

Act No. 61, 1900.

An Act to further amend the Parliamentary
Electoral Law. [5th December, 1900.]

PARLIAMENTARY
ELECTIONS
(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:—

Preliminary.

1. This Act may be cited as the "Parliamentary Elections (Amendment) Act, 1900," and shall be construed with the Parliamentary Electorates and Election Act of 1893 and any Act amending the same. Short title.

New lists and rolls.

2. The electoral lists made by the police shall be printed by the Government Printer in the form of a general list for each district, and of general lists for the divisions of each district, and the Chief Electoral Officer shall, within thirty days after the commencement of this Act, cause a sufficient number of copies of the general list for each district and two copies of the general lists for the divisions of such district to be forwarded to the registrar for such district. Making out lists for divisions.

3. The registrar shall forthwith on receipt of such copies transmit one copy of the general list for the district to each court-house, police station, public school, and post-office within the district, to be exhibited for public inspection until the lists for the divisions of such district are revised, and shall transmit two copies of the list for each such division to the clerk of the revision court for the division at least five clear days before the holding of such court. The registrar shall, on receipt of such copies, Transmission of lists for publication and revision.

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copies, also transmit a copy of the general lists for the district to every police officer stationed in such district if such district is outside the Metropolitan area.

Claims to insert names in list.

4. (1) Before or on the prescribed day, any person whose name is not on any such list, but who claims to be entitled to have his name inserted therein, may, by notice in the form of Schedule Two sent by post to the clerk of the revision court for the division, claim to have his name so inserted, and any person who wilfully certifies to any particular in any such claim which he knows to be untrue shall be liable to imprisonment for a term not exceeding six months.

Objections.

(2) Before or on the prescribed day, any person whose name is on the list may, by notice in the prescribed form sent by post to the clerk of the revision court for the division, object to the name of any other person being retained on such list.

Publication of claims and objections.

(3) Public notices of such claims and objections shall be exhibited at all courts of petty sessions, police stations, public schools, and post offices within the district, and shall be kept so exhibited until the list is revised.

Appointment of revision courts.

5. (1) The list for each division shall be revised by a revision court to be held at such place and by such stipendiary or police magistrate as may be notified by the Governor in the Gazette. And the clerk of the revision court shall notify in some newspaper circulating in the division the time and place for the holding of the court and shall produce the list and any claims and objections sent to him.

(2) The provisions of subsections (v) and (vi) of section forty-seven and of subsections (ii) and (iii) of section forty-eight and subsections (i), (iii), and (iv) of section forty-nine of the Principal Act (so far as those provisions are applicable and consistent with this Act) shall apply to any such list, and the revision, signing, and certifying of the same.

(3) Where a claim has been duly made in the form of Schedule Two to insert the name of any person in any such list, and such claim is certified as true in accordance with the certificate in that Schedule, such name may be placed by the revision court on such list although the said person does not attend the court, and no evidence other than the certificate is produced to the court in support of such claim.

Preparation of rolls.

6. (1) The list for a division, on being so signed and certified, shall be forthwith delivered to the registrar of the district of which such division forms part, and such registrar upon receiving the revised lists for the several divisions of his district shall forthwith transmit them to the chief electoral officer, who shall from such lists cause the general roll for the district to be prepared and printed, and dealt with in accordance with the provisions of the Principal Act.

(2)

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(2) On the general roll being prepared for any district, all lists and rolls and electors' rights for such district, or any divisions of such district, except the lists and rolls prepared in pursuance of this Act, shall be deemed to be cancelled and of no effect. Cancellation of previous lists and rolls.

7. (1) Such members of the police force as may be instructed by the Inspector-General of Police to collect the names of persons resident within any division who are entitled to be enrolled but who are not enrolled for such division shall, in the month of April of each year, make out a list of such names and sign the same, and make a declaration before a justice of the peace in the form of Schedule One, and transmit such list and declaration to the registrar. Police to make yearly lists.

(2) Every registrar in making out, under subsection two of section forty-one of the Principal Act, a general list, shall include in such list the names aforesaid, and shall issue an elector's right to each person whose name has been passed by the revision court. Registrar to include names.

Electors' rights.

8. After the commencement of this Act all electors' rights shall be printed in blue ink, and shall with the butt be in the form of Schedule Three except that where such right is issued under this Act— Form of electors' rights.

- (a) in place of the questions on the butt, there shall be printed a receipt for such right in the form of Schedule Four; and
- (b) such right shall be authenticated in the prescribed manner, but it shall not be necessary that the right should be signed by the registrar.

9. (1) As soon as practicable an elector's right shall be prepared for each person enrolled in pursuance of this Act, and the Colonial Secretary shall cause such right to be delivered personally to the elector entitled thereto. Delivery of electors' rights.

(2) Subject to the provisions of this Act, every such elector's right shall be prepared in accordance with, and in all other respects shall follow, the requirements of Part III of the Principal Act, as amended by any Acts heretofore passed, so far as such requirements relate to electors' rights. Form of electors' rights.

(3) The person delivering an elector's right in pursuance of this section shall detach all butts from the electors' rights when the receipts thereon have been signed or marked by the elector, and shall transmit the same to the registrar for the district to which they relate, who shall retain the same in his custody for the prescribed time. Butts.

10. Section thirty-seven of the Principal Act shall not apply to the case where the elector's right previously issued is an elector's right deemed by this Act to be cancelled and of no effect. Amendment of s. 37 of Principal Act.

11.

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Currency of electors' rights.

11. Any elector's right lawfully issued after the commencement of this Act shall be in force until duly cancelled.

Alteration of forms and times.

Forms and times prescribed may be altered.

12. In order to give due effect to the above provisions of this Act, the Governor may, by regulations, provide for any proceeding, matter, or thing for which express provision has not been herein made, or where any alteration of any form may be found necessary, or where it is found that the time allowed to do any act is clearly insufficient, and an alteration or extension of, such time, and any alteration of dates consequent thereon is shown to be necessary, he may declare, either by regulation or notification in the Gazette, that such alteration shall be made, and thereupon the same shall be made and take effect accordingly: Provided that no alteration of time shall be made which shall delay the completion of the rolls beyond four months from the commencement of this Act.

Miscellaneous.

Purification of rolls.

13. It shall be the duty of members of the police force during the month of July of every year to make a scrutiny of the general rolls for the districts of the Colony, and to mark thereon the names of all persons who have died or have permanently left any district for which they are enrolled, and shall transmit such rolls so marked to the registrars for the respective districts, who shall take the necessary action to have such names expunged from the next general lists.

Appointment and powers of assistant registrars.

14. The Governor may appoint by notice in the Gazette an assistant registrar or assistant registrars for any district, who, within the district or within any specified part of the district, as the Governor may think fit and may notify as aforesaid, shall have the powers of the registrar for the district.

No signature-book required.

15. It shall not be necessary hereafter for any applicant for an elector's right to sign his name or make his distinguishing mark in a signature-book as required by the Principal Act.

Amendment of section 8 of Act of 1896.

16. (1) The solemn declaration referred to in section eight of the Parliamentary Electorates and Elections Act Amendment Act, 1896, may be subscribed before a justice of the peace, or any clerk of petty sessions, officer of the police force, postmaster, public school teacher, or any officer appointed under the Principal Act or any Act amending the same.

(2) Any person who wilfully and knowingly makes a false statement in any such declaration shall be liable to a penalty not exceeding twenty pounds, or not exceeding six months' imprisonment.

17.

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17. Notwithstanding section six of the Parliamentary Electorates and Elections Act Amendment Act, 1896, a revision court for the revision of the provisional list may be held at any place within or without the district to which the list relates. Revision of provisional list may be made by court sitting outside district.

SCHEDULES.

SCHEDULE ONE.

I, do solemnly and sincerely declare that I have to the best of my knowledge and ability, and in accordance with the provisions of the Parliamentary Electorates and Election Act of 1893, and Acts amending the same, collected the List for the Division of the Electoral District, and that I have not omitted from such List the name of any person resident within such Division whom I knew or believed to be qualified and entitled to vote under the said Act, nor have I inserted in any List the name of any person whom I knew or believed to be disqualified to vote by the said Act.

Signed and declared before me, this day of , 1900,— (Signed)

(Signed) Justice of the Peace.

SCHEDULE TWO

Notice of claim.

To the clerk of the revision court for the Division of the Electorate.

Name in full; address; occupation.

If natural-born, strike out the words "naturalised" and "since my naturalisation"; if naturalised, strike out the words "natural-born."

I, of a , do hereby give notice that I claim to be entitled to have my name enrolled on the roll for the abovementioned district, being of the full age of twenty-one years, a natural-born, naturalised, British subject, having resided or had my principal place of abode in New South Wales for a continuous period of one year since my naturalisation, and immediately prior to the date of this claim for enrolment, and having resided or had my principal place of abode in the abovenamed electoral district for a continuous period of three months immediately prior to the date of this claim, and being now a resident of the electorate named.

(Signature of claimant.)

Certificate.

I certify that the particulars as given in the above claim are true.

(Signature). (Qualification.)

To be certified to by a clerk of petty sessions, member of police force, postmaster, public school teacher, or officer appointed to issue electors' rights.

SCHEDULE

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SCHEDULE THREE.

[To be printed in blue ink.]

<p>(BUTT.)</p> <p style="text-align: right;">No.</p> <p><i>Electoral District of</i></p> <p>Name of holder</p> <p>Residence</p> <p>(1) <i>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?</i></p> <p>(2) <i>Are you of the full age of twenty-one years?</i></p> <p>(3) <i>Are you a natural-born or a naturalised subject, and which?</i></p> <p>(4) <i>(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?</i></p> <p><i>(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?</i></p> <p>(5) <i>Have you resided or had your principal place of abode in this Electoral District for a continuous period of ["one month" in case of a transferred right and "three months" in case of an original or substituted right] immediately prior to this date?</i></p> <p>(6) <i>Have you before received an Elector's Right in any District in New South Wales? [and if the answer be "Yes,"] in what District?</i></p> <p style="text-align: right;">(A.B.), Registrar. (C.D.), abovenamed.</p> <p>(Date)</p>		<p style="text-align: right;">No.</p> <p style="text-align: center;"><i>Elector's Right.</i></p> <p>Electoral District of</p> <p style="text-align: right;">Division.</p> <p>The holder hereof [<i>name in full</i>]</p> <p>of [<i>add occupation</i>],</p> <p>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.</p> <p style="text-align: right;">(A.B.), Registrar. (C.D.), abovenamed.</p> <p>The day of , 19 .</p>
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SCHEDULE FOUR.

<p>(BUTT.)</p> <p style="text-align: right;">No.</p> <p><i>Electoral District of</i></p> <p>Name of holder</p> <p>Residence</p> <p>Received from my elector's right, numbered as above.</p> <p style="text-align: right;">(<i>Signature.</i>) (<i>Place.</i>)</p> <p>(Date.)</p> <p style="text-align: right;">(<i>Witness.</i>)</p>		
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