.

12. Nothing in the above provisions shall affect the right of a person under Part VII of the Principal Act to present an electoral petition in respect of any first ballot, or the powers of the Committee of Elections and Qualifications in respect of any such petition; and the provisions of the said Part shall, with the necessary modifications, extend and apply to every second ballot as in the case of a first ballot. Electoral petition.

PART II.

Revision courts before general election.

13. A revision court consisting of any stipendiary or police magistrate shall, before every general election, be held in each district to revise the supplemental rolls for such district on a day and at a place to be proclaimed not sooner than twelve days nor later than eighteen days after the issue of the writs. Revision courts before general election.

14. The registrar and such deputy-registrars as there may be within each district shall as soon as practicable after the day of the issue of the writs exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, the said supplemental rolls for the polling-places of which they have charge. Exhibition of lists.

15.

*Parliamentary Elections (Second Ballot).***Objections.**

15. (1) Any person may, by writing in duplicate, object to any name on the supplemental roll on any of the following grounds:—

- (a) That the person named is not qualified to have his name on the roll.
- (b) That the person named does not reside or have his principal place of abode in the district.

(2) Every such objection must be lodged with the registrar or deputy-registrar, on whose roll the name objected to appears, within seven days before the holding of the revision court, and the duplicate copy of such objection shall forthwith be sent by such registrar or deputy-registrar to the person whose name has been objected to.

(3) Such registrar and deputy-registrar shall as early as possible, and at least three days before the sitting of the revision court, exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, a list of the names of all persons against whom objections have been so lodged.

Powers of revision court.

16. The revision court shall strike out or refuse to enrol the names of any person shown—

- (a) to be dead;
- (b) not to be qualified to have his name placed on the roll;
- (c) to be disqualified;
- (d) not to reside or to have his principal place of abode in the district;

and shall correct mistakes and supply omissions.

Hearing before court.

17. (1) The objector and the person whose name is objected to may appear before the revision court and be heard. If the objector or his agent does not appear the objection shall be deemed to be invalid.

(2) If any objection is not established the court may award to the person whose name is objected to a reasonable sum not exceeding five pounds for costs, and such person may recover the sum so awarded in any court of competent jurisdiction as a debt due to him by the objector: Provided that, where the objector is the registrar, deputy or assistant registrar, or any officer of police, this subsection shall not apply.

Documents to be forwarded to the court.

18. The registrar and deputy registrar shall forward to the revision court, prior to the day proclaimed for the holding of such court, all documents in their possession relating to the objections lodged as aforesaid against persons whose names appear on the supplemental rolls for the districts of which they have charge.

Amendment of Principal Act.

19. The Principal Act is amended as follows:—

- (a) Subsection one of section twenty-one of the Principal Act is amended by inserting after "continuous period of one year" the following words:—"or who has resided or had his principal place of abode within the Commonwealth of Australia for

Parliamentary Elections (Second Ballot).

a continuous period of one year, and has, during six months at least of such period, resided or had his principal place of abode in New South Wales."

(b) Section fifty-one, omit "thirty-fifth" and substitute "forty-fifth"

(c) Section fifty-six, omit "eighteenth" substitute "twenty-eighth"

20. The Parliamentary Elections Act, 1906, is amended in section thirteen by the omission of the words "proclaimed in that behalf." Amendment of s. 13 of 1906 Act.

21. If the boundaries of any electoral district become altered by virtue of any proclamation issued under the authority of the Seat of Government Acceptance Act, 1909, the provisions of the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906, and of this Act, shall apply as fully in respect of the reduced area as to the original electoral district before the alteration of such boundaries. Application of Electoral Acts where boundaries of districts are altered under Seat of Government Acceptance Act.

SCHEDULES.

SCHEDULE ONE.

| | | | |
|------------------|----------------------|-------------------|-------------------|
| Albury | Clyde, The | Hawkesbury, The | Richmond, The |
| Allowrie | Cobar | Lachlan, The | Rous |
| Armidale | Cootamundra | Liverpool Plains | Sherbrooke |
| Ashburnham | Corowa | Macquarie, The | Singleton |
| Bathurst | Darling, The | Monaro | Sturt |
| Bega | Deniliquin | Mudgee | Tamworth |
| Belubula | Durham | Murray, The | Tenterfield |
| Bingara | Gloucester | Murrumbidgee, The | Upper Hunter, The |
| Blayney | Gough | Namoi, The | Wollondilly |
| Burrangong | Goulburn | Northumberland | Wollongong |
| Camden | Gwydir, The | Orange | Wynyard |
| Castlereagh, The | Hartley | Queanbeyan | Yass |
| Clarence, The | Hastings and Macleay | Raleigh | |

SCHEDULE

Parliamentary Elections (Second Ballot).

SCHEDULE TWO.

Declaration of result of poll and notification of second ballot.

I, A.B., returning officer of the Electoral district of _____, do hereby
 declare the result of the poll taken on the _____ day of _____, 19____, for the
 election of a member of the Legislative Assembly for the said district to be as follows:—

Candidates.

Votes polled.

Total number of votes polled.....

Absolute majority required

Number of votes rejected as informal ...

And I further declare that, as no candidate has received an absolute majority of votes,
 a second ballot will be taken.

(Signed)

Returning Officer.

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

W. P. CULLEN,

By deputation from His Excellency the Governor.

*State Government House,
 Sydney, 31st August, 1910.*

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, 18 August, 1910. }*

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

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

*Legislative Council Chamber,
Sydney, 19th August, 1910. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



PARLIAMENTARY ELECTIONS (SECOND BALLOT) BILL.

SCHEDULE of the Amendment referred to in Message of 19th August, 1910.

Page 4, clause 19. After line 41 insert "new paragraph (a)"

c 91—

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5

PART I.

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Second Ballot) Act, 1910."

This Act shall be construed with the Parliamentary Electorates and Elections Act, 1902 (hereinafter referred to as the Principal Act), and the Parliamentary Elections Act, 1906.

76754

141—A

Second

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

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, 18 August, 1910.* }

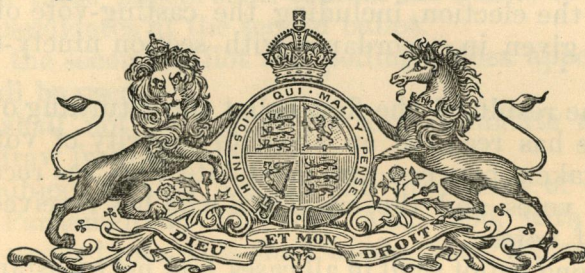
RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

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

*Legislative Council Chamber,
Sydney, 19th August, 1910.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO PRIMO

GEORGII V REGIS.

Act No. , 1910.

An Act to amend the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906 ; and for other purposes.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5

PART I.

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Second Ballot) Act, 1910."

This Act shall be construed with the Parliamentary Electorates and Elections Act, 1902 (hereinafter referred to as the Principal Act), and the Parliamentary Elections Act, 1906.

76754

141—A

Second

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

Parliamentary Elections (Second Ballot).

Second Ballot.

2. (1) Notwithstanding anything in the Principal Act, no candidate shall at any election be deemed to be elected for any electoral district as the result of the ballot taken at the poll under the Principal Act (hereinafter called the first ballot) unless he has received an absolute majority of votes.

(2) The expression "absolute majority of votes" means a number of valid votes greater than one-half of the number of all the valid votes recorded at the election, including the casting-vote of the returning officer when given in accordance with section ninety-eight of the Principal Act.

3. (1) If as the result of the first ballot the returning officer finds that no candidate has received an absolute majority of votes, a second ballot shall be taken between the candidate who has received the highest number of votes and the candidate who has received the next highest number of votes.

(2) The second ballot shall in all cases, and notwithstanding any equality of votes, be taken between two candidates only.

(3) If no candidate has received an absolute majority of votes, but two or more candidates have received the same number of votes, and it is necessary for the purposes of a second ballot to determine the order of precedence of those candidates, the returning officer shall determine the order of their precedence by giving such casting vote or votes as may be necessary for this purpose to such of those candidates as he thinks fit, and the candidates at the second ballot shall be determined accordingly.

4. (1) Except in the electoral districts mentioned in Schedule One hereto, the second ballot shall be taken on the seventh day after the close of the poll on the first ballot.

(2) In the electoral districts mentioned in the said Schedule hereto, the second ballot shall be taken on a day to be fixed by proclamation of the Governor in the Gazette, not being less than fourteen nor more than twenty-one days after the close of the poll on the first ballot.

(3) The electoral districts referred to in the said Schedule are the electoral districts as notified by the Electoral Districts Commissioners.

5. When the returning officer finds as the result of the first ballot that a second ballot is required in accordance with the foregoing provisions, he shall thereupon make a public declaration to that effect in the form contained in Schedule Two hereto, and shall as soon as practicable thereafter give public notice in such newspaper or newspapers circulating in the electoral district, as he thinks fit, of the day on which the second ballot is to be taken, and of the names of candidates at that ballot.

6.

Parliamentary Elections (Second Ballot).

6. (1) The candidate who at the second ballot receives the higher number of votes shall be declared to be elected. Election of candidate at second ballot.
- (2) If at the second ballot the candidates receive an equal number of votes, the returning officer shall give his casting vote in favor of one of the candidates, and that candidate shall be declared to be elected accordingly.
7. For the purpose of the second ballot, the returning officer shall cause ballot-papers to be printed in accordance with the provisions of section forty-five of the Parliamentary Elections Act, 1906, save that those papers shall contain the names of those persons only who are candidates at the second ballot. Ballot-papers.
8. At the second ballot the polling-places appointed for the first ballot shall be used. Polling-places.
9. It shall not be lawful for any candidate at the second ballot to withdraw from the election. Candidate may not withdraw from second ballot.
10. Subject to this Act, all the provisions of the Principal Act and the Parliamentary Elections Act, 1906, with respect to a ballot or poll under those Acts shall apply, with the necessary modifications, to a ballot or poll under this Act. Application of Principal and the 1906 Acts.
11. When in any election a second ballot is required to be taken by virtue of this Act, the time for the return of the writ may, by proclamation of the Governor in the Gazette, be extended to any day within ten days after the close of the poll on the second ballot, anything to the contrary in the Principal Act or in the tenor of the writ notwithstanding. Return of writ.
12. Nothing in the above provisions shall affect the right of a person under Part VII of the Principal Act to present an electoral petition in respect of any first ballot, or the powers of the Committee of Elections and Qualifications in respect of any such petition; and the provisions of the said Part shall, with the necessary modifications, extend and apply to every second ballot as in the case of a first ballot. Electoral petition.

PART II.

Revision courts before general election.

13. A revision court consisting of any stipendiary or police magistrate shall, before every general election, be held in each district to revise the supplemental rolls for such district on a day and at a place to be proclaimed not sooner than twelve days nor later than eighteen days after the issue of the writs. Revision courts before general election.
14. The registrar and such deputy-registrars as there may be within each district shall as soon as practicable after the day of the issue of the writs exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, the said supplemental rolls for the polling-places of which they have charge. Exhibition of lists.

Parliamentary Elections (Second Ballot).

15. (1) Any person may, by writing in duplicate, object to any name on the supplemental roll on any of the following grounds:—

- (a) That the person named is not qualified to have his name on the roll.
- 5 (b) That the person named does not reside or have his principal place of abode in the district.

(2) Every such objection must be lodged with the registrar or deputy-registrar, on whose roll the name objected to appears, within seven days before the holding of the revision court, and the duplicate copy of such objection shall forthwith be sent by such registrar or deputy-registrar to the person whose name has been objected to.

(3) Such registrar and deputy-registrar shall as early as possible, and at least three days before the sitting of the revision court, exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, a list of the names of all persons against whom objections have been so lodged.

16. The revision court shall strike out or refuse to enrol the names of any person shown—

- 20 (a) to be dead ;
- (b) not to be qualified to have his name placed on the roll ;
- (c) to be disqualified ;
- (d) not to reside or to have his principal place of abode in the district ;

25 and shall correct mistakes and supply omissions.

17. (1) The objector and the person whose name is objected to may appear before the revision court and be heard. If the objector or his agent does not appear the objection shall be deemed to be invalid.

(2) If any objection is not established the court may award to the person whose name is objected to a reasonable sum not exceeding five pounds for costs, and such person may recover the sum so awarded in any court of competent jurisdiction as a debt due to him by the objector : Provided that, where the objector is the registrar, deputy or assistant registrar, or any officer of police, this subsection shall not apply.

18. The registrar and deputy registrar shall forward to the revision court, prior to the day proclaimed for the holding of such court, all documents in their possession relating to the objections lodged as aforesaid against persons whose names appear on the supplemental rolls for the districts of which they have charge.

19. The Principal Act is amended as follows:—

- (a) Subsection one of section twenty-one of the Principal Act is amended by inserting after "continuous period of one year" the following words:—"or who has resided or had his principal place of abode within the Commonwealth of Australia for

Amendment of
Principal Act.

Parliamentary Elections (Second Ballot).

a continuous period of one year, and has, during six months at least of such period, resided or had his principal place of abode in New South Wales."

5 (a b) Section fifty-one, omit "thirty-fifth" and substitute "forty-fifth"

(b c) Section fifty-six, omit "eighteenth" substitute "twenty-eighth"

20. The Parliamentary Elections Act, 1906, is amended in section thirteen by the omission of the words "proclaimed in that
10 behalf."

21. If the boundaries of any electoral district become altered by virtue of any proclamation issued under the authority of the Seat of Government Acceptance Act, 1909, the provisions of the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906, and of this Act, shall apply as fully in respect of
15 the reduced area as to the original electoral district before the alteration of such boundaries.

Application of Electoral Acts where boundaries of districts are altered under Seat of Government Acceptance Act.

SCHEDULES.

SCHEDULE ONE.

| | | | |
|------------------|----------------------|-------------------|-------------------|
| 20 Albury | Clyde, The | Hawkesbury, The | Richmond, The |
| Allowrie | Cobar | Lachlan, The | Rous |
| Armidale | Cootamundra | Liverpool Plains | Sherbrooke |
| Ashburnham | Corowa | Macquarie, The | Singleton |
| Bathurst | Darling, The | Monaro | Sturt |
| 25 Bega | Deniliquin | Mudgee | Tamworth |
| Belubula | Durham | Murray, The | Tenterfield |
| Bingara | Gloucester | Murrumbidgee, The | Upper Hunter, The |
| Blayney | Gough | Namoi, The | Wollondilly |
| Burrangong | Goulburn | Northumberland | Wollongong |
| 30 Camden | Gwydir, The | Orange | Wynyard |
| Castlereagh, The | Hartley | Queanbeyan | Yass |
| Clarence, The | Hastings and Macleay | Raleigh | |

Parliamentary Elections (Second Ballot).

SCHEDULE TWO.

Declaration of result of poll and notification of second ballot.

I, A.B., returning officer of the Electoral district of _____, do hereby declare the result of the poll taken on the _____ day of _____, 19____, for the 5 election of a member of the Legislative Assembly for the said district to be as follows:—

Candidates.

Votes polled.

Total number of votes polled.....

Absolute majority required

Number of votes rejected as informal ...

10 And I further declare that, as no candidate has received an absolute majority of votes, a second ballot will be taken.

(Signed)

Returning Officer.

Sydney : William Applegate Gullick, Government Printer.—1910.

[6d.]

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, 18 August, 1910.* }

*RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.*

New South Wales.



ANNO PRIMO

GEORGII V REGIS.

Act No. , 1910.

An Act to amend the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906; and for other purposes.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5

PART I.

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Second Ballot) Act, 1910."

This Act shall be construed with the Parliamentary Electorates and Elections Act, 1902 (hereinafter referred to as the Principal Act), and the Parliamentary Elections Act, 1906.

76784

141—A

Second

Parliamentary Elections (Second Ballot).

Second Ballot.

2. (1) Notwithstanding anything in the Principal Act, no candidate shall at any election be deemed to be elected for any electoral district as the result of the ballot taken at the poll under the Principal Act (hereinafter called the first ballot) unless he has received an absolute majority of votes.

(2) The expression "absolute majority of votes" means a number of valid votes greater than one-half of the number of all the valid votes recorded at the election, including the casting-vote of the returning officer when given in accordance with section ninety-eight of the Principal Act.

3. (1) If as the result of the first ballot the returning officer finds that no candidate has received an absolute majority of votes, a second ballot shall be taken between the candidate who has received the highest number of votes and the candidate who has received the next highest number of votes.

(2) The second ballot shall in all cases, and notwithstanding any equality of votes, be taken between two candidates only.

(3) If no candidate has received an absolute majority of votes, but two or more candidates have received the same number of votes, and it is necessary for the purposes of a second ballot to determine the order of precedence of those candidates, the returning officer shall determine the order of their precedence by giving such casting vote or votes as may be necessary for this purpose to such of those candidates as he thinks fit, and the candidates at the second ballot shall be determined accordingly.

4. (1) Except in the electoral districts mentioned in Schedule One hereto, the second ballot shall be taken on the seventh day after the close of the poll on the first ballot.

(2) In the electoral districts mentioned in the said Schedule hereto, the second ballot shall be taken on a day to be fixed by proclamation of the Governor in the Gazette, not being less than fourteen nor more than twenty-one days after the close of the poll on the first ballot.

(3) The electoral districts referred to in the said Schedule are the electoral districts as notified by the Electoral Districts Commissioners.

5. When the returning officer finds as the result of the first ballot that a second ballot is required in accordance with the foregoing provisions, he shall thereupon make a public declaration to that effect in the form contained in Schedule Two hereto, and shall as soon as practicable thereafter give public notice in such newspaper or newspapers circulating in the electoral district, as he thinks fit, of the day on which the second ballot is to be taken, and of the names of candidates at that ballot.

Parliamentary Elections (Second Ballot).

6. (1) The candidate who at the second ballot receives the higher number of votes shall be declared to be elected. Election of candidate at second ballot.

(2) If at the second ballot the candidates receive an equal number of votes, the returning officer shall give his casting vote in favor of one of the candidates, and that candidate shall be declared to be elected accordingly.

7. For the purpose of the second ballot, the returning officer shall cause ballot-papers to be printed in accordance with the provisions of section forty-five of the Parliamentary Elections Act, 1906, save that those papers shall contain the names of those persons only who are candidates at the second ballot. Ballot-papers.

8. At the second ballot the polling-places appointed for the first ballot shall be used. Polling-places.

9. It shall not be lawful for any candidate at the second ballot to withdraw from the election. Candidate may not withdraw from second ballot.

10. Subject to this Act, all the provisions of the Principal Act and the Parliamentary Elections Act, 1906, with respect to a ballot or poll under those Acts shall apply, with the necessary modifications, to a ballot or poll under this Act. Application of Principal and the 1906 Acts.

11. When in any election a second ballot is required to be taken by virtue of this Act, the time for the return of the writ may, by proclamation of the Governor in the Gazette, be extended to any day within ten days after the close of the poll on the second ballot, anything to the contrary in the Principal Act or in the tenor of the writ notwithstanding. Return of writ.

12. Nothing in the above provisions shall affect the right of a person under Part VII of the Principal Act to present an electoral petition in respect of any first ballot, or the powers of the Committee of Elections and Qualifications in respect of any such petition; and the provisions of the said Part shall, with the necessary modifications, extend and apply to every second ballot as in the case of a first ballot. Electoral petition.

PART II.

Revision courts before general election.

13. A revision court consisting of any stipendiary or police magistrate shall, before every general election, be held in each district to revise the supplemental rolls for such district on a day and at a place to be proclaimed not sooner than twelve days nor later than eighteen days after the issue of the writs. Revision courts before general election.

14. The registrar and such deputy-registrars as there may be within each district shall as soon as practicable after the day of the issue of the writs exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, the said supplemental rolls for the polling-places of which they have charge. Exhibition of lists.

15.

Parliamentary Elections (Second Ballot).

15. (1) Any person may, by writing in duplicate, object to any name on the supplemental roll on any of the following grounds:—

Objections.

(a) That the person named is not qualified to have his name on the roll.

5 (b) That the person named does not reside or have his principal place of abode in the district.

(2) Every such objection must be lodged with the registrar or deputy-registrar, on whose roll the name objected to appears, within seven days before the holding of the revision court, and the duplicate copy of such objection shall forthwith be sent by such registrar or deputy-registrar to the person whose name has been objected to.

(3) Such registrar and deputy-registrar shall as early as possible, and at least three days before the sitting of the revision court, exhibit at their respective offices, and at such other places within the district as the chief electoral officer directs, a list of the names of all persons against whom objections have been so lodged.

16. The revision court shall strike out or refuse to enrol the names of any person shown—

Powers of revision court.

20 (a) to be dead;

(b) not to be qualified to have his name placed on the roll;

(c) to be disqualified;

(d) not to reside or to have his principal place of abode in the district;

25 and shall correct mistakes and supply omissions.

17. (1) The objector and the person whose name is objected to may appear before the revision court and be heard. If the objector or his agent does not appear the objection shall be deemed to be invalid.

Hearing before court.

(2) If any objection is not established the court may award to the person whose name is objected to a reasonable sum not exceeding five pounds for costs, and such person may recover the sum so awarded in any court of competent jurisdiction as a debt due to him by the objector: Provided that, where the objector is the registrar, deputy or assistant registrar, or any officer of police, this subsection shall not apply.

18. The registrar and deputy registrar shall forward to the revision court, prior to the day proclaimed for the holding of such court, all documents in their possession relating to the objections lodged as aforesaid against persons whose names appear on the supplemental rolls for the districts of which they have charge.

Documents to be forwarded to the court.

19. The Principal Act is amended as follows:—

Amendment of Principal Act.

(a) Section fifty-one omit "thirty-fifth" and substitute "forty-fifth"

45 (b) Section fifty-six omit "eighteenth" substitute "twenty-eighth"

20. The Parliamentary Elections Act, 1906, is amended in section thirteen by the omission of the words "proclaimed in that behalf."

Amendment of s. 13 of 1906 Act.

21.

Parliamentary Elections (Second Ballot).

21. If the boundaries of any electoral district become altered by virtue of any proclamation issued under the authority of the Seat of Government Acceptance Act, 1909, the provisions of the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906, and of this Act, shall apply as fully in respect of the reduced area as to the original electoral district before the alteration of such boundaries.

Application of Electoral Acts where boundaries of districts are altered under Seat of Government Acceptance Act.

SCHEDULES.

SCHEDULE ONE.

| | | | |
|------------------|----------------------|-------------------|-------------------|
| 10 Albury | Clyde, The | Hawkesbury, The | Richmond, The |
| Allowrie | Cobar | Lachlan, The | Rous |
| Armidale | Cootamundra | Liverpool Plains | Sherbrooke |
| Ashburnham | Corowa | Macquarie, The | Singleton |
| Bathurst | Darling, The | Monaro | Sturt |
| 15 Bega | Deniliquin | Mudgee | Tamworth |
| Belubula | Durham | Murray, The | Tenterfield |
| Bingara | Gloucester | Murrumbidgee, The | Upper Hunter, The |
| Blayney | Gough | Namoi, The | Wollondilly |
| Burrangong | Goulburn | Northumberland | Wollongong |
| 20 Camden | Gwydir, The | Orange | Wynyard |
| Castlereagh, The | Hartley | Queanbeyan | Yass |
| Clarence, The | Hastings and Macleay | Raleigh | |

SCHEDULE TWO.

Declaration of result of poll and notification of second ballot.

I, A.B., returning officer of the Electoral district of , do hereby declare the result of the poll taken on the day of , 19 , for the election of a member of the Legislative Assembly for the said district to be as follows:—

Candidates.

Votes polled.

Total number of votes polled.....

30 Absolute majority required

Number of votes rejected as informal ...

And I further declare that, as no candidate has received an absolute majority of votes, a second ballot will be taken.

(Signed)

35

Returning Officer

Sydney: William Applegate Gullick, Government Printer.—1910.

[6d.]

No. , 1910.

A BILL

To amend the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906; and for other purposes.

[MR. WOOD;—15 August, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5

PART I.

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Second Ballot) Act, 1910."

This Act shall be construed with the Parliamentary Electorates and Elections Act, 1902 (hereinafter referred to as the Principal Act), and the Parliamentary Elections Act, 1906.

Second Ballot.

Elected candidate
must receive an
absolute majority of
votes.

2. (1) Notwithstanding anything in the Principal Act, no candidate shall at any election be deemed to be elected for any electoral district as the result of the ballot taken at the poll under the Principal Act (hereinafter called the first ballot) unless he has received 5
an absolute majority of votes.

(2) The expression "absolute majority of votes" means a number of valid votes greater than one-half of the number of all the valid votes recorded at the election, including the casting-vote of the returning officer when given in accordance with section ninety-eight 10
of the Principal Act.

Second ballot.

3. (1) If as the result of the first ballot the Returning Officer finds that no candidate has received an absolute majority of votes, a second ballot shall be taken between the candidate who has received the highest number of votes and the candidate who has received the 15
next highest number of votes.

(2) The second ballot shall in all cases, and notwithstanding any equality of votes, be taken between two candidates only.

(3) If no candidate has received an absolute majority of votes, but two or more candidates have received the same number of 20
votes, and it is necessary for the purposes of a second ballot to determine the order of precedence of those candidates, the returning officer shall determine the order of their precedence by giving such casting vote or votes as may be necessary for this purpose to such of those candidates as he thinks fit, and the candidates at the second 25
ballot shall be determined accordingly.

Date of second
ballot.

4. (1) Except in the electoral districts mentioned in Schedule One hereto, the second ballot shall be taken on the seventh day after the close of the poll on the first ballot.

(2) In the electoral districts mentioned in the said Schedule 30
hereto, the second ballot shall be taken on the fourteenth day after the close of the poll on the first ballot.

(3) The electoral districts referred to in the said Schedule are the electoral districts as notified by the Electoral Districts Commissioners. 35

Notification of
second ballot.

5. When the returning officer finds as the result of the first ballot that a second ballot is required in accordance with the foregoing provisions, he shall thereupon make a public declaration to that effect in the form contained in Schedule Two hereto, and shall as soon as practicable thereafter give public notice in such newspaper or 40
newspapers circulating in the electoral district, as he thinks fit, of the day on which the second ballot is to be taken, and of the names of candidates at that ballot.

6. (1) The candidate who at the second ballot receives the higher number of votes shall be declared to be elected. Election of candidate at second ballot.

(2) If at the second ballot the candidates receive an equal number of votes, the returning officer shall give his casting vote in favor of one of the candidates, and that candidate shall be declared to be elected accordingly.

7. For the purpose of the second ballot, the returning officer shall cause ballot-papers to be printed in accordance with the provisions of section forty-five of the Parliamentary Elections Act, 1906, save that those papers shall contain the names of those persons only who are candidates at the second ballot. Ballot-papers.

8. At the second ballot the polling-places appointed for the first ballot shall be used. Polling-places.

9. It shall not be lawful for any candidate at the second ballot to withdraw from the election. Candidate may not withdraw from second ballot.

10. Subject to this Act, all the provisions of the Principal Act and the Parliamentary Elections Act, 1906, with respect to a ballot or poll under those Acts shall apply, with the necessary modifications, to a ballot or poll under this Act. Application of Principal and the 1906 Acts.

11. When in any election a second ballot is required to be taken by virtue of this Act, the writ for that election shall be deemed to be returnable within ten days after the close of the poll on the second ballot, anything to the contrary in the Principal Act or in the tenor of the writ notwithstanding. Return of writ.

12. Nothing in the above provisions shall affect the right of a person under Part VII of the Principal Act to present an electoral petition in respect of any first ballot, or the powers of the Committee of Elections and Qualifications in respect of any such petition; and the provisions of the said Part shall, with the necessary modifications, extend and apply to every second ballot as in the case of a first ballot. Electoral petition.

PART II.

Revision courts before general election.

13. A revision court consisting of any stipendiary or police magistrate shall, before every general election, be held in each district to revise the supplemental rolls for such district on a day and at a place to be proclaimed not sooner than twelve days nor later than twenty-one days after the issue of the writs. Revision courts before general election.

14. The registrar and such deputy-registrars as there may be within each district shall as soon as practicable after the day of the issue of the writs exhibit at their respective offices the said supplemental rolls for the polling-places of which they have charge. Exhibition of lists.

15.

Objections.

15. (1) Any person may, by writing in duplicate, object to any name on the supplemental roll on any of the following grounds:—

- (a) That the person named is not qualified to have his name on the roll.
- (b) That the person named does not reside or have his principal place of abode in the district. 5

(2) Every such objection must be lodged with the registrar or deputy-registrar, on whose roll the name objected to appears, within seven days before the holding of the revision court, and the duplicate copy of such objection shall forthwith be sent by 10 such registrar or deputy-registrar to the person whose name has been objected to.

(3) Such registrar and deputy-registrar shall, at least three days before the sitting of the revision court, exhibit at their respective offices a list of the names of all persons against whom objections have 15 been so lodged.

Powers of revision court.

16. The revision court shall strike out or refuse to enrol the names of any person shown—

- (a) to be dead;
- (b) not to be qualified to have his name placed on the roll; 20
- (c) to be disqualified;
- (d) not to reside or to have his principal place of abode in the district;

and shall correct mistakes and supply omissions.

Hearing before court.

17. (1) The objector and the person whose name is objected to 25 may appear before the revision court and be heard. If the objector or his agent does not appear the objection shall be deemed to be invalid.

(2) If any objection is not established the court may award to the person whose name is objected to a reasonable sum not exceeding five pounds for costs, and such person may recover the sum 30 so awarded in any court of competent jurisdiction as a debt due to him by the objector: Provided that, where the objector is the registrar, deputy or assistant registrar, or any officer of police, this subsection shall not apply.

Documents to be forwarded to the court.

18. The registrar and deputy registrar shall forward to the 35 revision court, prior to the day proclaimed for the holding of such court, all documents in their possession relating to the objections lodged as aforesaid against persons whose names appear on the supplemental rolls for the districts of which they have charge.

Amendment of Principal Act.

19. The Principal Act is amended as follows:— 40

- (a) Section fifty-one omit “thirty-fifth” and substitute “forty-fifth”
- (b) Section fifty-six omit “eighteenth” substitute “twenty-eighth”

Amendment of s. 13 of 1906 Act.

20. The Parliamentary Elections Act, 1906, is amended in 45 section thirteen by the omission of the words “proclaimed in that behalf.” **21.**

21. If the boundaries of any electoral district become altered by virtue of any proclamation issued under the authority of the Seat of Government Acceptance Act, 1909, the provisions of the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections Act, 1906, and of this Act, shall apply as fully in respect of the reduced area as to the original electoral district before the alteration of such boundaries.

Application of Electoral Acts where boundaries of districts are altered under Seat of Government Acceptance Act.

SCHEDULES.

SCHEDULE ONE.

| | | | |
|------------------|----------------------|-------------------|-------------------|
| 10 Albury | Clyde, The | Hawkesbury, The | Richmond, The |
| Allowrie | Cobar | Lachlan, The | Rous |
| Armidale | Cootamundra | Liverpool Plains | Sherbrooke |
| Ashburnham | Corowa | Macquarie, The | Singleton |
| Bathurst | Darling, The | Monaro | Sturt |
| 15 Bega | Deniliquin | Mudgee | Tamworth |
| Belubula | Durham | Murray, The | Tenterfield |
| Bingara | Gloucester | Murrumbidgee, The | Upper Hunter, The |
| Blayney | Gough | Namoi, The | Wollondilly |
| Burrangong | Goulburn | Northumberland | Wollongong |
| 20 Camden | Gwydir, The | Orange | Wynyard |
| Castlereagh, The | Hartley | Queanbeyan | Yass |
| Clarence, The | Hastings and Macleay | Raleigh | |

SCHEDULE TWO.

Declaration of result of poll and notification of second ballot.

25 I, A.B., returning officer of the Electoral district of _____, do hereby declare the result of the poll taken on the _____ day of _____, 19____, for the election of a member of the Legislative Assembly for the said district to be as follows:—

Candidates.

Votes polled.

Total number of votes polled.....

30 Absolute majority required

Number of votes rejected as informal ...

And I further declare that, as no candidate has received an absolute majority of votes, a second ballot will be taken on the _____ day of _____, 19____.

Dated this _____ day of _____, 19____.

35 (Signed) _____

Returning Officer.

Sydney: William Applegate Gullick, Government Printer.—1910.

[6d.]

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