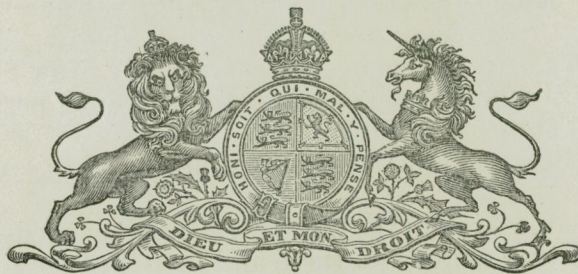


New South Wales.



ANNO SECUNDO

GEORGI V REGIS.

Act No. 9, 1911.

An Act to amend the Parliamentary Electorates and Elections Act, 1902; the Parliamentary Elections Act, 1906; and the Parliamentary Elections (Second Ballot) Act, 1910; and for other purposes. [Assented to, 3rd October, 1911.]

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:—

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Amendment) Act, 1911."

2. This Act shall be construed with the Parliamentary ^{Incorporation with} Electorates and Elections Act, 1902, the Parliamentary Elections Act, ^{other Acts.} 1906, and the Parliamentary Elections (Second Ballot) Act, 1910.

Such Acts are hereinafter referred to respectively as the Principal Act, the Act of 1906, and the Act of 1910.

Qualifications

Parliamentary Elections (Amendment).

Qualifications of voters.

Amendment of s. 21
of Principal Act.

3. (1) Section twenty-one of the Principal Act is amended as follows :—

- (a) in subsection one after the expression "natural born subject," and after the expression "naturalised subject," insert the words "who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and"
- (b) In the same subsection omit "one year" wherever occurring, insert "three months"; omit "three months" insert "one month." In the same subsection after "New South Wales" where secondly occurring insert "both such periods being"
- (c) Repeal subsection three.

Amendment of s. 19
of the Act of 1910.

repealed.

(2) Paragraph (a) of section nineteen of the Act of 1910 is

Amendment of
Schedule Five of the
Act of 1906.

4. Schedule Five to the Act of 1906 is amended—

- (a) by omitting paragraph three and inserting the following :—
 - 3. I have resided or had my principal place of abode immediately prior to the date of this claim—
 - for six months in the Commonwealth of Australia; and
 - for three months in New South Wales; and
 - for one month in the electoral district of
 In the case of a naturalised subject add "any such residence was after my naturalisation";
- (b) and by adding after the words "usual signature"—
 - "Note.—The claimant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment";
- (c) by omitting the words "polling-place in";
- (d) by omitting the words "and that I am satisfied that the statements therein contained are true";
- (e) by inserting after "claimant" the words "occupation and address";
- (f) by omitting the note inserted after the signature of the witness.

Lists and rolls.

Amendment of s. 9
of the Act of 1906.

5. (1) Subsection one of section nine of the Act of 1906 is amended by omitting "as soon as practicable after the commencement of this Act," and inserting the words "every year."

Repeal of s. 24.

(2) Section twenty-four of the same Act is repealed, and the following is substituted for it :—

New rolls.

24. New rolls for all districts shall each year be prepared in pursuance of this Part, and when so prepared shall be printed by the Government Printer.

Parliamentary Elections (Amendment).

6. The following new sections are inserted next after section ten of the Act of 1906 :—

10A. For the purpose of preparing any list for a district a member of the police force may leave with the occupier of any dwelling-house a schedule in the prescribed form. Occupier to fill in schedule of persons in dwelling-house.

Any such occupier with whom any such schedule is left shall, to the best of his knowledge and belief, fill in the said schedule with the names and the prescribed particulars of all persons of or above the age of twenty-one years who are living in such dwelling-house, and shall sign his name thereto and deliver such schedule so filled in to the member of the police force who is preparing the list.

If any such occupier fails, without reasonable cause, to so fill in such schedule, as above directed, or to sign such schedule and deliver the same to the member of the police force when demanded, or if he wilfully makes any false entry in such schedule, he shall be liable to a penalty not exceeding twenty pounds.

Where a dwelling-house is let, sublet, or held in different apartments, and occupied by different persons or families, each part so let, sublet, or held, and used for the purpose of human habitation shall be deemed a dwelling-house.

For the purpose of preparing such list, any member of the police force may require the owner or manager or person apparently in charge of any station, farm, or other property, to give him information to the best of his knowledge and belief as to the names of all persons of or above the age of twenty-one years who are employed by the owner of the station, farm, or property, together with the names of any contractor upon the said station, farm, or property who has men in his employment.

If such owner, manager, or person on being so required as aforesaid, refuses or fails without reasonable cause to give such information, or wilfully gives any information which is false or incomplete in any material particular, he shall be liable to a penalty not exceeding twenty pounds.

In this section "dwelling-house" includes any building, tent, or tenement of which the whole or any part is used for the purpose of human habitation, and also any ship or other vessel in any port or harbour used as a dwelling.

10B. Any member of the police force taking down names for the purpose of preparing a list or a part of a list for a district, and any registrar taking down names for the purpose of preparing any such list shall be supplied with a book containing the prescribed form of acknowledgment with a butt attached thereto, and shall, on taking down the name of any person, deliver to such person such acknowledgment duly filled in, and shall enter a note thereof on the corresponding butt: Forms of acknowledgment to be given to persons placed on lists.

Provided

Parliamentary Elections (Amendment).

Provided that, where a schedule has been filled in as provided in the last preceding section, the acknowledgments relating to the persons mentioned in such schedule shall be forwarded by the police to the said persons.

Penalty for false statement in claim or application to transfer.

7. If any person, making any claim or application to transfer under the Act of 1906, makes therein any statement which is wilfully untrue in any material particular he shall be liable to six months' imprisonment.

Section thirty-four of the Act of 1906 is repealed.

Registrar to notify result of claim, &c.

8. The registrar or deputy registrar receiving a claim or application to transfer shall, as soon as practicable, notify by post to the claimant or applicant if his name has been added to the roll, or if his claim or application has been refused.

Amendment of Schedule Six of the Act of 1906.

9. Schedule Six to the Act of 1906 is amended—

(a) by adding after “(Signature)” the words—

“Note.—The applicant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment;”

(b) by omitting the words “polling place in”;

(c) by omitting the words “and that I am satisfied that the statements therein contained are true”;

(d) by adding “occupation and address” of witness after the signature of the witness;

(e) by omitting the note inserted after the signature of the witness.

Polling.

Polling-day a public holiday.

10. The day appointed for polling-day shall be a public holiday, as from twelve o'clock, noon, of such day.

Amendment of s. 76 of Principal Act.

11. Section seventy-six of the Principal Act is amended by substituting “seven” for “six.”

Permission to be granted to employees to go to polling-booth.

12. Every employer shall at the request of any elector employed by him allow such elector to go, at a reasonable time, to a polling-booth and record his vote at any election.

If any person contravenes the above provision he shall be liable to a penalty not exceeding fifty pounds:

Provided that the above provision shall not apply where the elector has a half-holiday on the day of the election.

Penalties.

Amendment of s. 90 of the Principal Act.

13. Section ninety of the Principal Act is amended by omitting the words “a fine not exceeding one hundred pounds, or”

Amendment of s. 144 of Principal Act.

14. Section one hundred and forty-four of the Principal Act is amended by inserting after “officer or person” the words “or any member of the police force”

Absent

Parliamentary Elections (Amendment).

Absent voters.

15. (1) An elector who on polling-day is absent from the electoral district for which he is enrolled may, subject to the following provisions, vote at any polling-place in any other electorate:—

Voting outside district.

- (a) The elector must state his name, and place of residence in the electoral district for which he is qualified to vote, together with his occupation therein.
- (b) The returning officer or deputy may, if he thinks fit, and at the request of any scrutineer shall put to the elector any of the questions prescribed by section fifty-one of the Act of 1906 which are applicable to the case.
- (c) If the elector answers the questions satisfactorily, or if no questions are put to him, he may be allowed to vote as an absent voter upon making a declaration in the form of Schedule One hereto.
- (d) The form of declaration may be printed or written on an envelope addressed to the returning officer for the district for which the elector is enrolled, and must, after being filled in, be signed by the elector in his own handwriting in the presence of the returning officer or deputy, and completed and attested by him.
- (e) After the declaration has been made, the returning officer or deputy shall hand to the elector a ballot-paper. The form of the ballot-paper may be prescribed. Each ballot-paper shall be signed on the back by the returning officer or deputy.
- (f) The names of the candidates shall be placed on absent voters' ballot-papers in the same manner as on ordinary ballot-papers, except that the names may be either printed or written.
- (g) The elector, after receiving the ballot-paper, shall without delay retire alone into an unoccupied compartment of the polling booth, and there in private mark his vote on the ballot-paper, and shall then fold and fasten the ballot-paper so that the vote cannot be seen without unfastening it, and at once return the ballot-paper so fastened to the returning officer or deputy before whom he made the declaration, and shall again state his name if so required by the returning officer or deputy.
- (h) The returning officer or deputy shall then, in the presence of the elector, forthwith enclose the ballot-paper in the envelope bearing the declaration of the elector and securely fasten the envelope.

Parliamentary Elections (Amendment).

(2) If the returning officer or deputy is unable to supply the elector with a printed or written ballot-paper, he shall, after the declaration has been made by the elector in pursuance of paragraph (d) of the last preceding subsection, supply the elector with a blank paper in the form of Schedule Two signed by him on the back.

The elector, on receiving such paper shall thereupon without delay retire alone into an unoccupied compartment of the polling-booth, and there in private write on the said paper the name of the candidate for whom he votes, and fold and fasten such paper as above prescribed in respect of a ballot-paper.

The said paper shall thereafter be dealt with as a ballot-paper, and the paper, if otherwise in order, shall be treated as a vote in favour of the candidate whose name is written thereon.

(3) If any person makes any such declaration knowing that the same is untrue in any material particular he shall be liable to imprisonment for a term not exceeding three months.

16. Every absent voter's ballot-paper containing a vote shall be promptly forwarded to the returning officer for the district for which the voter declares that he is enrolled.

Immediately after the close of the poll, the returning officer or deputy shall, by telegraph or other expeditious means, send to each returning officer to whom he has forwarded envelopes containing absent voters' ballot-papers, advice of the number of envelopes so forwarded.

17. The returning officer for the district for which the voter declares that he is enrolled, shall in the presence of the scrutineers examine the declaration on the envelope containing the absent voter's ballot-paper, and if it appears to him that a person of the same name and description as the person whose name is signed to the declaration is enrolled for the district, and that the declaration is duly attested, he shall accept the ballot-paper for further scrutiny, but otherwise he shall reject the ballot-paper without opening the envelope. If he accepts the ballot-paper for further scrutiny, he shall open the envelope without destroying the declaration and extract the ballot-paper, and without unfolding it, place the ballot-paper in the ballot-box.

18. (1) When the absent voters' ballot-papers have been dealt with as above directed, the returning officer shall open and proceed with the scrutiny of the absent voters' ballot-papers which have been accepted for further scrutiny.

(2) At the scrutiny the returning officer shall open the absent voters' ballot-papers, and shall allow and count those which are formal, and shall disallow and reject those which are informal.

(3)

Forwarding of
absent voters'
ballot-papers.

Returning officer
satisfied to accept
ballot-paper for
further scrutiny.

urther scrutiny.

Parliamentary Elections (Amendment).

(3) An absent voter's ballot-paper shall be deemed informal in the following cases :—

- (a) If it is not duly signed by the presiding officer ; or
- (b) If it has no cross in the square opposite the name of a candidate, or has crosses in squares opposite the names of more than one candidate ; or
- (c) If it has upon it any mark or writing not authorised by the Parliamentary Electoral Acts which, in the opinion of the returning officer, will enable any person to identify the voter.

19. The decision of the returning officer, as to the allowance or disallowance of any absent voter's ballot-paper under this Act, shall be final, subject only to review by the Elections and Qualifications Committee. Decision of returning officer re validity of ballot-paper.

20. The proviso of section fifty-eight of the Act of 1906 is repealed, and the following is substituted for it :— Repeal of proviso of s. 58 of the Act of 1906.

“ Provided that the returning officer may, for the purpose of ascertaining whether plural voting or personation has been practised, retain in his possession for a reasonable time, and after notice to the candidates and intimation that a scrutineer of each candidate shall be entitled to be present, break the seal of parcels containing copies of rolls, books, and other papers sealed up and transmitted to him in pursuance of that Act, and shall, after such investigation, reseal the same, and forward them as hereinbefore in this section prescribed, and shall report to the Minister the result of such investigation.”

21. A returning officer shall seal up in separate parcels— Certain duties of returning officer.

- (a) all envelopes from which absent voters' ballot-papers have been taken ;
- (b) all unopened envelopes containing absent voters' ballot-papers ;
- (c) all absent voters' ballot-papers allowed as formal ; and
- (d) all absent voters' ballot-papers rejected as informal ;

and shall deal with the parcels and their contents as in the case of other ballot-papers used at the election.

Parliamentary Elections (Amendment).

SCHEDULES.

SCHEDULE ONE.

ABSENT VOTER'S FORM OF DECLARATION.

I declare that I am the person enrolled as—

Surname.	Christian Names at full length.	Place of Living.	Occupation.

on the electoral roll for the Electoral District of _____,
and that I have not voted at either this or any other polling-place at the Parliamentary
election being held this day, and I declare that if I am permitted to vote at this
polling-place I will not vote elsewhere at this election.

(Signature of Elector)

Declared before me this _____ day of _____, 19____,
at _____ polling-place.

Returning (or Deputy Returning) Officer—

SCHEDULE TWO.

ABSENT VOTER'S BALLOT-PAPER.

NEW SOUTH WALES.

Electoral district of [*here insert name of district*]

Election of member of the Legislative Assembly.

[*Insert name of candidate for whom the elector votes.*]

By Authority : WILLIAM APPELEGATE GULLICK, Government Printer, Sydney, 1911.

New South Wales.



ANNO SECUNDO

GEORGII V REGIS.

Act No. 9, 1911.

An Act to amend the Parliamentary Electorates and Elections Act, 1902; the Parliamentary Elections Act, 1906; and the Parliamentary Elections (Second Ballot) Act, 1910; and for other purposes. [Assented to, 3rd October, 1911.]

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:—

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Amendment) Act, 1911."

2. This Act shall be construed with the Parliamentary Electorates and Elections Act, 1902, the Parliamentary Elections Act, 1906, and the Parliamentary Elections (Second Ballot) Act, 1910. Incorporation with other Acts.

Such Acts are hereinafter referred to respectively as the Principal Act, the Act of 1906, and the Act of 1910.

Qualifications

Parliamentary Elections (Amendment).

*Qualifications of voters.*Amendment of s. 21
of Principal Act.**3.** (1) Section twenty-one of the Principal Act is amended as follows:—

- (a) in subsection one after the expression "natural born subject," and after the expression "naturalised subject," insert the words "who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and"
- (b) In the same subsection omit "one year" wherever occurring, insert "three months"; omit "three months" insert "one month." In the same subsection after "New South Wales" where secondly occurring insert "both such periods being"
- (c) Repeal subsection three.

Amendment of s. 19
of the Act of 1910.

(2) Paragraph (a) of section nineteen of the Act of 1910 is repealed.

Amendment of
Schedule Five of the
Act of 1906.**4.** Schedule Five to the Act of 1906 is amended—

- (a) by omitting paragraph three and inserting the following:—
 - 3. I have resided or had my principal place of abode immediately prior to the date of this claim—
 - for six months in the Commonwealth of Australia; and
 - for three months in New South Wales; and
 - for one month in the electoral district of
 In the case of a naturalised subject add "any such residence was after my naturalisation";
- (b) and by adding after the words "usual signature"—
 - "Note.—The claimant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment";
- (c) by omitting the words "polling-place in";
- (d) by omitting the words "and that I am satisfied that the statements therein contained are true";
- (e) by inserting after "claimant" the words "occupation and address";
- (f) by omitting the note inserted after the signature of the witness.

*Lists and rolls.*Amendment of s. 9
of the Act of 1906.**5.** (1) Subsection one of section nine of the Act of 1906 is amended by omitting "as soon as practicable after the commencement of this Act," and inserting the words "every year."

Repeal of s. 24.

(2) Section twenty-four of the same Act is repealed, and the following is substituted for it:—

New rolls.

24. New rolls for all districts shall each year be prepared in pursuance of this Part, and when so prepared shall be printed by the Government Printer.

Parliamentary Elections (Amendment).

6. The following new sections are inserted next after section ten of the Act of 1906 :—

10A. For the purpose of preparing any list for a district a member of the police force may leave with the occupier of any dwelling-house a schedule in the prescribed form. Occupier to fill in schedule of persons in dwelling-house.

Any such occupier with whom any such schedule is left shall, to the best of his knowledge and belief, fill in the said schedule with the names and the prescribed particulars of all persons of or above the age of twenty-one years who are living in such dwelling-house, and shall sign his name thereto and deliver such schedule so filled in to the member of the police force who is preparing the list.

If any such occupier fails, without reasonable cause, to so fill in such schedule, as above directed, or to sign such schedule and deliver the same to the member of the police force when demanded, or if he wilfully makes any false entry in such schedule, he shall be liable to a penalty not exceeding twenty pounds.

Where a dwelling-house is let, sublet, or held in different apartments, and occupied by different persons or families, each part so let, sublet, or held, and used for the purpose of human habitation shall be deemed a dwelling-house.

For the purpose of preparing such list, any member of the police force may require the owner or manager or person apparently in charge of any station, farm, or other property, to give him information to the best of his knowledge and belief as to the names of all persons of or above the age of twenty-one years who are employed by the owner of the station, farm, or property, together with the names of any contractor upon the said station, farm, or property who has men in his employment.

If such owner, manager, or person on being so required as aforesaid, refuses or fails without reasonable cause to give such information, or wilfully gives any information which is false or incomplete in any material particular, he shall be liable to a penalty not exceeding twenty pounds.

In this section "dwelling-house" includes any building, tent, or tenement of which the whole or any part is used for the purpose of human habitation, and also any ship or other vessel in any port or harbour used as a dwelling.

10B. Any member of the police force taking down names for the purpose of preparing a list or a part of a list for a district, and any registrar taking down names for the purpose of preparing any such list shall be supplied with a book containing the prescribed form of acknowledgment with a butt attached thereto, and shall, on taking down the name of any person, deliver to such person such acknowledgment duly filled in, and shall enter a note thereof on the corresponding butt: Forms of acknowledgment to be given to persons placed on lists. Provided

Parliamentary Elections (Amendment).

Provided that, where a schedule has been filled in as provided in the last preceding section, the acknowledgments relating to the persons mentioned in such schedule shall be forwarded by the police to the said persons.

Penalty for false statement in claim or application to transfer.

7. If any person, making any claim or application to transfer under the Act of 1906, makes therein any statement which is wilfully untrue in any material particular he shall be liable to six months' imprisonment.

Section thirty-four of the Act of 1906 is repealed.

Registrar to notify result of claim, &c.

8. The registrar or deputy registrar receiving a claim or application to transfer shall, as soon as practicable, notify by post to the claimant or applicant if his name has been added to the roll, or if his claim or application has been refused.

Amendment of Schedule Six of the Act of 1906.

9. Schedule Six to the Act of 1906 is amended—

(a) by adding after “(Signature)” the words—

“Note.—The applicant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment;”

(b) by omitting the words “polling place in”;

(c) by omitting the words “and that I am satisfied that the statements therein contained are true”;

(d) by adding “occupation and address” of witness after the signature of the witness;

(e) by omitting the note inserted after the signature of the witness.

Polling.

Polling-day a public holiday.

10. The day appointed for polling-day shall be a public holiday, as from twelve o'clock, noon, of such day.

Amendment of s. 76 of Principal Act.

11. Section seventy-six of the Principal Act is amended by substituting “seven” for “six.”

Permission to be granted to employees to go to polling-booth.

12. Every employer shall at the request of any elector employed by him allow such elector to go, at a reasonable time, to a polling-booth and record his vote at any election.

If any person contravenes the above provision he shall be liable to a penalty not exceeding fifty pounds:

Provided that the above provision shall not apply where the elector has a half-holiday on the day of the election.

Penalties.

Amendment of s. 90 of the Principal Act.

13. Section ninety of the Principal Act is amended by omitting the words “a fine not exceeding one hundred pounds, or”

Amendment of s. 144 of Principal Act.

14. Section one hundred and forty-four of the Principal Act is amended by inserting after “officer or person” the words “or any member of the police force”

Absent

Parliamentary Elections (Amendment).

Absent voters.

15. (1) An elector who on polling-day is absent from the electoral district for which he is enrolled may, subject to the following provisions, vote at any polling-place in any other electorate :—

Voting outside district.

- (a) The elector must state his name, and place of residence in the electoral district for which he is qualified to vote, together with his occupation therein.
- (b) The returning officer or deputy may, if he thinks fit, and at the request of any scrutineer shall put to the elector any of the questions prescribed by section fifty-one of the Act of 1906 which are applicable to the case.
- (c) If the elector answers the questions satisfactorily, or if no questions are put to him, he may be allowed to vote as an absent voter upon making a declaration in the form of Schedule One hereto.
- (d) The form of declaration may be printed or written on an envelope addressed to the returning officer for the district for which the elector is enrolled, and must, after being filled in, be signed by the elector in his own handwriting in the presence of the returning officer or deputy, and completed and attested by him.
- (e) After the declaration has been made, the returning officer or deputy shall hand to the elector a ballot-paper. The form of the ballot-paper may be prescribed. Each ballot-paper shall be signed on the back by the returning officer or deputy.
- (f) The names of the candidates shall be placed on absent voters' ballot-papers in the same manner as on ordinary ballot-papers, except that the names may be either printed or written.
- (g) The elector, after receiving the ballot-paper, shall without delay retire alone into an unoccupied compartment of the polling booth, and there in private mark his vote on the ballot-paper, and shall then fold and fasten the ballot-paper so that the vote cannot be seen without unfastening it, and at once return the ballot-paper so fastened to the returning officer or deputy before whom he made the declaration, and shall again state his name if so required by the returning officer or deputy.
- (h) The returning officer or deputy shall then, in the presence of the elector, forthwith enclose the ballot-paper in the envelope bearing the declaration of the elector and securely fasten the envelope.

Parliamentary Elections (Amendment).

(2) If the returning officer or deputy is unable to supply the elector with a printed or written ballot-paper, he shall, after the declaration has been made by the elector in pursuance of paragraph (d) of the last preceding subsection, supply the elector with a blank paper in the form of Schedule Two signed by him on the back.

The elector, on receiving such paper shall thereupon without delay retire alone into an unoccupied compartment of the polling-booth, and there in private write on the said paper the name of the candidate for whom he votes, and fold and fasten such paper as above prescribed in respect of a ballot-paper.

The said paper shall thereafter be dealt with as a ballot-paper, and the paper, if otherwise in order, shall be treated as a vote in favour of the candidate whose name is written thereon.

(3) If any person makes any such declaration knowing that the same is untrue in any material particular he shall be liable to imprisonment for a term not exceeding three months.

Forwarding of
absent voters'
ballot-papers.

16. Every absent voter's ballot-paper containing a vote shall be promptly forwarded to the returning officer for the district for which the voter declares that he is enrolled.

Immediately after the close of the poll, the returning officer or deputy shall, by telegraph or other expeditious means, send to each returning officer to whom he has forwarded envelopes containing absent voters' ballot-papers, advice of the number of envelopes so forwarded.

Returning officer
satisfied to accept
ballot-paper for
further scrutiny.

17. The returning officer for the district for which the voter declares that he is enrolled, shall in the presence of the scrutineers examine the declaration on the envelope containing the absent voter's ballot-paper, and if it appears to him that a person of the same name and description as the person whose name is signed to the declaration is enrolled for the district, and that the declaration is duly attested, he shall accept the ballot-paper for further scrutiny, but otherwise he shall reject the ballot-paper without opening the envelope. If he accepts the ballot-paper for further scrutiny, he shall open the envelope without destroying the declaration and extract the ballot-paper, and without unfolding it, place the ballot-paper in the ballot-box.

other scrutiny.

18. (1) When the absent voters' ballot-papers have been dealt with as above directed, the returning officer shall open and proceed with the scrutiny of the absent voters' ballot-papers which have been accepted for further scrutiny.

(2) At the scrutiny the returning officer shall open the absent voters' ballot-papers, and shall allow and count those which are formal, and shall disallow and reject those which are informal.

(3)

Parliamentary Elections (Amendment).

(3) An absent voter's ballot-paper shall be deemed informal in the following cases :—

- (a) If it is not duly signed by the presiding officer ; or
- (b) If it has no cross in the square opposite the name of a candidate, or has crosses in squares opposite the names of more than one candidate ; or
- (c) If it has upon it any mark or writing not authorised by the Parliamentary Electoral Acts which, in the opinion of the returning officer, will enable any person to identify the voter.

19. The decision of the returning officer, as to the allowance or disallowance of any absent voter's ballot-paper under this Act, shall be final, subject only to review by the Elections and Qualifications Committee. Decision of returning officer re validity of ballot-paper.

20. The proviso of section fifty-eight of the Act of 1906 is repealed, and the following is substituted for it :— Repeal of proviso of s. 58 of the Act of 1906.

“ Provided that the returning officer may, for the purpose of ascertaining whether plural voting or personation has been practised, retain in his possession for a reasonable time, and after notice to the candidates and intimation that a scrutineer of each candidate shall be entitled to be present, break the seal of parcels containing copies of rolls, books, and other papers sealed up and transmitted to him in pursuance of that Act, and shall, after such investigation, reseal the same, and forward them as hereinbefore in this section prescribed, and shall report to the Minister the result of such investigation.”

21. A returning officer shall seal up in separate parcels— Certain duties of returning officer.

- (a) all envelopes from which absent voters' ballot-papers have been taken ;
- (b) all unopened envelopes containing absent voters' ballot-papers ;
- (c) all absent voters' ballot-papers allowed as formal ; and
- (d) all absent voters' ballot-papers rejected as informal ;

and shall deal with the parcels and their contents as in the case of other ballot-papers used at the election.

Act No. 9, 1911.

Parliamentary Elections (Amendment).

SCHEDULES.

SCHEDULE ONE.

ABSENT VOTER'S FORM OF DECLARATION.

I declare that I am the person enrolled as—

Surname.	Christian Names at full length.	Place of Living.	Occupation.

on the electoral roll for the Electoral District of _____,
and that I have not voted at either this or any other polling-place at the Parliamentary
election being held this day, and I declare that if I am permitted to vote at this
polling-place I will not vote elsewhere at this election.

(Signature of Elector)

Declared before me this _____ day of _____, 19____,
at _____ polling-place.
Returning (or Deputy Returning) Officer—

SCHEDULE TWO.

ABSENT VOTER'S BALLOT-PAPER.

NEW SOUTH WALES.

Electoral district of [here insert name of district]

Election of member of the Legislative Assembly.

 [Insert name of candidate for whom the elector votes.]

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, 21 September, 1911. } W. S. MOWLE,
Acting Clerk of the Legislative Assembly.

New South Wales.



ANNO SECUNDO

GEORGI V REGIS.

Act No. 9, 1911.

An Act to amend the Parliamentary Electorates and Elections Act, 1902; the Parliamentary Elections Act, 1906; and the Parliamentary Elections (Second Ballot) Act, 1910; and for other purposes. [Assented to, 3rd October, 1911.]

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:—

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title.
(Amendment) Act, 1911."

2. This Act shall be construed with the Parliamentary Incorporation with
other Acts.
Electorates and Elections Act, 1902, the Parliamentary Elections Act, 1906, and the Parliamentary Elections (Second Ballot) Act, 1910.

Such Acts are hereinafter referred to respectively as the Principal Act, the Act of 1906, and the Act of 1910.

Qualifications

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

R. D. MEAGHER,
Chairman of Committees of the Legislative Assembly.

*Parliamentary Elections (Amendment).**Qualifications of voters.*

Amendment of s. 21
of Principal Act.

3. (1) Section twenty-one of the Principal Act is amended as follows:—

- (a) in subsection one after the expression "natural born subject," and after the expression "naturalised subject," insert the words "who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and"
- (b) In the same subsection omit "one year" wherever occurring, insert "three months"; omit "three months" insert "one month." In the same subsection after "New South Wales" where secondly occurring insert "both such periods being"
- (c) Repeal subsection three.

Amendment of s. 19
of the Act of 1910.

(2) Paragraph (a) of section nineteen of the Act of 1910 is repealed.

Amendment of
Schedule Five of the
Act of 1906.

4. Schedule Five to the Act of 1906 is amended—

- (a) by omitting paragraph three and inserting the following:—
 - 3. I have resided or had my principal place of abode immediately prior to the date of this claim—
 - for six months in the Commonwealth of Australia; and
 - for three months in New South Wales; and
 - for one month in the electoral district of
 In the case of a naturalised subject add "any such residence was after my naturalisation";
- (b) and by adding after the words "usual signature"—
 - "Note.—The claimant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment";
- (c) by omitting the words "polling-place in";
- (d) by omitting the words "and that I am satisfied that the statements therein contained are true";
- (e) by inserting after "claimant" the words "occupation and address";
- (f) by omitting the note inserted after the signature of the witness.

Lists and rolls.

Amendment of s. 9
of the Act of 1906.

5. (1) Subsection one of section nine of the Act of 1906 is amended by omitting "as soon as practicable after the commencement of this Act," and inserting the words "every year."

Repeal of s. 24.

(2) Section twenty-four of the same Act is repealed, and the following is substituted for it:—

New rolls.

24. New rolls for all districts shall each year be prepared in pursuance of this Part, and when so prepared shall be printed by the Government Printer.

6.

Parliamentary Elections (Amendment).

6. The following new sections are inserted next after section ten of the Act of 1906 :—

10A. For the purpose of preparing any list for a district a member of the police force may leave with the occupier of any dwelling-house a schedule in the prescribed form. Occupier to fill in schedule of persons in dwelling-house.

Any such occupier with whom any such schedule is left shall, to the best of his knowledge and belief, fill in the said schedule with the names and the prescribed particulars of all persons of or above the age of twenty-one years who are living in such dwelling-house, and shall sign his name thereto and deliver such schedule so filled in to the member of the police force who is preparing the list.

If any such occupier fails, without reasonable cause, to so fill in such schedule, as above directed, or to sign such schedule and deliver the same to the member of the police force when demanded, or if he wilfully makes any false entry in such schedule, he shall be liable to a penalty not exceeding twenty pounds.

Where a dwelling-house is let, sublet, or held in different apartments, and occupied by different persons or families, each part so let, sublet, or held, and used for the purpose of human habitation shall be deemed a dwelling-house.

For the purpose of preparing such list, any member of the police force may require the owner or manager or person apparently in charge of any station, farm, or other property, to give him information to the best of his knowledge and belief as to the names of all persons of or above the age of twenty-one years who are employed by the owner of the station, farm, or property, together with the names of any contractor upon the said station, farm, or property who has men in his employment.

If such owner, manager, or person on being so required as aforesaid, refuses or fails without reasonable cause to give such information, or wilfully gives any information which is false or incomplete in any material particular, he shall be liable to a penalty not exceeding twenty pounds.

In this section "dwelling-house" includes any building, tent, or tenement of which the whole or any part is used for the purpose of human habitation, and also any ship or other vessel in any port or harbour used as a dwelling.

10B. Any member of the police force taking down names for the purpose of preparing a list or a part of a list for a district, and any registrar taking down names for the purpose of preparing any such list shall be supplied with a book containing the prescribed form of acknowledgment with a butt attached thereto, and shall, on taking down the name of any person, deliver to such person such acknowledgment duly filled in, and shall enter a note thereof on the corresponding butt : Forms of acknowledgment to be given to persons placed on lists. Provided

Parliamentary Elections (Amendment).

Provided that, where a schedule has been filled in as provided in the last preceding section, the acknowledgments relating to the persons mentioned in such schedule shall be forwarded by the police to the said persons.

Penalty for false statement in claim or application to transfer.

7. If any person, making any claim or application to transfer under the Act of 1906, makes therein any statement which is wilfully untrue in any material particular he shall be liable to six months' imprisonment.

Section thirty-four of the Act of 1906 is repealed.

Registrar to notify result of claim, &c.

8. The registrar or deputy registrar receiving a claim or application to transfer shall, as soon as practicable, notify by post to the claimant or applicant if his name has been added to the roll, or if his claim or application has been refused.

Amendment of Schedule Six of the Act of 1906.

9. Schedule Six to the Act of 1906 is amended—

(a) by adding after “(Signature)” the words—

“Note.—The applicant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment;”

(b) by omitting the words “polling place in”;

(c) by omitting the words “and that I am satisfied that the statements therein contained are true”;

(d) by adding “occupation and address” of witness after the signature of the witness;

(e) by omitting the note inserted after the signature of the witness.

Polling.

Polling-day a public holiday.

10. The day appointed for polling-day shall be a public holiday, as from twelve o'clock, noon, of such day.

Amendment of s. 76 of Principal Act.

11. Section seventy-six of the Principal Act is amended by substituting “seven” for “six.”

Permission to be granted to employees to go to polling-booth.

12. Every employer shall at the request of any elector employed by him allow such elector to go, at a reasonable time, to a polling-booth and record his vote at any election.

If any person contravenes the above provision he shall be liable to a penalty not exceeding fifty pounds:

Provided that the above provision shall not apply where the elector has a half-holiday on the day of the election.

Penalties.

Amendment of s. 90 of the Principal Act.

13. Section ninety of the Principal Act is amended by omitting the words “a fine not exceeding one hundred pounds, or”

Amendment of s. 144 of Principal Act.

14. Section one hundred and forty-four of the Principal Act is amended by inserting after “officer or person” the words “or any member of the police force”

Absent

Parliamentary Elections (Amendment).

Absent voters.

15. (1) An elector who on polling-day is absent from the electoral district for which he is enrolled may, subject to the following provisions, vote at any polling-place in any other electorate :—

- (a) The elector must state his name, and place of residence in the electoral district for which he is qualified to vote, together with his occupation therein.
- (b) The returning officer or deputy may, if he thinks fit, and at the request of any scrutineer shall put to the elector any of the questions prescribed by section fifty-one of the Act of 1906 which are applicable to the case.
- (c) If the elector answers the questions satisfactorily, or if no questions are put to him, he may be allowed to vote as an absent voter upon making a declaration in the form of Schedule One hereto.
- (d) The form of declaration may be printed or written on an envelope addressed to the returning officer for the district for which the elector is enrolled, and must, after being filled in, be signed by the elector in his own handwriting in the presence of the returning officer or deputy, and completed and attested by him.
- (e) After the declaration has been made, the returning officer or deputy shall hand to the elector a ballot-paper. The form of the ballot-paper may be prescribed. Each ballot-paper shall be signed on the back by the returning officer or deputy.
- (f) The names of the candidates shall be placed on absent voters' ballot-papers in the same manner as on ordinary ballot-papers, except that the names may be either printed or written.
- (g) The elector, after receiving the ballot-paper, shall without delay retire alone into an unoccupied compartment of the polling booth, and there in private mark his vote on the ballot-paper, and shall then fold and fasten the ballot-paper so that the vote cannot be seen without unfastening it, and at once return the ballot-paper so fastened to the returning officer or deputy before whom he made the declaration, and shall again state his name if so required by the returning officer or deputy.
- (h) The returning officer or deputy shall then, in the presence of the elector, forthwith enclose the ballot-paper in the envelope bearing the declaration of the elector and securely fasten the envelope.

Parliamentary Elections (Amendment).

(2) If the returning officer or deputy is unable to supply the elector with a printed or written ballot-paper, he shall, after the declaration has been made by the elector in pursuance of paragraph (d) of the last preceding subsection, supply the elector with a blank paper in the form of Schedule Two signed by him on the back.

The elector, on receiving such paper shall thereupon without delay retire alone into an unoccupied compartment of the polling-booth, and there in private write on the said paper the name of the candidate for whom he votes, and fold and fasten such paper as above prescribed in respect of a ballot-paper.

The said paper shall thereafter be dealt with as a ballot-paper, and the paper, if otherwise in order, shall be treated as a vote in favour of the candidate whose name is written thereon.

(3) If any person makes any such declaration knowing that the same is untrue in any material particular he shall be liable to imprisonment for a term not exceeding three months.

16. Every absent voter's ballot-paper containing a vote shall be promptly forwarded to the returning officer for the district for which the voter declares that he is enrolled.

Immediately after the close of the poll, the returning officer or deputy shall, by telegraph or other expeditious means, send to each returning officer to whom he has forwarded envelopes containing absent voters' ballot-papers, advice of the number of envelopes so forwarded.

17. The returning officer for the district for which the voter declares that he is enrolled, shall in the presence of the scrutineers examine the declaration on the envelope containing the absent voter's ballot-paper, and if it appears to him that a person of the same name and description as the person whose name is signed to the declaration is enrolled for the district, and that the declaration is duly attested, he shall accept the ballot-paper for further scrutiny, but otherwise he shall reject the ballot-paper without opening the envelope. If he accepts the ballot-paper for further scrutiny, he shall open the envelope without destroying the declaration and extract the ballot-paper, and without unfolding it, place the ballot-paper in the ballot-box.

18. (1) When the absent voters' ballot-papers have been dealt with as above directed, the returning officer shall open and proceed with the scrutiny of the absent voters' ballot-papers which have been accepted for further scrutiny.

(2) At the scrutiny the returning officer shall open the absent voters' ballot-papers, and shall allow and count those which are formal, and shall disallow and reject those which are informal.

(3)

Forwarding of
absent voters'
ballot-papers.

Returning officer
satisfied to accept
ballot-paper for
further scrutiny.

Further scrutiny.

Parliamentary Elections (Amendment).

(3) An absent voter's ballot-paper shall be deemed informal in the following cases :—

- (a) If it is not duly signed by the presiding officer; or
- (b) If it has no cross in the square opposite the name of a candidate, or has crosses in squares opposite the names of more than one candidate; or
- (c) If it has upon it any mark or writing not authorised by the Parliamentary Electoral Acts which, in the opinion of the returning officer, will enable any person to identify the voter.

19. The decision of the returning officer, as to the allowance or disallowance of any absent voter's ballot-paper under this Act, shall be final, subject only to review by the Elections and Qualifications Committee. Decision of returning officer re validity of ballot-paper.

20. The proviso of section fifty-eight of the Act of 1906 is repealed, and the following is substituted for it :— Repeal of proviso of s. 58 of the Act of 1906.

“ Provided that the returning officer may, for the purpose of ascertaining whether plural voting or personation has been practised, retain in his possession for a reasonable time, and after notice to the candidates and intimation that a scrutineer of each candidate shall be entitled to be present, break the seal of parcels containing copies of rolls, books, and other papers sealed up and transmitted to him in pursuance of that Act, and shall, after such investigation, reseal the same, and forward them as hereinbefore in this section prescribed, and shall report to the Minister the result of such investigation.”

21. A returning officer shall seal up in separate parcels— Certain duties of returning officer.

- (a) all envelopes from which absent voters' ballot-papers have been taken;
- (b) all unopened envelopes containing absent voters' ballot-papers;
- (c) all absent voters' ballot-papers allowed as formal; and
- (d) all absent voters' ballot-papers rejected as informal;

and shall deal with the parcels and their contents as in the case of other ballot-papers used at the election.

Parliamentary Elections (Amendment).

SCHEDULES.

SCHEDULE ONE.

ABSENT VOTER'S FORM OF DECLARATION.

I declare that I am the person enrolled as—

Surname.	Christian Names at full length.	Place of Living.	Occupation

on the electoral roll for the Electoral District of
and that I have not voted at either this or any other polling-place at the Parliamentary
election being held this day, and I declare that if I am permitted to vote at this
polling-place I will not vote elsewhere at this election.

(Signature of Elector)

Declared before me this _____ day of _____, 19 _____,
at _____ polling-place.
Returning (or Deputy Returning) Officer—

SCHEDULE TWO.

ABSENT VOTER'S BALLOT-PAPER.

NEW SOUTH WALES.

Electoral district of [*here insert name of district*]

Election of member of the Legislative Assembly.

 [*Insert name of candidate for whom the elector votes.*]*In the name and on behalf of His Majesty I assent to this Act.*

State Government House,
Sydney, 3rd October, 1911.

W. P. CULLEN,
Lieutenant-Governor.

PARLIAMENTARY ELECTIONS (AMENDMENT) BILL.

SCHEDULE showing the Legislative Council's insistence on its Amendment disagreed to by the Assembly, and its Disagreement to the Assembly's Amendment on the Council's Amendment, referred to in Message of 20th September, 1911.

J. J. CALVERT,
Clerk of the Parliaments.

Page 2, clause 3. *Omit* paragraph (d).

Page 7, new clause 20, line 20. *Omit* "of a scrutiny of the votes given by
"electors at the several polling places or"

PARLIAMENTARY ELECTIONS (AMENDMENT) BILL.

SCHEDULE showing the Legislative Assembly's Disagreement from, and Amendments upon, the Legislative Council's Amendments, and Assembly's Consequential Amendment, referred to in Message of 13th September, 1911.

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.

- Page 2, clause 3. *Re-insert* paragraph (d).
Page 4, clause 8. 7, line 11. *Omit* "wilfully"
Page 4, clause 8. 7, line 12. *Before* "untrue" *insert* "wilfully"
Page 4, clause ~~10.~~ 9, paragraph (d). *After* "witness" *insert* "after the signature
" of the witness"
Page 7, new clause 20, line 20. *After* "purpose" *insert* "of a scrutiny of the
" votes given by electors at the several polling places or"
-

PARLIAMENTARY EVIDENCE (AMENDMENT) BILL.

SCHEDULE showing the Legislative Council's Amendment, from, and Amendments upon, the Legislative Council's Amendment, and Assembly's Consenting Amendment, referred to in Schedule of 18th September, 1911.

W. E. MOYLE.

Attorney-General of the Legislative Assembly.

Page 2, clause 3. Revised paragraph (d)
Page 4, clause 8, line 11. Omit "withally"
Page 4, clause 8, line 12. Above "withally" insert "withally"
Page 4, clause 10, paragraph (b). After "withally" insert "after the signature
" of the witness."
Page 7, new clause 20, line 20. After "signature" insert "of a secretary of the
" votes given by electors at the several polling places or"

PARLIAMENTARY ELECTIONS (AMENDMENT) BILL.

SCHEDULE of the Amendments referred to in Message of 13th July, 1911.

Page 2, clause 3. *Omit* paragraph (d).

Page 2, clause 4. *After* paragraph (a) *insert* new paragraphs (b) and (c).

Page 2, clause 4. *After* paragraph (b) *insert* new paragraph (e).

Page 2, clause 4, line 36. *Omit* "claimant" *insert* "witness"

Page 3, clause 6, line 5. *Omit* "or of any station, farm, or other property"

Page 3, clause 6, line 11. *Omit* "or on such station, farm, or other property"

Page 3, clause 6. At end of subclause 10A *add* :—

"For the purpose of preparing such list, any member of the police force may require the owner or manager or person apparently in charge of any station, farm, or other property, to give him information to the best of his knowledge and belief as to the names of all persons of or above the age of twenty-one years who are employed by the owner of the station, farm, or property, together with the names of any contractor upon the said station, farm, or property who has men in his employment.

"If such owner, manager, or person on being so required as aforesaid, refuses or fails without reasonable cause to give such information, or wilfully gives any information which is false or incomplete in any material particular, he shall be liable to a penalty not exceeding twenty pounds.

"In this section 'dwelling-house' includes any building, tent, or tenement of which the whole or any part is used for the purpose of human habitation, and also any ship or other vessel in any port or harbour used as a dwelling."

Page 4, clause 7. *Omit* clause 7.

Page 4, clause 8. 7, lines 12 and 13. *Omit* "a penalty not exceeding ten pounds" *insert* "six months' imprisonment"

Page 4, clause 10. 9. *Before* paragraph (a) *insert* new paragraphs (a) and (b).

Page 4, clause 10. 9. *After* paragraph (a) *insert* new paragraph (d).

Page 4, clause 10. 9, line 29. *Omit* "applicant" *insert* "witness"

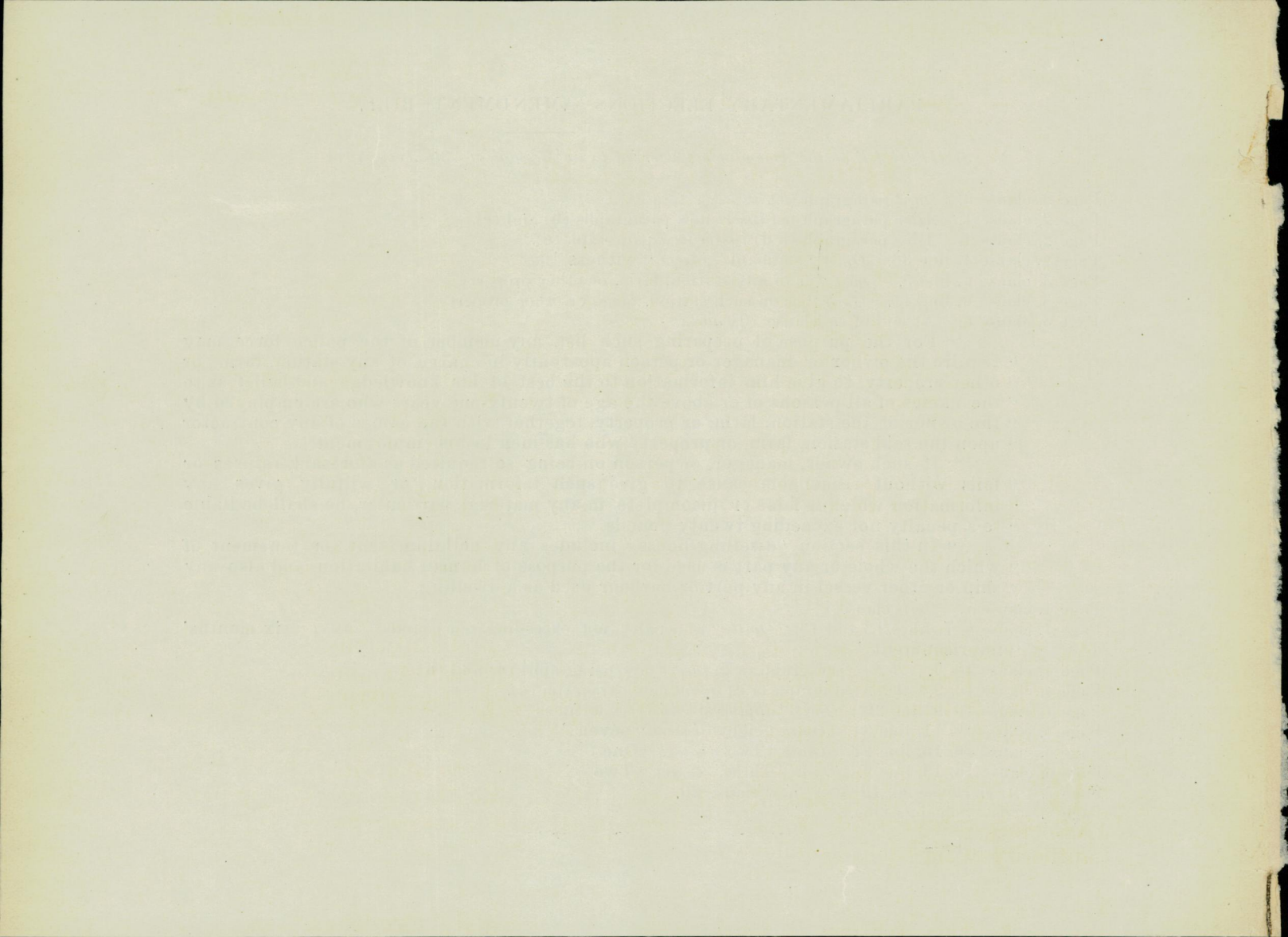
Page 4, clause 12. 11, line 34. *Omit* "eight" *insert* "seven"

Page 5, clause 16. 15, line 21. *Omit* "Two" *insert* "One"

Page 6, clause 16. 15, line 9. *Omit* "Three" *insert* "Two"

Page 7. *After* clause 20. 19 *insert* new clause 20.

Page 8. *Omit* Schedule One.



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 December, 1910. }

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

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 13th July, 1911. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SECUNDO

GEORGI V REGIS.

Act No. , 1911.

An Act to amend the Parliamentary Electorates and Elections Act, 1902; the Parliamentary Elections Act, 1906; and the Parliamentary Elections (Second Ballot) Act, 1910; 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

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title. (Amendment) Act, 1910 1911."

2. This Act shall be construed with the Parliamentary Incorporation with other Acts. Electorates and Elections Act, 1902, the Parliamentary Elections Act, 1906, and the Parliamentary Elections (Second Ballot) Act, 1910.

Such Acts are hereinafter referred to respectively as the Principal Act, the Act of 1906, and the Act of 1910.

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NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Parliamentary Elections (Amendment).**Qualifications of voters.*

3. (1) Section twenty-one of the Principal Act is amended as follows :— Amendment of s. 21
of Principal Act.

5 (a) in subsection one after the expression "natural born subject," and after the expression "naturalised subject," insert the words "who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and"

10 (b) In the same subsection omit "one year" wherever occurring, insert "three months"; omit "three months" insert "one month." In the same subsection after "New South Wales" where secondly occurring insert "both such periods being"

(c) Repeal subsection three.

15 (d) ~~In subsection four, omit paragraph (b):~~

(2) Paragraph (a) of section nineteen of the Act of 1910 is Amendment of s. 19
of the Act of 1910.
repealed.

4. Schedule Five to the Act of 1906 is amended—

(a) by omitting paragraph three and inserting the following :— Amendment of
Schedule Five of the
Act of 1906.

3. I have resided or had my principal place of abode immediately prior to the date of this claim—

for six months in the Commonwealth of Australia; and

for three months in New South Wales; and

for one month in the electoral district of

25 In the case of a naturalised subject add "any such residence was after my naturalisation";

(b) and by adding after the words "usual signature"—

"Note.—The claimant making any wilfully false statement
"in the above declaration shall be liable to six months'
"imprisonment";

30 (c) by omitting the words "polling-place in";

(b d) by omitting the words "and that I am satisfied that the statements therein contained are true";

(e) by inserting after "claimant" the words "occupation and address";

35 (e f) by omitting the note inserted after the signature of the claimant. witness.

Lists and rolls.

5. (1) Subsection one of section nine of the Act of 1906 is Amendment of s. 9
of the Act of 1906.
amended by omitting "as soon as practicable after the commencement
40 of this Act," and inserting the words "every year."

(2) Section twenty-four of the same Act is repealed, and Repeal of s. 24.
the following is substituted for it :—

24. New rolls for all districts shall each year be prepared New rolls.
in pursuance of this Part, and when so prepared shall be printed
45 by the Government Printer.. **6.**

Parliamentary Elections (Amendment).

6. The following new sections are inserted next after section ten of the Act of 1906 :—

5 10A. For the purpose of preparing any list for a district a member of the police force may leave with the occupier of any dwelling-house ~~or of any station, farm, or other property~~ a schedule in the prescribed form. Occupier to fill in schedule of persons in dwelling-house.

10 Any such occupier with whom any such schedule is left shall, to the best of his knowledge and belief, fill in the said schedule with the names and the prescribed particulars of all persons of or above the age of twenty-one years who are living in such dwelling-house ~~or on such station, farm, or other property,~~ and shall sign his name thereto and deliver such schedule so filled in to the member of the police force who is preparing the list.

15 If any such occupier fails, without reasonable cause, to so fill in such schedule, as above directed, or to sign such schedule and deliver the same to the member of the police force when demanded, or if he wilfully makes any false entry in such schedule, he shall be liable to a penalty not exceeding twenty pounds.

20 Where a dwelling-house is let, sublet, or held in different apartments, and occupied by different persons or families, each part so let, sublet, or held, and used for the purpose of human habitation shall be deemed a dwelling-house.

25 For the purpose of preparing such list, any member of the police force may require the owner or manager or person apparently in charge of any station, farm, or other property, to give him information to the best of his knowledge and belief as to the names of all persons of or above the age of twenty-one years who are employed by the owner of the station, farm, or property, together with the names of any contractor upon the said station, farm, or property who has men in his employment.

30 If such owner, manager, or person on being so required as aforesaid, refuses or fails without reasonable cause to give such information, or wilfully gives any information which is false or incomplete in any material particular, he shall be liable to a penalty not exceeding twenty pounds.

35 In this section "dwelling-house" includes any building, tent, or tenement of which the whole or any part is used for the purpose of human habitation, and also any ship or other vessel in any port or harbour used as a dwelling.

40 10B. Any member of the police force taking down names for the purpose of preparing a list or a part of a list for a district, and any registrar taking down names for the purpose of preparing any such list shall be supplied with a book containing the prescribed form of acknowledgment with a butt attached thereto, and shall, on taking down the name of any person, deliver to such person such acknowledgment duly filled in, and shall enter a note thereof on the corresponding butt : Forms of acknowledgment to be given to persons placed on lists.

45 Provided

Parliamentary Elections (Amendment).

Provided that, where a schedule has been filled in as provided in the last preceding section, the acknowledgments relating to the persons mentioned in such schedule shall be forwarded by the police to the said persons.

- 5 **7.** Notwithstanding the provisions of section twenty-six of the Act of 1906, where a claimant sends with his claim a statutory declaration in the form of Schedule One to this Act, the registrar receiving the claim shall enter the name of the claimant on the roll without referring the claim to any officer of police. Registration of claims.
- 10 ~~8.~~ **7.** If any person, making any claim or application to transfer under the Act of 1906, wilfully makes therein any statement which is untrue in any material particular he shall be liable to a penalty not exceeding ten pounds ~~and~~ **six months' imprisonment.** Penalty for false statement in claim or application to transfer.
- Section thirty-four of the Act of 1906 is repealed.
- 15 ~~9.~~ **8.** The registrar or deputy registrar receiving a claim or application to transfer shall, as soon as practicable, notify by post to the claimant or applicant if his name has been added to the roll, or if his claim or application has been refused. Registrar to notify result of claim, &c.
- 20 ~~10.~~ **9.** Schedule Six to the Act of 1906 is amended— Amendment of Schedule Six of the Act of 1906.
- (a) by adding after “(Signature)” the words—
“Note.—The applicant making any wilfully false statement in the above declaration shall be liable to six months' imprisonment”;
- 25 (b) by omitting the words “polling place in”;
- (a c) by omitting the words “and that I am satisfied that the statements therein contained are true”;
- (d) by adding “occupation and address” of witness;
- (~~b~~ e) by omitting the note inserted after the signature of the applicant witness.

30

Polling.

~~11.~~ **10.** The day appointed for polling-day shall be a public holiday, as from twelve o'clock, noon, of such day. Polling-day a public holiday.

~~12.~~ **11.** Section seventy-six of the Principal Act is amended by substituting “eight seven” for “six.” Amendment of s. 76 of Principal Act.

35 ~~13.~~ **12.** Every employer shall at the request of any elector employed by him allow such elector to go, at a reasonable time, to a polling-booth and record his vote at any election. Permission to be granted to employees to go to polling-booth.

If any person contravenes the above provision he shall be liable to a penalty not exceeding fifty pounds :

40 Provided that the above provision shall not apply where the elector has a half-holiday on the day of the election.

Penalties.

*Parliamentary Elections (Amendment).**Penalties.*

~~14.~~ **13.** Section ninety of the Principal Act is amended by omitting the words "a fine not exceeding one hundred pounds, or" Amendment of s. 90 of the Principal Act.

~~15.~~ **14.** Section one hundred and forty-four of the Principal Act Amendment of s. 144 of Principal Act. is amended by inserting after "officer or person" the words "or any member of the police force"

Absent voters.

- ~~16.~~ **15.** (1) An elector who on polling-day is absent from the electoral district for which he is enrolled may, subject to the following Voting outside district. provisions, vote at any polling-place in any other electorate:—
- 10 (a) The elector must state his name, and place of residence in the electoral district for which he is qualified to vote, together with his occupation therein.
- 15 (b) The returning officer or deputy may, if he thinks fit, and at the request of any scrutineer shall put to the elector any of the questions prescribed by section fifty-one of the Act of 1906 which are applicable to the case.
- 20 (c) If the elector answers the questions satisfactorily, or if no questions are put to him, he may be allowed to vote as an absent voter upon making a declaration in the form of Schedule ~~Two~~ **One** hereto.
- 25 (d) The form of declaration may be printed or written on an envelope addressed to the returning officer for the district for which the elector is enrolled, and must, after being filled in, be signed by the elector in his own handwriting in the presence of the returning officer or deputy, and completed and attested by him.
- 30 (e) After the declaration has been made, the returning officer or deputy shall hand to the elector a ballot-paper. The form of the ballot-paper may be prescribed. Each ballot-paper shall be signed on the back by the returning officer or deputy.
- 35 (f) The names of the candidates shall be placed on absent voters' ballot-papers in the same manner as on ordinary ballot-papers, except that the names may be either printed or written.
- 40 (g) The elector, after receiving the ballot-paper, shall without delay retire alone into an unoccupied compartment of the polling booth, and there in private mark his vote on the ballot-paper, and shall then fold and fasten the ballot-paper so that the vote cannot be seen without unfastening it, and at once return the ballot-paper so fastened to the returning officer or deputy before whom he made the declaration, and shall again state his name if so required by the returning officer or deputy. (h)

Parliamentary Elections (Amendment).

(h) The returning officer or deputy shall then, in the presence of the elector, forthwith enclose the ballot-paper in the envelope bearing the declaration of the elector and securely fasten the envelope.

5 (2) If the returning officer or deputy is unable to supply the elector with a printed or written ballot-paper, he shall, after the declaration has been made by the elector in pursuance of paragraph (d) of the last preceding subsection, supply the elector with a blank paper in the form of Schedule ~~Three~~ **Two** signed by him on the back.

10 The elector, on receiving such paper shall thereupon without delay retire alone into an unoccupied compartment of the polling-booth, and there in private write on the said paper the name of the candidate for whom he votes, and fold and fasten such paper as above prescribed in respect of a ballot-paper.

15 The said paper shall thereafter be dealt with as a ballot-paper, and the paper, if otherwise in order, shall be treated as a vote in favour of the candidate whose name is written thereon.

(3) If any person makes any such declaration knowing that the same is untrue in any material particular he shall be liable to 20 imprisonment for a term not exceeding three months.

17. **16.** Every absent voter's ballot-paper containing a vote shall be promptly forwarded to the returning officer for the district for which the voter declares that he is enrolled. Forwarding of absent voters' ballot-papers.

25 Immediately after the close of the poll, the returning officer or deputy shall, by telegraph or other expeditious means, send to each returning officer to whom he has forwarded envelopes containing absent voters' ballot-papers, advice of the number of envelopes so forwarded.

30 ~~18.~~ **17.** The returning officer for the district for which the voter declares that he is enrolled, shall in the presence of the scrutineers examine the declaration on the envelope containing the absent voter's ballot-paper, and if it appears to him that a person of the same name and description as the person whose name is signed to the declaration is enrolled for the district, and that the declaration is duly 35 attested, he shall accept the ballot-paper for further scrutiny, but otherwise he shall reject the ballot-paper without opening the envelope. If he accepts the ballot-paper for further scrutiny, he shall open the envelope without destroying the declaration and extract the ballot-paper, and without unfolding it, place the ballot-paper in the ballot- 40 box. Returning officer satisfied to accept ballot-paper for further scrutiny.

19. **18.** (1) When the absent voters' ballot-papers have been dealt with as above directed, the returning officer shall open and proceed with the scrutiny of the absent voters' ballot-papers which have been accepted for further scrutiny. Further scrutiny.

Parliamentary Elections (Amendment).

(2) At the scrutiny the returning officer shall open the absent voters' ballot-papers, and shall allow and count those which are formal, and shall disallow and reject those which are informal.

(3) An absent voter's ballot-paper shall be deemed informal in the following cases:—

- (a) If it is not duly signed by the presiding officer; or
- (b) If it has no cross in the square opposite the name of a candidate, or has crosses in squares opposite the names of more than one candidate; or
- 10 (c) If it has upon it any mark or writing not authorised by the Parliamentary Electoral Acts which, in the opinion of the returning officer, will enable any person to identify the voter.

15 ~~20.~~ **19.** The decision of the returning officer, as to the allowance or disallowance of any absent voter's ballot-paper under this Act, shall be final, subject only to review by the Elections and Qualifications Committee. Decision of returning officer re validity of ballot-paper.

20. The proviso of section fifty-eight of the Act of 1906 is repealed, and the following is substituted for it:— Repeal of proviso of s. 58 of the Act of 1906.

20 " Provided that the returning officer may, for the purpose of ascertaining whether plural voting or personation has been practised, retain in his possession for a reasonable time, and after notice to the candidates and intimation that a scrutineer of each candidate shall be entitled to be present break the seal of parcels containing copies of rolls, books, and other papers sealed up and transmitted to him in pursuance of that Act, and shall, after such investigation, reseal the same, and forward them as hereinbefore in this section prescribed, and shall report to the Minister the result of such investigation."

30 **21.** A returning officer shall seal up in separate parcels— Certain duties of returning officer.

- (a) all envelopes from which absent voters' ballot-papers have been taken;
- (b) all unopened envelopes containing absent voters' ballot-papers;
- 35 (c) all absent voters' ballot-papers allowed as formal; and
- (d) all absent voters' ballot-papers rejected as informal;

and shall deal with the parcels and their contents as in the case of other ballot-papers used at the election.

PARLIAMENTARY ELECTIONS (AMENDMENT) BILL.

SCHEDULE of the Amendments referred to in Message of 13th July, 1911.

- Page 2, clause 3. *Omit* paragraph (d).
Page 2, clause 4. *After* paragraph (a) *insert* new paragraphs (b) and (c).
Page 2, clause 4. *After* paragraph (b d) *insert* new paragraph (e).
Page 2, clause 4, line 36. *Omit* "claimant" *insert* "witness".
Page 3, clause 6, line 5. *Omit* "or of any station, farm, or other property"
Page 3, clause 6, line 11. *Omit* "or on such station, farm, or other property"
Page 3, clause 6. At end of subclause 10A *add* :—
" For the purpose of preparing such list, any member of the police force may
" require the owner or manager or person apparently in charge of any station, farm, or
" other property, to give him information to the best of his knowledge and belief as to
" the names of all persons of or above the age of twenty-one years who are employed by
" the owner of the station, farm, or property, together with the names of any contractor
" upon the said station, farm, or property who has men in his employment.
" If such owner, manager, or person on being so required as aforesaid, refuses or
" fails without reasonable cause to give such information, or wilfully gives any
" information which is false or incomplete in any material particular, he shall be liable
" to a penalty not exceeding twenty pounds.
" In this section 'dwelling-house' includes any building, tent, or tenement of
" which the whole or any part is used for the purpose of human habitation, and also any
" ship or other vessel in any port or harbour used as a dwelling."
- Page 4, clause 7. *Omit* clause 7.
Page 4, clause 8, 7, lines 12 and 13. *Omit* "a penalty not exceeding ten pounds" *insert* "six months"
"imprisonment"
Page 4, clause 10. 9. *Before* paragraph (a c) *insert* new paragraphs (a) and (b).
Page 4, clause 10. 9. *After* paragraph (a c) *insert* new paragraph (d).
Page 4, clause 10. 9, line 29. *Omit* "applicant" *insert* "witness"
Page 4, clause 12. 11, line 34. *Omit* "eight" *insert* "seven"
Page 5, clause 16. 15, line 21. *Omit* "Two" *insert* "One"
Page 6, clause 16. 15, line 9. *Omit* "Three" *insert* "Two"
Page 7. *After* clause 20. 19 *insert* new clause 20.
Page 8. *Omit* Schedule One.

1918

For the purpose of preparing a plan for the year 1918, the following information is being furnished to you. This information is being furnished to you for your information and is not to be used for any other purpose. The information is being furnished to you for your information and is not to be used for any other purpose. The information is being furnished to you for your information and is not to be used for any other purpose.

1. This information is being furnished to you for your information and is not to be used for any other purpose. The information is being furnished to you for your information and is not to be used for any other purpose. The information is being furnished to you for your information and is not to be used for any other purpose.

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 December, 1910. }

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

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 13th July, 1911. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SECUNDO

GEORGI V REGIS.

Act No. , 1911.

An Act to amend the Parliamentary Electorates and Elections Act, 1902; the Parliamentary Elections Act, 1906; and the Parliamentary Elections (Second Ballot) Act, 1910; 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

Preliminary.

1. This Act may be cited as the "Parliamentary Elections Short title.
(Amendment) Act, ~~1910~~ **1911.**"

2. This Act shall be construed with the Parliamentary Incorporation with
other Acts.
Electorates and Elections Act, 1902, the Parliamentary Elections Act,
10 1906, and the Parliamentary Elections (Second Ballot) Act, 1910.

Such Acts are hereinafter referred to respectively as the Principal Act, the Act of 1906, and the Act of 1910.

99797

172—

Qualifications

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Parliamentary Elections (Amendment).**Qualifications of voters.*

3. (1) Section twenty-one of the Principal Act is amended as follows:— Amendment of s. 21 of Principal Act.

5 (a) in subsection one after the expression "natural born subject," and after the expression "naturalised subject," insert the words "who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and"

10 (b) In the same subsection omit "one year" wherever occurring, insert "three months"; omit "three months" insert "one month." In the same subsection after "New South Wales" where secondly occurring insert "both such periods being"

(c) Repeal subsection three.

(d) ~~In subsection four, omit paragraph (b).~~

15 (2) Paragraph (a) of section nineteen of the Act of 1910 is repealed. Amendment of s. 19 of the Act of 1910.

4. Schedule Five to the Act of 1906 is amended—

(a) by omitting paragraph three and inserting the following:— Amendment of Schedule Five of the Act of 1906.

20 3. I have resided or had my principal place of abode immediately prior to the date of this claim—
for six months in the Commonwealth of Australia; and
for three months in New South Wales; and
for one month in the electoral district of

25 In the case of a naturalised subject add "any such residence was after my naturalisation";

(b) and by adding after the words "usual signature"—

"Note.—The claimant making any wilfully false statement
"in the above declaration shall be liable to six months'
"imprisonment";

30 (c) by omitting the words "polling-place in";

(d) by omitting the words "and that I am satisfied that the statements therein contained are true";

(e) by inserting after "claimant" the words "occupation and address";

35 (e f) by omitting the note inserted after the signature of the claimant witness.

Lists and rolls.

5. (1) Subsection one of section nine of the Act of 1906 is amended by omitting "as soon as practicable after the commencement of this Act," and inserting the words "every year." Amendment of s. 9 of the Act of 1906.

(2) Section twenty-four of the same Act is repealed, and the following is substituted for it:— Repeal of s. 24.

45 24. New rolls for all districts shall each year be prepared in pursuance of this Part, and when so prepared shall be printed by the Government Printer. New rolls.

6.

Parliamentary Elections (Amendment).

6. The following new sections are inserted next after section ten of the Act of 1906 :—

5 10A. For the purpose of preparing any list for a district a member of the police force may leave with the occupier of any dwelling-house ~~or of any station, farm, or other property~~ a schedule in the prescribed form. Occupier to fill in schedule of persons in dwelling-house.

10 Any such occupier with whom any such schedule is left shall, to the best of his knowledge and belief, fill in the said schedule with the names and the prescribed particulars of all persons of or above the age of twenty-one years who are living in such dwelling-house ~~or on such station, farm, or other property,~~ and shall sign his name thereto and deliver such schedule so filled in to the member of the police force who is preparing the list.

15 If any such occupier fails, without reasonable cause, to so fill in such schedule, as above directed, or to sign such schedule and deliver the same to the member of the police force when demanded, or if he wilfully makes any false entry in such schedule, he shall be liable to a penalty not exceeding twenty pounds.

20 Where a dwelling-house is let, sublet, or held in different apartments, and occupied by different persons or families, each part so let, sublet, or held, and used for the purpose of human habitation shall be deemed a dwelling-house.

25 For the purpose of preparing such list, any member of the police force may require the owner or manager or person apparently in charge of any station, farm, or other property, to give him information to the best of his knowledge and belief as to the names of all persons of or above the age of twenty-one years who are employed by the owner of the station, farm, or property, together with the names of any contractor upon the said station, farm, or property who has men in his employment.

30 If such owner, manager, or person on being so required as aforesaid, refuses or fails without reasonable cause to give such information, or wilfully gives any information which is false or incomplete in any material particular, he shall be liable to a penalty not exceeding twenty pounds.

35 In this section "dwelling-house" includes any building, tent, or tenement of which the whole or any part is used for the purpose of human habitation, and also any ship or other vessel in any port or harbour used as a dwelling.

40 10B. Any member of the police force taking down names for the purpose of preparing a list or a part of a list for a district, and any registrar taking down names for the purpose of preparing any such list shall be supplied with a book containing the prescribed form of acknowledgment with a butt attached thereto, and shall, on taking down the name of any person, deliver to such person such acknowledgment duly filled in, and shall enter a note thereof on the corresponding butt: Forms of acknowledgment to be given to persons placed on lists. Provided

45

Parliamentary Elections (Amendment).

Provided that, where a schedule has been filled in as provided in the last preceding section, the acknowledgments relating to the persons mentioned in such schedule shall be forwarded by the police to the said persons.

- 5 **7.** Notwithstanding the provisions of section twenty-six of the Act of 1906, where a claimant sends with his claim a statutory declaration in the form of Schedule One to this Act, the registrar receiving the claim shall enter the name of the claimant on the roll without referring the claim to any officer of police. Registration of claims.
- 10 ~~8.~~ **7.** If any person, making any claim or application to transfer under the Act of 1906, wilfully makes therein any statement which is untrue in any material particular he shall be liable to a ~~penalty not exceeding ten pounds~~ **six months' imprisonment.** Penalty for false statement in claim or application to transfer.
- Section thirty-four of the Act of 1906 is repealed.
- 15 ~~9.~~ **8.** The registrar or deputy registrar receiving a claim or application to transfer shall, as soon as practicable, notify by post to the claimant or applicant if his name has been added to the roll, or if his claim or application has been refused. Registrar to notify result of claim, &c.
- 20 ~~10.~~ **9.** Schedule Six to the Act of 1906 is amended—
 (a) by adding after “(Signature)” the words—
 “Note.—The applicant making any wilfully false statement
 “in the above declaration shall be liable to six months’
 “imprisonment”;
 (b) by omitting the words “polling place in”;
 25 (a c) by omitting the words “and that I am satisfied that the statements therein contained are true”;
 (d) by adding “occupation and address” of witness;
 (b e) by omitting the note inserted after the signature of the applicant witness. Amendment of Schedule Six of the Act of 1906.
- 30 *Polling.*
- ~~11.~~ **10.** The day appointed for polling-day shall be a public holiday, as from twelve o'clock, noon, of such day. Polling-day a public holiday.
- ~~12.~~ **11.** Section seventy-six of the Principal Act is amended by substituting “~~eight~~ seven” for “six.” Amendment of s. 76 of Principal Act.
- 35 ~~13.~~ **12.** Every employer shall at the request of any elector employed by him allow such elector to go, at a reasonable time, to a polling-booth and record his vote at any election. Permission to be granted to employees to go to polling-booth.
- If any person contravenes the above provision he shall be liable to a penalty not exceeding fifty pounds:
- 40 Provided that the above provision shall not apply where the elector has a half-holiday on the day of the election.

Penalties.

*Parliamentary Elections (Amendment).**Penalties.*

14. **13.** Section ninety of the Principal Act is amended by omitting the words "a fine not exceeding one hundred pounds, or" Amendment of s. 90 of the Principal Act.

15. **14.** Section one hundred and forty-four of the Principal Act Amendment of s. 144 of Principal Act. is amended by inserting after "officer or person" the words "or any member of the police force"

Absent voters.

16. **15.** (1) An elector who on polling-day is absent from the electoral district for which he is enrolled may, subject to the following Voting outside district. provisions, vote at any polling-place in any other electorate:—

- 10 (a) The elector must state his name, and place of residence in the electoral district for which he is qualified to vote, together with his occupation therein.
- 15 (b) The returning officer or deputy may, if he thinks fit, and at the request of any scrutineer shall put to the elector any of the questions prescribed by section fifty-one of the Act of 1906 which are applicable to the case.
- 20 (c) If the elector answers the questions satisfactorily, or if no questions are put to him, he may be allowed to vote as an absent voter upon making a declaration in the form of Schedule ~~Two~~ **One** hereto.
- 25 (d) The form of declaration may be printed or written on an envelope addressed to the returning officer for the district for which the elector is enrolled, and must, after being filled in, be signed by the elector in his own handwriting in the presence of the returning officer or deputy, and completed and attested by him.
- 30 (e) After the declaration has been made, the returning officer or deputy shall hand to the elector a ballot-paper. The form of the ballot-paper may be prescribed. Each ballot-paper shall be signed on the back by the returning officer or deputy.
- 35 (f) The names of the candidates shall be placed on absent voters' ballot-papers in the same manner as on ordinary ballot-papers, except that the names may be either printed or written.
- 40 (g) The elector, after receiving the ballot-paper, shall without delay retire alone into an unoccupied compartment of the polling booth, and there in private mark his vote on the ballot-paper, and shall then fold and fasten the ballot-paper so that the vote cannot be seen without unfastening it, and at once return the ballot-paper so fastened to the returning officer or deputy before whom he made the declaration, and shall again state his name if so required by the returning officer or deputy. (h)

Parliamentary Elections (Amendment).

(h) The returning officer or deputy shall then, in the presence of the elector, forthwith enclose the ballot-paper in the envelope bearing the declaration of the elector and securely fasten the envelope.

5 (2) If the returning officer or deputy is unable to supply the elector with a printed or written ballot-paper, he shall, after the declaration has been made by the elector in pursuance of paragraph (d) of the last preceding subsection, supply the elector with a blank paper in the form of Schedule ~~Three~~ **Two** signed by him on the back.

10 The elector, on receiving such paper shall thereupon without delay retire alone into an unoccupied compartment of the polling-booth, and there in private write on the said paper the name of the candidate for whom he votes, and fold and fasten such paper as above prescribed in respect of a ballot-paper.

15 The said paper shall thereafter be dealt with as a ballot-paper, and the paper, if otherwise in order, shall be treated as a vote in favour of the candidate whose name is written thereon.

(3) If any person makes any such declaration knowing that the same is untrue in any material particular he shall be liable to 20 imprisonment for a term not exceeding three months.

17. **16.** Every absent voter's ballot-paper containing a vote shall be promptly forwarded to the returning officer for the district for which the voter declares that he is enrolled. Forwarding of absent voters' ballot-papers.

25 Immediately after the close of the poll, the returning officer or deputy shall, by telegraph or other expeditious means, send to each returning officer to whom he has forwarded envelopes containing absent voters' ballot-papers, advice of the number of envelopes so forwarded.

30 18. **17.** The returning officer for the district for which the voter declares that he is enrolled, shall in the presence of the scrutineers examine the declaration on the envelope containing the absent voter's ballot-paper, and if it appears to him that a person of the same name and description as the person whose name is signed to the declaration is enrolled for the district, and that the declaration is duly 35 attested, he shall accept the ballot-paper for further scrutiny, but otherwise he shall reject the ballot-paper without opening the envelope. If he accepts the ballot-paper for further scrutiny, he shall open the envelope without destroying the declaration and extract the ballot-paper, and without unfolding it, place the ballot-paper in the ballot- 40 box. Returning officer satisfied to accept ballot-paper for further scrutiny.

19. **18.** (1) When the absent voters' ballot-papers have been dealt with as above directed, the returning officer shall open and proceed with the scrutiny of the absent voters' ballot-papers which have been accepted for further scrutiny. Further scrutiny.

Parliamentary Elections (Amendment).

(2) At the scrutiny the returning officer shall open the absent voters' ballot-papers, and shall allow and count those which are formal, and shall disallow and reject those which are informal.

(3) An absent voter's ballot-paper shall be deemed informal in the following cases:—

- (a) If it is not duly signed by the presiding officer; or
- (b) If it has no cross in the square opposite the name of a candidate, or has crosses in squares opposite the names of more than one candidate; or
- 10 (c) If it has upon it any mark or writing not authorised by the Parliamentary Electoral Acts which, in the opinion of the returning officer, will enable any person to identify the voter.

20. 19. The decision of the returning officer, as to the allowance or disallowance of any absent voter's ballot-paper under this Act, shall be final, subject only to review by the Elections and Qualifications Committee. Decision of returning officer re validity of ballot-paper.

20. 20. The proviso of section fifty-eight of the Act of 1906 is repealed, and the following is substituted for it:— Repeal of proviso of s. 58 of the Act of 1906.

20 "Provided that the returning officer may, for the purpose of ascertaining whether plural voting or personation has been practised, retain in his possession for a reasonable time, and after notice to the candidates and intimation that a scrutineer of each candidate shall be entitled to be present break the seal of parcels containing copies of rolls, books, and other papers sealed up and transmitted to him in pursuance of that Act, and shall, after such investigation, reseal the same, and forward them as hereinbefore in this section prescribed, and shall report to the Minister the result of such investigation."

30 21. A returning officer shall seal up in separate parcels— Certain duties of returning officer.

- (a) all envelopes from which absent voters' ballot-papers have been taken;
- (b) all unopened envelopes containing absent voters' ballot-papers;
- 35 (c) all absent voters' ballot-papers allowed as formal; and
- (d) all absent voters' ballot-papers rejected as informal;

and shall deal with the parcels and their contents as in the case of other ballot-papers used at the election.

SCHEDULES.

Parliamentary Elections (Amendment).

SCHEDULES.

SCHEDULE ONE.

I [state name in full] of [state occupation and residence] do hereby solemnly declare that—

5 1. I am a native born (or naturalised) British subject, and I am not under the age of twenty-one years.

2. I have resided or had my principal place of abode immediately prior to this date of this declaration—

10 (a) for six months in the Commonwealth of Australia; and

(b) for three months in New South Wales; and

(c) for one month in the electoral district of

[In the case of a naturalised subject, add "and such residence was after my naturalisation."]

15 Acts. 3. I am not disqualified or incapable of voting under the Parliamentary Elections Acts.

4. My name is not entered on any electoral roll.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900.

(Signature.)

20 [Justice of the peace, notary public, or officer authorised to administer an oath]

SCHEDULE TWO ONE.

ABSENT VOTER'S FORM OF DECLARATION.

I declare that I am the person enrolled as—

25	Surname.	Christian Names at full length.	Place of Living.	Occupation.

on the electoral roll for the Electoral District of , and that I have not voted at either this or any other polling-place at the Parliamentary election being held this day, and I declare that if I am permitted to vote at this polling-place I will not vote elsewhere at this election.

30 (Signature of Elector)

Declared before me this day of , 19 , at polling-place.

Returning (or Deputy Returning) Officer—

SCHEDULE THREE TWO.

ABSENT VOTER'S BALLOT-PAPER.

35

NEW SOUTH WALES.

Electoral district of [here insert name of district]

Election of member of the Legislative Assembly.

[Insert name of candidate for whom the elector votes.