

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.

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

*Legislative Assembly Chamber,
Sydney, 28 September, 1916.*

New South Wales.



ANNO SEPTIMO

GEORGI V REGIS.

Act No. , 1916.

An Act to amend the Parliamentary Electorates and Elections Act, 1912, the Naturalised Subjects Franchise Act, 1916, the Constitution Act, 1902, the Liquor Act, 1912, and the Oaths Act, 1900; to give an opportunity to persons absent on service with His Majesty's forces to vote by proxy; and for purposes consequent thereon or incidental thereto.

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
5 the same, as follows:—

*Parliamentary Elections (Amendment).**Preliminary.*

1. This Act may be cited as the "Parliamentary Elections (Amendment) Act, 1916." It shall be read with the Parliamentary Electorates and Elections Act, 1912, hereinafter referred to as the "Principal Act."

PART I.

AMENDMENTS OF PRINCIPAL ACT.

2. The enactments and Schedules of the Principal Act set out in the Schedule hereto are amended as therein mentioned: Provided that the amendments noted by an asterisk (*) shall not take effect until the day next following the return of the writ for the next general election:—

SCHEDULE.

Section or Schedule.	Subsection and paragraph.	Amendments made.
15		
	20	3 (b)
	22	(1)
	(*) 22	(1) & (2)
20	22	(3)
	(*) 23	(1)
	(*) 23	(2)
25		
	30	
	(*) 26	.....
35		
	27	.....

SCHEDULE

*Parliamentary Elections (Amendment).*SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
5	28	..... After "police stations" insert "court-houses"
(*)	33	..... Omit "polling-places" insert "polling-place areas"
	34	(2) After "objection" where first occurring insert "shall be in the form of Schedule Seven and"; and omit "be sent to" and insert in place thereof "be served by the registrar personally or by post on"
10	34	(3) After "police stations" insert "court-houses"
	34	(3) Omit "and serve personally or by post on the person objected to notice of the objection"
15	35	(1) After "may appear" insert "personally or by agent"
(*)	37 Omit the section, insert the following:— 37. In each electoral district there shall be polling-place areas to be appointed by the Governor. All the polling-place area rolls for a district shall be kept separately, and the surname of the electors on each such roll shall be arranged in alphabetical order according to the first letter of each name, and shall together form the roll for the district. For each polling-place area there shall be one or more polling-places.
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39 to 44 inclusive.	Omit the sections.
(*)	45	(1) Omit the subsection, insert the following:— (1) The rolls for all districts shall be printed on or before the first day of October in the year in which the lists have been prepared under section 23, and any such roll shall be printed at such other times as the Minister directs.
35		
	45	(2) After "deputy registrar for the district" insert "and at every post office in the district"
40	48	(2) After "registrar" insert "or deputy registrar"
	48	(2) Omit "district" at end of subsection, insert "part of the district to which the roll relates"
	49	(3) After "registrar" where first occurring insert "or deputy registrar"

*Parliamentary Elections (Amendment).*SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
5	49 (3)	At end of subsection add "but before entering the name on the roll he shall, unless he thinks such course unnecessary, refer the application to the officer in charge of the police within the part of the district to which the roll relates"
10	(*) 51	Omit "polling-place" insert "polling-place area"
	51 (3)	After "registrar" where first occurring insert "or deputy-registrar"
	(*) 51 (4)	After "transfer" insert "or to change a name to another polling-place area in the district"
15	52	Omit "wilfully"
	61	Omit "one shilling" insert "five shillings"
	68	At end of section add "In writs for a general election the same day shall be named for the return of the writs, and such day shall for the purposes of section twenty-four of the Constitution Act, 1902, be deemed to have been and shall be the day of the return of the writs notwithstanding any extension of the time for such return under section one hundred and forty-six of this Act"
20		
25	77	At end of section add "The returning officer may, in like manner, at any time appoint a substitute to count or assist in counting the absent votes."
	80	After "elected" insert "And shall publish such declaration in some newspaper published or circulating in the district"
30	80	At end of section add the following subsection:— (2) If two or more candidates are nominated and all but one of such candidates die before the polling-day, or in the case of a second ballot before the day for taking such ballot, the returning officer shall forthwith publicly declare the surviving candidate to be duly elected, and shall publish such declaration in some newspaper published or circulating in the district, and shall make his return accordingly; and in that case no poll or ballot shall be taken.
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40		
	81	At end of section add "together with a list of the polling-places and the date of the poll"
45	84 (d)	Omit "for any specified polling-place"

*Parliamentary Elections (Amendment).*SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
5	88	..... After "justice of the peace" insert "clergyman, school teacher, or postmaster"
	88	..... At end of section add the following subsection (2):— (2) Any clergyman, school teacher, or postmaster is authorised to receive any such declaration. Part IV of the Oaths Act, 1900, shall apply to such declaration as if it were made under the said Act
10		
	93	(1) (d) At the end of paragraph (d) insert "or the deputy returning officer"
15	(* 97	..... Omit "the polling-place" where first occurring, insert "any polling-place within the polling-place area"; omit "the polling-place for which he is enrolled" insert "such area"
20	98	(2) Omit "absent voters' ballot papers" insert "outside voters' ballot papers"
	100	(1) After paragraph (d) insert the following paragraph:— (e) Have you left the electoral district for which you are enrolled for a longer period than one month prior to the day of one thousand nine hundred and (stating the day next before the day of the issue of the writ for the election).
25		
	105	..... Omit the section.
	115	(1) (e) After "signed" insert "or initialed"
	115	(2) In the first paragraph after "signed" insert "or initialed"
35	116	..... After "forwarded" where firstly occurring insert "under registered cover where practicable"
	117	..... After "enrolled" insert "or his substitute"
	118	(3) (a) After "signed" insert "or initialed"
40	121	..... At end of section add the following:—"The chief electoral officer, on due cause being shown, may direct any returning officer or deputy returning officer to recount any votes, and thereupon the votes shall be recounted in the manner above prescribed".
45	122	(2) Omit "at the scrutiny".

*Parliamentary Elections (Amendment).*SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
5	126	(1) At end of subsection one add the following proviso:— Provided that with regard to the general state of the poll of the electoral district to which Lord Howe Island belongs, the returning officer shall accept a cable message purporting to be sent by the deputy returning officer presiding at the poll at such island in lieu of a list or writing as to the voting at the poll on such island.
10		
15	130	(3) After "appointed day" where first occurring insert "or where the polling has been opened but from the absence of necessary forms, documents, or materials the poll cannot be proceeded with"
20	Schedule Eight. Omit the Schedule, insert the following:— SCHEDULE EIGHT. Albury. Kahibah. Allowrie. Lachlan. Armidale. Lismore. Ashburnham. Liverpool Plains. Bathurst. Lyndhurst. Bega. Macquarie. Bingara. Monaro. Burrangong. Mudgee. Byron. Murray. Camden. Murrumbidgee. Castlereagh. Namoi. Clarence. Orange. Cobar. Raleigh. Cootamundra. Singleton. Corowa. Sturt. Durham. Tamworth. Gloucester. Tenterfield. Gough. Upper Hunter. Goulburn. Wagga Wagga. Gwyder. Willyama. Hartley. Wollondilly. Hastings and Macleay. Wollongong. Hawkesbury. Yass.
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*Parliamentary Elections (Amendment).*SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
5 Schedule Eleven.	Schedule Eleven is repealed and the following is substituted for it:—
		SCHEDULE ELEVEN.
		<i>Absent voter's form of declaration.</i>
10		I declare that I am the person enrolled as— (Surname) (Christian name)
		(Residence as enrolled) (Occupation)
15		on the State electoral roll for polling-place (or polling-place area) in the electoral district of
		and that I have not ceased to reside in the district for a longer period than one month prior to the day next before the day of the issue of the writ for this election; that I have not voted at either this or any other polling-place, and I declare that if I am permitted to vote at this polling-place I will not vote elsewhere at this election.
20		(Signature of elector).
25		Dated before me, this day of 19 at polling-place in the electoral district of
		Returning (or Deputy Returning) Officer.
30		PENALTY.—If any person makes any such declaration knowing the same is untrue in any material particular he shall be liable to imprisonment for a term not exceeding three months.

3. Paragraph (c) of subsection one of section fifty-seven of the Liquor Act, 1912, is amended by omitting the proviso and inserting the following:—Provided that
 35 this paragraph shall not apply in the case of a by-election.

4. The registrar of an electoral district shall on application made issue a certificate of exemption in the prescribed form to any Turkish subject who is enrolled
 40 for the district, or who claims to be so enrolled, and who proves to his satisfaction that he is by race a Syrian, or a member of any community well known as opposed to Turkish

Amendment of Liquor Act, 1912.

Amendment of Naturalised Subjects Franchise Act, 1916.

Parliamentary Elections (Amendment).

Turkish regime. Such certificate shall exempt the person to whom it is issued from the disabilities and disqualifications imposed by the Naturalised Subjects Franchise Act, 1916, on naturalised British subjects of enemy origin as therein defined. Any such certificate may be cancelled by the Minister or by the registrar who issued it.

PART II.

PERSONS ON SERVICE WITH HIS MAJESTY'S FORCES.

Persons on service with His Majesty's forces.

10. **5.** (1) Any person absent from the State on service with His Majesty's forces (including non-combatants acting in connection with such service) may in the form of the Schedule to this Act nominate the Clerk of the Legislative Assembly to vote for him under this Part at the next general election.

Voting of soldiers, &c., by proxy.

Such nomination may be made and a vote given in pursuance thereof whether the said person is of or under or over the age of twenty-one years, and whether or not he or she is qualified to vote under the Principal Act.

- (2) Such person shall indicate the political party for which he desires the vote to be given, by writing in the square in the nomination paper opposite to the name of that party the figure 1. He may also, if he choose, place the figure 2 in the square opposite to the name of any other political party.

Such second nomination shall be given effect to only if for any reason a vote cannot be given for the first nomination:

- 30 Provided that any such nomination shall not be invalidated should the nominator write upon such ballot paper the name of the candidate for whom he desires to vote: Provided always that the candidate named is nominated for the electorate in which the nominator had his principal place of abode at the time of enlistment.

(3)

Parliamentary Elections (Amendment).

(3) The Governor, or any person appointed by him in that behalf, may appoint persons to distribute the nomination papers among the persons so absent on service, to collect such papers when filled in, and to forward the same to Sydney addressed to the Clerk of the Legislative Assembly of New South Wales.

6. (1) The said Clerk of the Legislative Assembly, on the receipt of any such nomination paper, shall determine if the same is in order, and determine the electorate in which the vote may be given, having regard to the locality of the residence of the voter as appearing in his nomination paper.

Clerk of the
Legislative
Assembly
to determine
vote.

The Principal Electoral Registrar shall, for the purpose of so determining the electorates, give such assistance as the Clerk of the Legislative Assembly may desire.

(2) The said Clerk of the Legislative Assembly shall write on any nomination paper which is in order the name of the electorate for which the vote may be given, and the name of the candidate for whom in pursuance of the directions of the voter as appearing on the nomination paper he votes. A nomination paper shall be informal unless it is attested by an officer, commissioned or non-commissioned, of the forces with which such person is serving, and unless the figure 1 is written opposite to the name of a political party in the nomination paper, or unless the choice of the nominator is made apparent with reasonable certainty.

He shall then detach Part II of the nomination paper, and deposit it in a locked ballot-box to be kept in the joint custody of the Clerk of the Legislative Assembly and of the Chief Electoral Officer. He shall retain Part I of the nomination paper until after the election has been decided, and may then destroy it.

(3) The Chief Electoral Officer shall, on the polling-day, unlock the box and count the votes, and by letter or telegram inform the returning officer of each electorate of the number of votes which he has counted for the respective candidates. Such votes shall be so added to those given at the polling-places in the electorate. He shall retain the nomination papers for each electorate in a separate parcel, to be used in case of a second ballot in that electorate.

Parliamentary Elections (Amendment).

(4) The said Clerk of the Legislative Assembly shall appoint a scrutineer upon the nomination of each of the political parties mentioned in the Schedule, and such scrutineers or any of them may be present at the
5 counting of the votes by the Chief Electoral Officer.

(5) Any such nomination papers which would in the course of post arrive in New South Wales too late to be used at such election may be sent to the Agent General for New South Wales in London, and the purport of
10 such nomination papers may be cabled by him to the Clerk of the Legislative Assembly up to but not including the day of the election, and votes may be given in pursuance thereof as in pursuance of a nomination paper under this Part.

15 The respective parties mentioned in the Schedule may appoint scrutineers to countersign such cables. Any such appointment may be made by cable.

7. If a second ballot is necessary in any electorate, the Chief Electoral Officer shall forward to the Clerk of
20 the Legislative Assembly the nomination papers relating to the electorate which have been placed in the ballot box.

The Clerk of the Legislative Assembly shall write on such papers the name of the candidate for whom in
25 pursuance of the directions of the voter as aforesaid he votes at such second ballot, and such paper shall be deposited in a ballot box, and the vote shall be counted and dealt with as above provided with respect to the first ballot.

8. (1) The Governor may make regulations to carry
30 out the provisions of this Part.

(2) Such regulations shall—

- (i) be published in the Gazette;
- (ii) take effect from the date of publication, or from a later date to be specified in such
35 regulations; and
- (iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and, if not, then within fourteen days after the commencement of the
40 next session. If either House of Parliament passes

Power to cable nomination papers.

If second ballot necessary.

Regulations.

Parliamentary Elections (Amendment).

5 passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.

SCHEDULE,

[FORM OF NOMINATION PAPER.

PART I.

I
10 I , [Christian name and surname in full]
 , [occupation before enlisting] of
 , [residence at time of enlisting] desire to vote for the return of a Member of the Legislative Assembly of New South Wales for the electorate in which I resided prior to my enlistment.
15 I nominate the Clerk of the said Legislative Assembly to vote for a candidate of the political party against whose name I have written the figure 1 for such electorate.

Dated at the day of 191 .

(Signature.)

20 Signed by the abovenamed person in my presence the day and year abovementioned—

Captain (or as the case may be.)

(Commissioned or non-commissioned officer of the forces with which the said person is serving.)

PART II.

- 25 Labour (Ministerial)
 Liberal
 Labour (Non-Ministerial)
 Progressivist
 Independent

30 NOTE.—The voter may if he choose, place the figure 2 against the name of any other political party, such nomination to be given effect to only if for any reason a vote cannot be given for a candidate of the political party against whose name the figure 1 has been written.

35 The voter may also write on the nomination paper the name of the candidate for whom he wishes to vote.

First

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First ballot.

Name of electorate

Name of candidate for whom vote is given

Clerk of the Legislative Assembly
of New South Wales.

5
Date

Second ballot.

Name of candidate for whom vote is given

Clerk of the Legislative Assembly
of New South Wales.

10
Date

[9d.]

Parliamentary Elections (Amendment) Bill, 1916.

SECTIONS OF THE PRINCIPAL ACT AS PROPOSED TO BE AMENDED BY THE BILL.

PART III.

QUALIFICATIONS OF ELECTORS.

20. (1) Subject to the provisions of this Act, every person, being a natural-born subject, who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and who has resided or had his principal place of abode in New South Wales for a continuous period of three months, and every person being a naturalised subject who has resided or had his principal place of abode within the Commonwealth of Australia for a continuous period of six months, and who has resided for three months within New South Wales, both such periods being after naturalisation, and who has resided or had his principal place of abode in the electoral district for a continuous period of one month immediately prior to the day on which he makes application for the purpose of giving effect to the franchise to which he is lawfully entitled, shall, if not disqualified or incapacitated under this or any other Act, be qualified as an elector under this Act.

(2) Every person so qualified, being of the full age of twenty-one years, absolutely free, and not disqualified by this or any other Act, who resides in a district shall, subject to the provisions of this Act, be entitled to have his name inserted and retained on a list and roll for such district.

(3) Although qualified as hereinbefore in this section provided, any person who, at the time of the holding of any election for his district—

- (a) is of unsound mind ; or
- (b) ~~is in receipt of aid from any public charitable institution, except as a patient under treatment for accident or disease at a hospital;~~
or
- (c) is in prison under any conviction ; or
- (d) has been convicted of any crime or offence wherever committed, for which, if the same had been committed in New South Wales, he might have been lawfully sentenced to death or penal servitude, and has not received a free pardon therefor, or served the sentence passed on him ; or

(5)

(e)

- (e) during six months preceding the holding of any election has been imprisoned without the option of a fine for an aggregate period of three months; or
- (f) within one year prior to the holding of any election has been convicted of bribery, intimidation, impersonation, or any similar offence at any election; or
- (g) during one year prior to the holding of any election has been convicted of being an habitual drunkard, an idle and disorderly person, or incorrigible rogue or a rogue and vagabond; or
- (h) has against him an unsatisfied order of any court for the maintenance of his wife or children (whether legitimate or illegitimate); or
- (i) has been convicted of having committed an aggravated assault upon his wife within one year,

shall be incapable of voting.

Appointment of electoral registrars and officers.

No. 41, 1906, s. 8.

22. (1) The Minister shall appoint an electoral registrar for each district, deputy-registrars to keep the parts of the roll for specified ~~polling places,~~ **polling-place areas,** and such assistant registrars, **assistant deputy registrars,** and other officers as may be necessary.

(2) The registrar shall keep the parts of the roll for the respective ~~polling places,~~ **polling-place areas** for his district for which no deputy-registrars have been appointed.

Assistant registrar.

(3) An assistant registrar shall have the powers of the registrar, and an assistant deputy-registrar shall have the powers of the **deputy-registrar.**

Collection of lists.

Collection of lists by police.

Ibid. s. 9.

No. 9, 1911, s. 5(1).

23. (1) Lists in the form prescribed of the names of the persons who appear to be entitled to be enrolled for the respective districts shall every year be prepared by members of the police force authorised by the Inspector-General of Police. Any such list shall be divided according to ~~polling places,~~ **polling-place areas.**

Each such member of the police force shall, before commencing to prepare such list, make the prescribed declaration.

(2) ~~A copy of each part of a list relating to a polling place shall be forwarded by the member of the police force who has prepared the same to the registrar or deputy-registrar who is to keep the part of the roll for such polling place.~~

(3) Such lists shall be forwarded to the Chief Electoral Officer for printing on or before the first day of May in each year, and shall be printed on or before the first day of July in the same year, and each list shall be exhibited as soon as practicable after it is printed.

26. Any member of the police force taking down names for the purpose of preparing a list or 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. No. 9, 1911, s. 6.

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:

Provided also that it shall not be necessary to make out and deliver such acknowledgment to a person whose name is on the printed general roll of the polling-place area for which the member of the police force is preparing the list.

Additions to list by registrar.

27. (1.) The registrar may, prior to the printing of copies for exhibition, place on the list for the district the names of any persons qualified to have their names placed on the roll for the district, and may strike of such list the names of deceased persons.

Registrar may add names to list. No. 41, 1906, s. 11.

(2) On a claim being made prior to the printing of the list by any person showing that he is entitled to have his name placed on the roll for any district, the registrar shall place his name on the list for the district.

Claims to be placed on list.

28. Copies of the list for a district shall be exhibited at all police stations, court houses, and post offices, and at such other places within the district as the Chief Electoral Officer directs, and shall remain so exhibited for thirty days.

Copies of lists exhibited. No. 41, 1906, s. 12.

33. The registrar shall give at least twenty-one days' public notice, by advertisement in some newspaper or newspapers circulating in the district, of the times and places fixed for the sittings of the revision court, and of the part of the list for specified polling-place areas to be revised at the respective sittings of the court.

Notice of sitting of court. No. 41, 1906, s. 17.

34. (1) Any person may, by writing, in duplicate, object to any name being placed on the roll for a district on any of the following grounds:—

Objections. *Ibid.* s. 18.

(a) that the person named is not qualified to have his name placed on the roll;

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

(2) Every such objection shall be in the form of Schedule Seven and must be lodged with the registrar at least fourteen days before the date fixed for the sitting of the revision court, and the duplicate copy of such objection shall forthwith be sent to be served by the registrar personally or by post on the person whose name has been objected to.

List to be published.

(3) The registrar shall, at least seven days before the sitting of the court, exhibit at all police stations, court houses, and post offices, and at such other places within the district as the Chief Electoral Officer directs, a list in the form of Schedule Two of all objections to be dealt with by the court at its next sitting, and serve personally or by post on the person objected to notice of the objection.

Hearing before court.

Ibid. s. 19.

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

(2) If any objection is not established, the court may award to the person whose name is objected to a reasonable sum, not exceeding five pounds, for costs, and such person may recover the sum so awarded in any court of competent jurisdiction as a debt due to him by the objector.

Arrangement of part of roll.

Ibid. s. 21.

37. Each part of a roll relating to a polling-place shall be kept separately, and the surname of the electors on each such part of the roll shall be arranged in alphabetical order, according to the first letter of each name.

37. In each electoral district there shall be polling-place areas to be appointed by the Governor.

All the polling-place area rolls for a district shall be kept separately and the surname of the electors on each such roll shall be arranged in alphabetical order according to the first letter of each name, and shall together form the roll for the district.

For each polling-place area there shall be one or more polling-places.

Supplemental rolls — Revision courts before general election.

Supplemental rolls.

No. 41, 1906, s. 22.

38. Supplemental rolls, setting out additions since the last print, shall also be kept, and, wherever practicable, printed immediately previous to a general election, and at such other times as the Minister directs.

A supplemental roll shall be deemed to be part of the roll for the district to which it relates.

Revision courts

before general

election.

No. 18, 1910, s.

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

Exhibition of lists.

Ibid. s. 14.

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

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

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

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

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

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

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

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

and shall correct mistakes and supply omissions.

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

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

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

~~45.—(1) Rolls shall be printed whenever the Minister so directs.~~

45. (1) The rolls for all districts shall be printed on or before the first day of October in the year in which the lists have been prepared under section twenty-three, and any such roll shall be printed at such other times as the Minister directs.

(2) The last printed copies of the roll and of the supplemental rolls for each district shall be open for public inspection at the office of the registrar and at the offices of each deputy-registrar for the district,

Objections. *Ibid.* s. 15.

Registration of rolls

Hearing before court. *Ibid.* s. 16.

Powers of revision court. *Ibid.* s. 16.

to be printed on the first day of October

Hearing before court. *Ibid.* s. 17.

Documents to be forwarded to the court. No. 18, 1910, s. 18.

Printing of rolls. No. 41, 1906, s. 23.

Rolls open to public inspection.

district, and at every post office in the district, without fee, and shall be obtainable thereat, and at the office of the Government Printer, and at such other places as the Minister may fix, at the prices prescribed.

Forms of claims.
Ibid. s. 26.

48. (1) A claim may be in the form of Schedule Five, and shall be signed by the claimant in the presence of, and witnessed by, an elector, and shall be sent to the registrar or to the deputy-registrar keeping the part of the roll for the polling-place where the claimant desires to vote.

Registration of claims.

(2) If the claim is in order, the registrar, or deputy-registrar, receiving the claim shall, pursuant thereto, enter the claimant's name and the particulars relating to him on the roll, and shall file the claim; but before entering the name on the roll he shall, unless he thinks such course unnecessary, refer the claim to the officer in charge of the police within the district **part of the district to which the roll relates.**

Transfer to another district.
Ibid. s. 27.

49. (1) Any elector whose name is on the roll for any district and who has resided in any other district for one month may transfer his name to the roll for the district in which he resides.

Form and method of transfer.

(2) Every transfer shall be made by application to transfer in the form of Schedule Six, and shall be signed by the elector in the presence of, and witnessed by, an elector, and sent to the registrar or deputy-registrar keeping the part of the roll to which the elector's name is to be transferred.

Registration of transfer.

(3) The registrar or deputy-registrar receiving such application shall note thereon the date of its receipt by him, and shall file it in his office, and shall register it by placing the elector's name on the roll for the district, and shall give notice of the transfer to the registrar or deputy-registrar keeping the part of the roll from which the elector's name has been transferred, who shall thereupon remove the elector's name from the roll, **but before entering the name on the roll he shall, unless he thinks such course unnecessary, refer the application to the officer in charge of the police within the part of the district to which the roll relates.**

Change to another polling-place roll.
Ibid. s. 29.

51. (1) Any elector whose name is on a ~~polling-place~~ **polling-place area** roll may make application in the prescribed form to be changed to another ~~polling-place~~ **polling-place area** roll for the same district.

(2) The application to change shall be signed by the elector and witnessed by an elector and sent to the registrar or deputy-registrar keeping the ~~polling-place~~ **polling-place area** roll to which the elector's name is to be changed.

(3) The registrar or deputy-registrar receiving such application shall note thereon the date of its receipt by him, and shall file it in his office, and shall, if it appears to him that the applicant is entitled to the change, register it by placing the elector's name on the roll

roll, and shall give notice of the change to the registrar or the deputy-registrar keeping the ~~polling place~~ **polling-place** area roll from which the elector's name has been changed, who shall thereupon remove the elector's name from the roll.

(4) The registrar or deputy-registrar receiving a claim or application to transfer or to change a name to another **polling-place area in the district** 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.

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

No. 9, 1911, s. 8
Penalty for false statement in claim or application to transfer.

Ibid. s. 7.

61. Any name on a roll may be objected to by objection in writing lodged with or made by the registrar:

Names on roll may be objected to.

Ibid. s. 36.

Provided that a sum of ~~one shilling~~ **five shillings** shall be deposited in respect of each objection lodged by any person other than a member of the police force or an officer appointed under this Act, to be forfeited to the King if the objection is held by the registrar to be frivolous.

68. For the purpose of every general election—and also in the case of any seat in the Assembly becoming vacant after any such general election, and before the meeting of Parliament—the writs for the election of members shall be issued by the Governor: All writs for general elections shall be issued within four clear days after the publication in the Gazette of the proclamation dissolving Parliament, or after the Assembly has been allowed to expire by effluxion of time, and every such writ shall be made returnable on a day not later than the forty-fifth clear day after the date of the issue thereof. In writs for a general election the same day shall be named for the return of the writs, and such day shall for the purposes of section twenty-four of the Constitution Act, 1902, be deemed to have been and shall be the day of the return of the writs notwithstanding any extension of the time for such return under section one hundred and forty-six of this Act.

Governor to issue writs in certain cases Within what time writs for general elections to be issued and made returnable.

No. 33, 1902, s. 51.

No. 18, 1910, s. 19 (b).

77. The returning officer shall forthwith, on the receipt by him of any such writ as aforesaid, appoint, by writing under his hand, some fit person to be the substitute, as hereinafter mentioned, of such returning officer, and such returning officer shall, in person or by such substitute, attend at all reasonable hours in the daytime, in the interval between the receipt of such writ and noon on the day of nomination, at the place so appointed for receiving the said nomination papers, and if at any time during such interval the returning officer is absent at any time or place hereby appointed for the doing or suffering by him of any act or thing relating to such election, then such substitute may and shall do or suffer such an act or thing, or if the returning officer,

Returning officer to appoint substitute.

Ibid. s. 60.

officer, by reason of sickness or other disability, is unable to do or any acts or things relating to such election, and the same is notified to such substitute, or if the returning officer dies, then such substitute at any time may and shall, as and for the returning officer, do and suffer all such acts and things, and subject in every such case to the like provisions, as if he were the returning officer. The returning officer may, in like manner, at any time appoint a substitute to count or assist in counting the absent votes.

Proceedings on nomination if one candidate only.
No. 33, 1902, s. 63.

30. If only one candidate is so nominated, the returning officer shall, at noon on the day of nomination at the place so named for the delivery of nomination-papers, publicly declare the candidate nominated to be duly elected, and shall publish such declaration in some newspaper published or circulating in the district, and shall make his return accordingly.

(2) If two or more candidates are nominated, and all but one of such candidates die before the polling day, or in the case of a second ballot before the day for taking such ballot, the returning officer shall forthwith publicly declare the surviving candidate to be duly elected, and shall publish such declaration in some newspaper published or circulating in the district, and shall make his return accordingly; and in that case no poll or ballot shall be taken.

When poll to be taken.
Ibid. s. 64.
No. 41, 1906, s. 44.
(2).

31. If there are more candidates nominated than one, it shall be open to any candidate to withdraw his name from nomination by delivering a notice under his hand to the returning officer or the person acting as his substitute before noon on the nomination day, and if after such withdrawal there are two or more candidates, a poll shall take place on the days named in the writ for that purpose; and at the several polling-places for the district; and the returning officer shall, at noon on the nomination day, and at the place named as aforesaid for the delivery of the nomination-papers, publicly announce that a poll will be so taken and the names of the persons who have become candidates, and shall also forthwith publish in some newspaper published or circulating in the district a like announcement; together with a list of the polling-places and the date of the poll.

77 to may be present
at polling-places.
No. 41, 1906, s. 55.
Polling places.
No. 41, 1906, s. 6.

34. The Minister may, by notice in the Gazette—
(a) appoint a chief polling-place for each district at which the returning officer may preside;
(b) appoint such other polling-places for each district as he thinks necessary;
(c) abolish any polling-place;
(d) establish any polling-place area for any specified polling-place and fix its boundaries;
(e) alter the boundaries of any polling-place area.

Provided that no polling-place shall be appointed or abolished, or polling-place area be established or altered, after the issue of the writ and before the time appointed for its return.

which shall be on him, enters any polling-room or being therein
38.

88. Every returning officer, substitute of a returning officer, and every deputy returning officer and poll clerk shall, before he enters upon any of the duties hereby assigned to him with regard to any election, make and sign before some justice of the peace, clergyman, school teacher, or postmaster a declaration to the effect following:—

I [A.B.] do solemnly declare that I will faithfully and impartially, according to the best of my skill and judgment, exercise and perform all the powers, authorities, and duties reposed in or required of me by the Parliamentary Electorates and Elections Act, 1912, as returning officer [or substitute of the returning officer, or deputy returning officer, or poll-clerk, as the case may be] with regard to the election of a member for the electoral district of _____, and I do further solemnly promise and declare that I will not at the said elections attempt to ascertain [and in the case of a returning officer, or a substitute of a returning officer or a deputy returning officer, save in the cases in which I am expressly by law authorised so to do] for what candidate any person shall vote or have voted at the said election; and that if in the discharge of my duties at or concerning the said election I shall have learned, or have the means of learning, for what candidate any person shall vote or have voted thereat, I will not by word or act, or by any other means whatsoever, directly or indirectly, divulge or disclose, or aid in divulging or disclosing the same, save in answer to any question which I am legally bound to answer.

And every declaration made under this section shall be transmitted by the returning officer or his substitute to the Colonial Secretary.

(2) Any clergyman, school teacher, or postmaster is authorised to receive any such declaration. Part IV of the Oaths Act, 1900, shall apply to such declaration as if it were made under the said Act.

93. (1) There may, at any time during the taking of a poll, be present at the polling-room—

- (a) the returning officer or deputy;
- (b) the poll clerks and scrutineers;
- (c) the registrar or deputy registrar;
- (d) any member of the police force designated by the returning officer, or the deputy returning officer;
- (e) voters, not more than six in number, actually engaged in voting, such voters to be designated, if thought necessary, by the returning officer or deputy:

Provided that a registrar, deputy-registrar, or such member of the police force shall, before entering the polling room, make and sign the prescribed declaration.

(2) Any person who, without lawful authority, the proof of which shall be on him, enters any polling-room or, being therein, refuses

Poll-clerks appointed.

Substitute deputy returning officer and poll-clerk to make declarations.

No. 33, 1902, s. 70.

Proceedings on the election of a member of the Legislative Council.

No. 33, 1902, s. 70.

Proceedings on the election of a member of the Legislative Council.

No. 33, 1902, s. 70.

Proceedings on the election of a member of the Legislative Council.

No. 33, 1902, s. 70.

Proceedings on the election of a member of the Legislative Council.

No. 33, 1902, s. 70.

Who may be present at polling-booth.

No. 41, 1906, s. 55.

Proceedings on the election of a member of the Legislative Council.

No. 33, 1902, s. 70.

refuses to quit such room forthwith on being required by the returning officer or deputy, or by any member of the police force acting under the direction or authority of such returning officer or deputy, may be removed from the polling-booth, and shall be liable to a penalty not exceeding ten pounds.

Where electors may vote.
No. 41, 1906, s. 48.

97. Any elector may vote at the polling-place **any polling place within the polling-place area** for which he is enrolled, or, if he is absent from the polling-place for which he is enrolled, **such area** may, if he makes and signs before the presiding officer a declaration in the form of Schedule Nine, vote at any other polling-place for the same district.

Appointment of polling-places outside electoral district.

Ibid. s. 49.

98. (1) The Governor, in any case in which he is satisfied that the convenience of a large number of electors of any district would be furthered by appointing polling-places outside such district, may, by notice as aforesaid, appoint such polling-places.

(2) Where an elector votes outside his district at a polling-place duly appointed under the last subsection, he shall deposit such ballot-paper in a ballot-box specially set apart for ballot-papers for the district in respect of which the voter claims to vote, and upon the close of the poll such ballot-paper shall be counted, as herein provided, and a statement of the number of votes recorded in such ballot-box for each candidate shall be forthwith transmitted by post, or by any more expeditious means, by the returning officer or deputy, together with ballot-papers and any documents of any kind received by such returning officer or deputy in connection with such votes, to the returning officer of the district to which such votes are applicable; and the package containing such votes, ballot-papers, and documents shall be marked "~~absent voters' ballot-papers~~" "**outside voters' ballot-papers**"; and such officer shall, before transmitting such statement, make and sign an entry of the particulars thereof in a book to be kept for that purpose, and such entry, when so made and signed, shall, in the event of the loss or destruction of such statement, be evidence of the number of votes recorded in such ballot-box.

Questions to be put if voter challenged.
Ibid. s. 51.

100. (1) The presiding officer may, and at the request of any scrutineer shall, put to any person claiming to vote all or any of the following questions:—

- (a) Are you the person whose name appears as [*here state name under which the person claims to vote*] on the roll for [this district or the district of _____]?
- (b) Are you of the full age of twenty-one years?
- (c) Have you already voted, either here or elsewhere, at this election?
- (d) Are you disqualified from voting?
- (e) Have you left the electoral district for which you are enrolled for a longer period than one month prior to the day of _____ one thousand nine hundred and _____ . (Stating the day next before the day of the issue of the writ for the election)?

(2)

(2) If any person refuses to answer fully any question put to him by the presiding officer, or by his answer shows that he is not entitled to vote, his claim to vote shall be rejected. Consequence of answers.

(3) The voter's answer to the questions shall be conclusive, and the matter shall not be further inquired into during the polling. Answer conclusive.

(4) If any person claiming to vote—

(a) refuses or omits to answer any such questions put to him by the presiding officer; or

(b) does not answer absolutely in the affirmative the first two of the said questions, or does not answer absolutely in the negative the last two of the said questions so put to him, he shall be liable to a penalty not exceeding twenty pounds.

105. Every elector shall be entitled to vote for one and only one candidate at any election; and any ballot-paper purporting to record more votes than one shall be rejected at the close of the poll. Only one vote to be given. No. 33, 1902, s. 83.

115. (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. No. 9, 1911, s. 15.

(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 one hundred of this Act 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 Eleven 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 or initialled 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)

(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.

(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 Twelve signed or initialled 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.

116. Every absent voter's ballot-paper containing a vote shall be promptly forwarded under registered cover where practicable 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.

117. The returning officer for the district for which the voter declares that he is enrolled, or his substitute, 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.

Forwarding of
absent voters'
ballot-papers.
No. 9, 1911, s. 16.

Returning officer
satisfied to accept
ballot-paper for
further scrutiny.
Ibid. 17.

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.

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

Further scrutiny.
Ibid. s. 18.

(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 or initialled 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 this Act which, in the opinion of the returning officer, will enable any person to identify the voter.

121. Immediately upon the close of the poll the returning officer and every deputy at the polling-place at which each presides shall, in the presence and subject to the inspection of such of the scrutineers as choose to be present and the poll clerks (if any), but of no other persons, open the ballot-box and proceed to count the number of votes for each candidate. The Chief Electoral Officer, on due cause being shown, may direct any returning officer or deputy returning officer to recount any votes, and thereupon the votes shall be recounted in the manner above prescribed.

How and when
number of votes to
be ascertained.
No. 33, 1902, s. 94.

122. (1) A ballot-paper shall be informal if—

- (a) it is not duly initialled by the presiding officer; or
- (b) 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) it has upon it any mark or writing not authorised by this Act to be put upon it, which, in the opinion of the returning officer, will enable any person to identify the voter.

Informal
ballot-papers.
No. 41, 1906, s. 56.

(2) Informal ballot-papers shall not be counted at the scrutiny.

Returning officer
entitled to accept
ballot-paper for
further scrutiny.
Ibid. s. 17.

126. (1) The returning officer shall make up the general state of the poll from the list made out by him and from the lists transmitted by the deputy returning officers; and shall, subject to the provisions of section one hundred and thirty of this Act, as soon as conveniently may be after taking the poll, by notice signed by him and posted in some conspicuous position at the principal polling-place, and inserted in some newspaper

Declaration of poll.
Ibid. s. 98.

newspaper published or circulating in the district, announce the number of votes given to each candidate, and declare that candidate who has received the greatest number of votes to be duly elected :

Provided that with regard to the general state of the poll of the electoral district to which Lord Howe Island belongs, the returning officer shall accept a cable message purporting to be sent by the deputy returning officer presiding at the poll at such island in lieu of a list or writing as to the voting at the poll on such island.

Casting vote of
returning officer.

(2) If two or more candidates have received an equal number of votes, the returning officer shall give a casting vote, but shall not otherwise vote at such election.

(3) The name of the person so elected shall be indorsed on the writ by the returning officer, and the writ shall be by him returned to the Governor, or Speaker, as the case may be, within the time specified therein.

When polling may
be adjourned.
Ibid. s. 102.

130. (1) When the proceedings for taking the poll at any election are interrupted or obstructed at any place by any riot or open violence, the returning officer or deputy (as the case may be) shall not for such cause finally close the poll, but shall adjourn the taking of the poll at the polling-place at which such interruption or obstruction has happened to the following day; and, if necessary, such returning officer or deputy shall further adjourn such poll from day to day until such interruption or obstruction have ceased, when such returning officer or deputy shall again proceed with the taking of the poll at the place at which the same may have been so interrupted or obstructed.

Poll-clerk to act for
returning officer in
certain cases.

(2) If the returning officer or deputy (as the case may be) fails to open the polling at any booth or a polling-place for one half-hour after the time appointed for the same, or if he becomes incapable of performing his duties from any cause after polling has opened, and for a period of one half-hour, then in each and every such case the poll clerk (if one be present) or the senior poll clerk (if more than one be present) shall be and is hereby empowered to act as and for such returning officer or deputy in respect of all matters required to be done by such returning officer or deputy in respect of such polling. And such poll clerk so acting may forthwith appoint a poll clerk to assist him in the conduct of such polling.

For other causes.

(3) If from any other cause than riot or open violence no polling has been opened at any booth of a polling-place for any district on the appointed day or where the polling has been opened, but from the absence of necessary forms, documents, or materials the poll cannot be proceeded with, the polling at such booth shall be by the returning officer or deputy (as the case may be) adjourned to a day not later than seven clear days following such appointed day; and the returning officer or deputy (as the case may be) shall forthwith cause public notice to be given thereof.

SCHEDULE

SCHEDULE ELEVEN.

Absent Voter's Form of Declaration.

I DECLARE that I am the person enrolled as—

(Surname)

(Place of living Residence as enrolled)

(Christian names at full length)

(Occupation)

on the Electoral Roll for **polling-place (or polling-place area) in the Electoral District of** and that I have not ceased to reside in the district for a longer period than one month prior to the day next before the day of the issue of the writ for this election; 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 Dated before me this _____ day of _____ 191 _____

at _____ Polling-place, in the electoral district of _____

Returning (or Deputy Returning) Officer

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

Legislative Bill (Amendment)

1916

SECTIONS OF THE PRINCIPAL ACT AS PROPOSED TO BE AMENDED BY THE BILL

Section 1. (1) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(2) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(3) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(4) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(a) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(b) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(c) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.

(d) Any person who is a member of a corporation, partnership, or other body corporate, and who is a resident of the State of New South Wales, shall be liable to be appointed as a member of the State Council of Education, if he has resided in the State for a period of three months immediately preceding the date of his appointment, and if he is a resident of the State at the date of his appointment.