No. XXV.

An Act to amend the Electoral Law. [10th PARLIAMENTARY November, 1896.]

ELECTORATES AND ELECTIONS ACT Amendment.

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

Residential qualification; Provisional List; Vote on change of residence.

1. The period of residence in a District necessary to entitle a regiod of residence person to an Elector's Right under section thirty-eight of the Principal reduced to one month. Act shall hereafter be one month instead of three months.

2. The Registrar of each District shall immediately upon the Trunsferred Elector's issue of an Elector's Right under section thirty-eight of the Principal Right to be enrolled for new district. Act inquire in writing in the prescribed form from the Registrar of the District for which the applicant previously held an Elector's Right, as to whether the applicant is then duly enrolled for such District; and if the applicant is then so enrolled, the Registrar of such last-mentioned District shall issue a certificate in the prescribed form accompanied by his statutory declaration of the truth and accuracy thereof, and transmit the same to the Registrar making such inquiry, and such last-mentioned Registrar shall upon receipt of such certificate and declaration enter the name of the applicant on a Roll to be called the Additional Roll for the District in respect of which the Elector's Right under section thirty-eight aforesaid has been issued.

3. All persons whose names have been duly entered upon the rersons on Additional Roll shall be entitled to the same rights under the Principal Additional Roll to Act, and any Act amending the same and under this Act, as if their if on General Roll.

4. (1) The Registrar of each District shall, so soon as may be The names of persons after the commencement of this Act, enter upon a List, to be kept by to whom Electors' him and called the Provisional List, the name of every person to unders, 36 or s, 38 of whom an Elector's Right has been issued for such District under section the Principal Act to be entered on the thirty-six or section thirty-eight of the Principal Act subsequent to Provisional List. the first day of August, one thousand eight hundred and ninety-six, and prior to the commencement of this Act, and shall enter thereon from the butt of such Elector's Right the prescribed particulars.

names were then entered upon the General Roll.

(II) When hereafter an Elector's Right is issued to any person upon application under section thirty-six of the Principal Act, the Registrar shall forthwith enter upon the Provisional List the name of the said person, and the prescribed particulars from the butt of the Elector's Right:

Provided that no entry shall be made in the Provisional List for any District or on the Additional Roll in the interval between the issue of the writ for an Election in such District and the declaration of the poll for such Election, but the names of any persons to whom Electors' Rights are issued under the said sections in such interval shall be entered in the List forthwith after the day of election.

At the date of making out any General List all names on the Additional Roll shall be entered therein.

Notwithstanding anything contained in the Principal Act, it Supplementary List shall not hereafter be necessary to make out any Supplementary List. need not b made out.

Provisional List -

No. 25.

5. The Registrar of each District shall, during the first week of when to be printed and where exhibited. each month, cause copies of the Provisional List to be transmitted to each person in charge of a post-office or police-office within the district. The person in charge of such post-office or police-office shall cause the List to be exhibited in some conspicuous position within or outside such post-office or police-office.

Objections to name of person on the Provisional List.

6. A stipendiary or police magistrate, to be appointed as a revising magistrate by the Governor, shall, during each month, on days to be notified by the Registrar of the District in the prescribed manner, hold a Revision Court within each District for the revision of the Provisional List.

The Registrar or any person then entitled to vote in the District may in the prescribed manner object to the name of any person being retained on the Provisional List, and notice of objections so made shall be given in the prescribed manner to the person whose name is objected to.

The magistrate holding the Court shall hear and determine all objections made as aforesaid, and shall expunge from the List the names of all persons not entitled to vote at an election within the District, and the provisions of the Principal Act with regard to the procedure before the Revision Courts thereby constituted shall, so far as possible, apply to the Court held under this section.

The List when signed and certified as correct by the magistrate shall be transmitted by him to the Registrar of the district, who shall

enter the names thereon on the Additional Roll.

Elector who has moved to a new District may vote for his old District for a period of one month.

7. An Elector who has changed his residence from the District for which he is enrolled to another District shall not on that account be debarred from voting at an Election for the District for which he is enrolled, until a period of one month has elapsed from such change of residence: Provided that in any case where the issue of a writ for an Election prevents an Elector getting his name placed on the Additional Roll in the new electorate his Right to record his vote in the old electorate shall hold good until after such Election.

Applications under sections 36, 38, or 39 of Principal Act may be made by post.

8. Applications under section thirty-six, section thirty-eight, or section thirty-nine of the Principal Act for an Elector's Right, instead of being made personally may be made by sending through the post office to the Registrar an application in the form prescribed signed by the applicant, or if he is a marksman, marked by his distinguishing mark witnessed by a Justice of the Peace. Each application shall contain the answers to the questions required by the section of the Principal Act under which it is made as amended by this Act, and the truth of the answers shall be verified by a solemn declaration subscribed before and attested by a Justice of the Peace and sent with

On receipt of an application made by post, together with the declaration aforesaid, the Registrar shall, on being satisfied as to the qualifications of the applicant, issue the Elector's Right by causing the same to be delivered to the applicant by some person authorised by the Chief Electoral Officer in writing under his hand, on the applicant signing his name on the face and on the butt of the Elector's

Right:

Provided that no right applied for by post shall be issued under section thirty-eight of the Principal Act, unless the applicant has delivered to the Registrar the Elector's Right then held by him, or under section thirty-nine, unless the applicant has delivered to the Registrar any Right which is torn or defaced; and until the Registrar has ascertained the number and date of the Right lost, torn, or defaced, and has entered the same number and date in the body and butt of the Right.

Any applicant who knowingly makes a false statement in such Punishment for declaration or a false answer to such question as aforesaid shall, declaration, upon conviction before any Court of summary jurisdiction, be liable to imprisonment for any period not exceeding six months.

Currency of Electors' Rights.

9. Notwithstanding anything contained in the Principal Act all Electors' Rights to Electors' Rights, whether issued before or after the commencement of remain in force until this Act, shall remain in force until the thirty-first day of December, one thousand nine hundred, unless cancelled in the prescribed manner. And notwithstanding anything contained in section forty of the said Act, all Electors' Rights issued before or after the thirty-first day of December, one thousand nine hundred, shall continue and remain in force, subject to the conditions prescribed in section forty of the Principal Act, with the following exceptions:—

(a) The General List shall be made out from the butts of Electors' Rights in the year one thousand nine hundred, and in each third year thereafter.

(b) The Elector's Right, to be tendered and stamped in accordance with subsection (1) of section forty aforesaid, shall be an Elector's Right issued either before or after the thirty-first day of December, one thousand nine hundred.

Amendments of Principal Act.

10. The Principal Act is hereby amended as follows:— Section thirty-eight by the omission of the words "three months" in question (3) subsection (1) and the insertion, in lieu thereof, of the word "month."

Amendments of Principal Act.

Section thirty-nine in subsection (1) by the omission of the words "qualified according to the tenor or purport thereof," and the insertion, in lieu thereof, of the words "qualified to vote at an Election for the District for which such Right was issued"; and in subsection (111) by the omission of the words "qualified to vote according to the tenor of the Original Right" wherever they occur, and the insertion in each case, in lieu thereof, of the words "qualified to vote at an Election for the District for which the Original Right was issued."

Section forty-nine, subsection (II), by the omission of the word "produce," and the insertion of the words "cause to be produced," and the addition of the following words at the end thereof: "Notwithstanding anything contained in this Act personal attendance of an applicant for enrolment at a Revision Court shall not be required except in cases where an objection has been lodged."

Section fifty, subsection (II), by the omission of the words "together with such Roll," and the insertion, in lieu thereof, of the words "when required for any Election."

Section sixty-nine by the omission of the words "or Division of a District.

Section seventy by the omission of subsection (IV).

Section eighty-two by the insertion, in question (1) of subsection (II), of the words "or Provisional List" after the words "the "Supplementary Roll"; and by the omission of question (3) in subsection (11) and the insertion in lieu thereof of the words "Are you qualified to vote either as residing in the District for which the Elector's Right was issued, or as having resided there within the last month?"

Section eighty-six by the omission of the words "or voting-paper."

Section ninety by the omission of the words "ballot or votingpaper," and the insertion, in lieu thereof, of the word "ballot-paper," and further by the omission of the words "such ballot-paper or voting-paper" wherever they occur, and the insertion in each case, in lieu thereof, of the words "the ballot-paper."

Section ninety-one by the omission of the words "either in more than one Division of the same District or," and of the words

"Division or."

Section ninety-five by the omission of the words "the Division of" and the words "or Deputy of the Division."

Section ninety-six by the insertion in question (1) of the words "or Provisional List" after the word "Roll."

Section ninety-eight by the omission of the words "and envelopes (if any)" and of the words "And for the purposes of this section, and the enactments hereinafter contained, every voting-paper whensoever practicable shall be treated as and be deemed to be a ballot-paper."

Section ninety-nine by the omission of the words "and votingpapers (if any)" and the words "the name of the Division."

Section one hundred and three by the omission of the words "distinguishing in each case ballot-papers from voting-papers."

Section one hundred and four by the omission of the words "or voting-paper" wherever they occur.

And section ninety-seven and Schedule G of the Principal Act are hereby repealed.

Miscellaneous.

Lists of names

11. Instead of publishing the List mentioned in section fortyobjected to not to be four, subsection (v) of the Principal Act as therein provided, the published. Registrar shall, by advertisement in the newspaper published or circulating in the District, give notice that a copy of such List is posted outside each post-office and court-house of the District, and Repeal of Act 58 Vic. may be inspected at the office of the Registrar; and the Act fiftyeighth Victoria number one is hereby repealed.

No. 1. Form of Elector's

Division in certain cases to mean District.

Right.

12. Schedule A to this Act shall be used for transferred Electors' Rights issued under section thirty-eight of the Principal Act.

13. Where in this or the Principal Act a Division is mentioned, the expression shall, in cases where a District has not been subdivided into Divisions, be taken to mean the District, unless such meaning would be inconsistent with the context.

Districts need not be subdivided into Divisions.

14. The Governor may abolish any Divisions into which any Districts have before the commencement of this Act been divided; and it shall not be necessary hereafter to subdivide any Districts into Divisions.

Governor may make regulations.

15. In order to give due effect to the meaning and intent of the provisions contained in this Λ et, the Governor may, by regulations, provide for any proceeding, matter, or thing for which express provision has not been herein made; and all such regulations shall, on being published in the Gazette, have the full force of law, and shall be laid before both Houses of Parliament within fourteen days after such publication if Parliament be then sitting, and if not, then within fourteen days after the commencement of the next ensuing session.

Short title. Definition.

16. This Act may be cited as the "Parliamentary Electorates and Elections Act Amendment Act, 1896," and in its construction "Principal Act" means the Parliamentary Electorates and Elections Act of 1893, and this Act shall be read with and taken to be portion of the Principal Act.

SCHEDULES.

SCHEDULE A.

[To be printed in red ink.]

(Butt.)

No.

Electoral District of

- (1) What are your Christian names, surname, residence (including the street, and the number or name (if any) of the house in which he resides), and occupation?
- (2) Are you of the full age of twenty-one years!
- (3) Are you a natural-born or a naturalised subject, and which?
- (4) (If a natural-born subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year immediately prior to the date of your application for an Elector's Right!

(If a naturalised subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year since your naturalisation, and immediately prior to the date of your application for an Elector's Right!

- (5) Have you resided or had your principal place of abode in this Electoral District for a continuous period of one month immediately prior to this date?
- (6) Have you before received an Elector's Right in any District in New South Wales! [and if the answer be "Yes,"] in what District!

(A.B.), Registrar.

(C.D.), abovenamed.

(Date)

No.

No. 25.

Elector's Right.

Electoral District of

The holder hereof [name in full]

of [add occupation] whose name is signed hereunder, is, if enrolled, entitled to vote at elections of Members of the Assembly in the above District, being qualified in respect of Manhood and of Residence in such District.

(A.B.), Registrar.

(C.D.), abovenamed.

day of

The

, 18 .

SCHEDULE B.

To the Registrar of the Electoral District of

I, [christian name and surname], of [residence] hereby give notice that I object to the name of A.B. being retained on the Provisional List for the District of , on the following grounds:—

(Signature.)
(Date.)