

PARLIAMENTARY ELECTIONS  
(AMENDMENT) ACT.

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Act No. 40, 1918.

An Act to amend the law relating to Parliamentary elections ; to provide for a system of proportional representation, and for postal voting in certain cases ; to validate the non-preparation of certain lists and rolls, and to provide that the rolls for the year 1917 shall, until new rolls are made, remain in force ; to amend the Parliamentary Electorates and Elections Act, 1912, the Liquor Act, 1912, the Oaths Act, 1900, and certain other Acts ; and for purposes consequent thereon or incidental thereto. [Assented to, 18th December, 1918.]

George V,  
No. 40.

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

*Preliminary.*

**1.** This Act may be cited as the "Parliamentary Elections (Amendment) Act, 1918." It shall be read with the Parliamentary Electorates and Elections Act, 1912, hereinafter referred to as the "Principal Act."

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PART

George V,  
No. 40.

## PART I.

## PROPORTIONAL REPRESENTATION.

*Redistribution of electorates.*

Commission. **2.** The Governor shall, before the first day of January, one thousand nine hundred and nineteen, appoint a commission to redistribute the electoral districts of the State of New South Wales for the purposes of proportional representation.

Such commission shall consist of a district court judge, the Under Secretary of the Department of the Chief Secretary, and an officer in the Bureau of Statistics.

The provisions of Part II of the Principal Act so far as they are applicable shall apply to such commission.

Amendment  
of Part II.

**3.** Part II of the Principal Act is amended as follows:—

Proportional  
representa-  
tion.

(i) By inserting immediately before section four the following section:—

**3A.** (1) The members of the Legislative Assembly shall, at the next and subsequent general elections and in the case of any seat in such assembly becoming vacant after any such general election, be elected in accordance with the principles of proportional representation.

(2) The Governor may make regulations prescribing the method of voting and of counting the votes at any such election.

Such regulations shall be laid before the Legislative Assembly within seven days after the meeting thereof if Parliament is sitting, and if Parliament is not sitting then within seven days after the next meeting of Parliament, and upon the carrying of a resolution by such Assembly in approval thereof, and upon their publication in the Gazette, they shall have the force of law.

(ii) Section four, by omitting the words "each member representing an electoral district."

(iii) Section five, by omitting the word "ninety."

(iv) Section twelve, by omitting the words "ninth" and "fourth," and inserting in lieu thereof respectively the words "eleventh" and "sixth."

(v)

- (v) Section thirteen, by repealing the section, and inserting the following section in lieu thereof:—

13. It shall be the duty of the commissioners, and they are hereby directed, to distribute New South Wales into electoral districts for the purposes of this Act, whenever directed by the Governor by proclamation in the Gazette; and in the event of the Governor not so directing, then such distribution shall take place after the expiration of nine years from the date of the last redistribution:

Provided that the first distribution under this Act shall be completed not later than the thirtieth day of June, one thousand nine hundred and nineteen.

- (vi) Section fifteen, by omitting subsection two and inserting the following subsection in lieu thereof:—

(2) The Governor shall thereupon cause the names of such electoral districts and the boundaries thereof to be published in the Gazette; on such publication those electoral districts shall, until altered by further redistribution under this Act, be the electoral districts of New South Wales.

- (vii) Section seventeen, subsection two—

Sec. 17 (2).

- (a) in paragraph (b) by omitting the word "ninety," and by omitting the expression "each to be represented by one member only," and inserting in lieu of that expression the words "so arranged that those within the metropolitan and adjacent areas, and that containing the city of Newcastle shall be represented by five, and the remaining districts by three members";
- (b) in paragraph (d) by omitting the word "ninety" and inserting in lieu thereof the words "either eighteen or thirty, according as the district is represented by five or three members," and by omitting the words "one thousand two hundred" and inserting in lieu thereof "four thousand."

George V,  
No. 40.

## PART II.

*Amendments of Principal Act consequent on adoption  
of proportional representation.*

Consequen-  
tial amend-  
ments of  
Principal Act.  
Sec. 80.

**4.** The Principal Act is amended as follows:—

- (i) Section eighty: Omit “If only one candidate is so nominated,” insert in lieu thereof “If no greater number of candidates are nominated than are required to be elected.”  
Omit “candidate” where secondly occurring, insert in lieu thereof “candidates.”
- Sec. 81. (ii) Section eighty-one: Omit “one,” insert in lieu thereof “are required to be elected.”  
Omit “two or more candidates,” insert in lieu thereof “still more candidates than are required to be elected.”
- Sec. 82 (2). (iii) Section eighty-two, subsection two: Omit “form of Schedule Four” insert in lieu thereof “prescribed form.”
- Sec. 83. (iv) Section eighty-three: Omit section.
- Sec. 98 (2). (v) Section ninety-eight, subsection two: After the words “and upon the close of the poll such ballot-papers” omit the remainder of the subsection, insert in lieu thereof “together with all documents received by the deputy returning officer in connection with the poll, shall be dealt with in accordance with the provisions of section one hundred and twenty-three hereof.”
- Sec. 103. (vi) Section one hundred and three, paragraph (a): Omit all words commencing “mark his vote” to end of paragraph and insert in lieu thereof “record his vote on the ballot-paper in the manner prescribed.”
- Sec. 105. (vii) Section one hundred and five: Omit section.
- Sec. 108. (viii) Section one hundred and eight: Omit the words “mark his vote in the polling-booth on the ballot-paper by making a cross in the square opposite the name of such candidate as such person may designate” and insert in lieu thereof “mark the ballot-paper according to the instruction of such person.”
- cc. 109. (ix) Section one hundred and nine: Omit the words “mark his vote in the polling-booth on the ballot-paper

ballot-paper by making a cross in the square opposite the name of such candidate as such person may designate" insert in lieu thereof "mark the ballot-paper according to the instruction of such person." George V,  
No. 40.

- (x) Section one hundred and fifteen, subsection one : Omit paragraph (f). Sec. 115 (1).

Subsection two :—

Sec. 115 (2).

- (a) In the first paragraph after "ballot-paper" insert "in the prescribed form," and omit the words "in the form of Schedule Twelve."  
 (b) Omit the second and third paragraphs, insert in lieu thereof :—

"The elector, on receiving such paper, shall thereupon retire alone into an unoccupied compartment of the polling-booth, and there in private record his vote in the manner prescribed, and then fold and fasten such paper as above prescribed.

"The paper shall thereafter be dealt with as a ballot-paper."

- (xi) Section one hundred and eighteen, subsection three : Omit paragraph (b). Sec. 118 (3).
- (xii) Section one hundred and twenty-one: Omit section. Sec. 121.
- (xiii) Section one hundred and twenty-two, subsection one: Omit paragraph (b). Sec. 122 (1).
- (xiv) Section one hundred and twenty-three: Omit "ascertaining the total number of votes" insert "the close of the poll." Sec. 123.
- (xv) Section one hundred and twenty-four: Omit "a list of the total number of votes received by each candidate and also." Sec. 124.
- (xvi) Section one hundred and twenty-five: After "presided" insert "until he proceeds to count the votes." After "as hereinafter provided" omit remainder of section. Sec. 125.
- (xvii) Section one hundred and twenty-six, subsection one: Omit subsection, insert the following :— Sec. 126 (1).
- (1) The returning officer shall, as soon as practicable after the close of the poll, in the presence of such of the scrutineers as choose to be present, and with such assistance as he may deem

George V,  
No. 40.

deem necessary, proceed to count the votes recorded on all ballot-papers (not rejected as informal) including postal and absent voters' ballot-papers used in connection with the poll for his district. He shall, as soon as practicable thereafter, by notice signed by him, and posted in some conspicuous position at the principal polling place, and inserted in some newspaper published or circulating in the district, announce the result of the election.

Sec. 126 (3).

Subsection three: Omit "the name of the person," insert "the names of the persons."

Sch. 4.

(xviii) Schedule Four: Omit Schedule.

Sch. 12.

(xix) Schedule Twelve: Omit Schedule.

New sections  
and short  
heading.

5. The following short headings and sections are inserted next after section one hundred and fourteen of the Principal Act:—

*Voting by post.*

Application  
for a postal  
vote  
certificate and  
postal ballot  
paper.

114A. (1) An elector who—

- (a) will not throughout the hours of polling on polling day be within fifteen miles by the nearest practicable route of any polling booth open in the State for the purposes of an election; or
- (b) will throughout the hours of polling on polling day be travelling under conditions which will preclude him from attending at any polling booth to vote; or
- (c) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote, or, in the case of a woman, will by approaching maternity be precluded from attending at any polling booth to vote,

may make application for a postal vote certificate and postal ballot-paper.

(2) The application must contain a declaration by the elector setting out the grounds upon which he applies for the postal vote certificate and postal ballot-paper, and may be in the prescribed form, and must be signed by the elector in his own handwriting in the presence of an authorised witness,

witness, and must be made and sent, after the issue of the writ for the election and before the polling day for the election, to the returning officer for the district for which the elector is enrolled or to some other district returning officer if the elector has reason to believe that the application may not, in the ordinary course of post, reach the returning officer for the district for which he is enrolled so as to enable him to receive a postal vote certificate and postal ballot-paper from that officer in time to permit of the elector voting at the election.

George V,  
No. 40.

(3) An elector shall not make, and a person shall not induce an elector to make, any false statement in an application for a postal vote certificate and postal ballot-paper, or in the declaration contained in such application.

Any person contravening any provision of this subsection shall be liable to a penalty not exceeding fifty pounds or to be imprisoned for a term not exceeding one month.

114B. (1) Subject to subsection two of this section the following persons are authorised witnesses within the meaning of this Act:—

Authorised  
witnesses.

- (a) All Commonwealth divisional returning officers, State returning officers, and officers of the Public Service of the Commonwealth permanently employed in the office of any Commonwealth electoral officer of a State or divisional returning officer; all Commonwealth and State electoral registrars and deputy registrars; all postmasters or postmistresses or postal officials in charge of post offices; all police or stipendiary or special magistrates of the Commonwealth or of a State; all justices of the peace; all head teachers in the employment of a State Education Department; all officers of the Department of Trade and Customs; all members of the police force of the Commonwealth or of a State; all mining wardens and mining wardens' clerks in the Public Service of a State; all legally qualified medical practitioners; all officers in charge of

George V,  
No. 40.

of quarantine stations; all officers in charge of lighthouses; all pilots in the service of the Commonwealth or of a State, or of any local governing body; all telegraph line repairers permanently employed in the Public Service of the Commonwealth, who are in charge of working parties; all railway station masters and night officers in charge who are permanently employed in the railway service of the Commonwealth or of a State; all superintendents of mercantile marine and their deputies while permanently employed in the Public Service of the Commonwealth or of a State; and

- (b) all persons or classes of persons, employed in the Public Service of the Commonwealth or of a State, who are declared by proclamation to be authorised witnesses within the meaning of this Act.

(2) No person who is a candidate at any election shall be an authorised witness at that election.

Duty of  
authorised  
witnesses.

114c. (1) An authorised witness shall not witness the signature of any elector to an application for a postal vote certificate and postal ballot-paper unless—

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his the applicant's own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

Any person contravening any provision of this subsection shall be liable to a penalty not exceeding fifty pounds or to be imprisoned for a term not exceeding one month.

(2) The authorised witness shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the title under which he acts as an authorised witness and the date.

114d.

114D. (1) The returning officer who receives the application if he is satisfied that it is properly signed by the applicant elector and is properly witnessed, shall deliver or post to the elector a postal vote certificate printed on an envelope addressed to the returning officer for the district for which the applicant declares that he is enrolled, and one postal ballot-paper.

George V,  
No. 40.  
Issue of  
certificate  
and ballot-  
paper.

(2) The postal vote certificate and postal ballot-paper may be in the prescribed form.

114E. (1) All applications for postal vote certificates and postal ballot-papers received by a returning officer shall, if they relate to the district for which he is returning officer, be kept by him, or if they relate to another district, shall, after being indorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for that district.

Inspection of  
applications.

(2) All applications for postal vote certificates and postal ballot-papers shall be open to public inspection at all convenient times during office hours, until the election can be no longer questioned.

114F. (1) The returning officer shall number all applications for postal vote certificates and postal ballot-papers issued by him in consecutive order, and shall number each postal vote certificate with a number corresponding with the number on the application.

Numbering of  
applications  
and  
certificates.

(2) The returning officer shall initial on the back all postal ballot-papers issued. The initials should be placed in such a position as to be easily seen when the ballot-paper is folded so as to conceal the vote.

114G. (1) The returning officer for the district in respect of which postal vote certificates and postal ballot-papers have been issued shall, if there is time conveniently to do so, note on the certified lists of voters the names of all electors to whom postal vote certificates and postal ballot-papers have been issued.

Returning  
officer to  
notify issue of  
postal vote  
certificates  
and postal  
ballot-papers.

(2) If there is not time conveniently to note on the proper certified list of voters the issue of a postal vote certificate and postal ballot-paper, the returning officer shall immediately advise the presiding

George V,  
No. 40.

presiding officer to whom the certified list of voters has been furnished of the issue of the postal vote certificate and postal ballot-paper.

(3) An elector to whom a postal vote certificate has been issued shall not be entitled to vote at any polling booth unless he first delivers to the presiding officer for cancellation his postal vote certificate and postal ballot-paper.

Directions for  
postal voting.

114H. The following directions for regulating voting by means of postal ballot-papers are to be substantially observed:—

- (a) The elector shall exhibit his postal ballot-paper (in blank) and his postal vote certificate to an authorised witness.
- (b) The elector shall then and there, in the presence of the authorised witness, sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the voter.
- (c) The authorised witness shall then and there sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the authorised witness, and shall add the title under which he acts as an authorised witness and the date.
- (d) The elector shall then and there, in the presence of the authorised witness, but so that the authorised witness cannot see the vote, mark his vote on the ballot-paper in the prescribed manner, and shall fold the ballot-paper so that the vote cannot be seen, and hand it so folded to the authorised witness.
- (e) The authorised witness shall then and there place the ballot-paper in the envelope addressed to the returning officer, fasten the envelope, and hand it to the voter who shall forthwith post or deliver it, or cause it to be posted or delivered, to the returning officer.
- (f) If the elector's sight is so impaired that he cannot vote without assistance, the authorised witness if so requested by the elector, shall mark the elector's vote on the ballot-paper  
in

in the prescribed manner in the presence of a witness and shall then and there fold the ballot-paper so that the vote cannot be seen. **George V,  
No. 40.**

- (g) The authorised witness shall not, unless the elector's sight is so impaired that he cannot vote without assistance, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (c) of this section, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote, or to assist the elector to vote, or to interfere in any way with the elector in relation to his vote.

- 114I. Every authorised witness shall— Duty of authorised witness.
- (a) comply with the preceding section in so far as it is to be complied with on his part ;
  - (b) see that the directions in the preceding section are complied with by every elector voting by post before him, and by every person present when the elector votes ; and
  - (c) refrain from disclosing any knowledge of the vote of any elector voting by post before him.

Any person contravening any of the provisions of this section shall be liable to a penalty not exceeding one hundred pounds, or to imprisonment for three months.

114J. Any person to whom an envelope containing or purporting to contain a postal ballot-paper is entrusted by a voter for the purpose of posting or delivery to a returning officer, and who fails to forthwith post or deliver the envelope, shall be guilty of an offence, and liable to a penalty not exceeding fifty pounds, or to imprisonment for one month. Penalty for failure to post postal ballot-paper.

114K. Any person present when an elector is before an authorised witness for the purpose of voting by post shall— Duty of persons present when an elector votes by post.

- (a) obey all directions of the authorised witness ;
- (b) refrain from making any communication whatever to the elector in relation to his vote ;

(c)

George V,  
No. 40.

- (c) refrain from assisting the elector or in any manner interfering with him in relation to his vote; and
- (d) except as provided in paragraph (c) of section 114H refrain from looking at the elector's vote or from doing anything whereby he might become acquainted with the elector's vote.

Any person contravening any of the provisions of this section shall be liable to a penalty not exceeding one hundred pounds, or to imprisonment for three months.

Preliminary  
scrutiny of  
postal  
ballot-papers.

114L. At the scrutiny the returning officer shall produce all applications for postal vote certificates and postal ballot-papers, and shall produce unopened all envelopes containing postal votes received up to the close of the poll, and shall—

- (a) compare the signature of the elector on each postal vote certificate with the signature of the same elector on the application for the certificate, and allow the scrutineers to inspect both signatures;
- (b) if satisfied that the signature on the certificate is that of the elector who signed the application for the certificate and that the signature purports to be witnessed by an authorised witness, and that the elector is enrolled for the district, accept the ballot-paper for further scrutiny, but, if he is not so satisfied, disallow the ballot-paper without opening the envelope in which it is contained;
- (c) withdraw from the envelopes bearing the postal vote certificates all postal ballot-papers accepted for further scrutiny, and, without inspecting or unfolding the ballot-papers or allowing any other person to do so, place them in a locked and sealed ballot-box by themselves for further scrutiny;
- (d) seal up in separate parcels and preserve—
  - (i) all envelopes bearing postal vote certificates relating to postal ballot-papers accepted for further scrutiny, and
  - (ii)

- (ii) all unopened envelopes containing postal ballot-papers disallowed; and
- (e) proceed with the scrutiny of the postal ballot-papers which have been accepted for further scrutiny.

George V,  
No. 40.

114M. A postal ballot-paper or an absent voter's ballot-paper shall not be informal because of any mistake in spelling, if the elector has made clear his intention.

Postal and absent voters' ballot-papers not to be informal because of certain omissions or mistakes.

*Declaration to be made before voting.*

6. Section ninety-nine of the Principal Act is amended by the addition of the following subsections :—

Amendment of s. 99 of Principal Act.

(2) Every such person shall, before a ballot-paper is given to him, sign the following declaration :—

“ I hereby solemnly and sincerely declare that I am the person referred to in this electoral roll opposite to whose name I place my signature, and that I have not already voted at this election.”

This declaration shall be set out on every certified copy of rolls used by the presiding officer at any polling booth :

Provided that such declaration need not be set out on any certified copy of a supplemental roll but may, in lieu thereof, be set out in a signature book in the prescribed form.

(3) If any such person is blind, or is incapacitated by any other physical cause from signing his name, or is unable to write, or is of the Jewish persuasion and objects on religious grounds to making his signature, and signifies the same to the returning officer or deputy, such returning officer or deputy may, and shall at the request of such person, and for him, and in the presence of the poll clerk and scrutineers, if any, sign the name of such person in the appropriate place.

(4) If any such person makes any such declaration knowing it to be untrue, he shall be liable to a penalty not exceeding one hundred pounds, or to be imprisoned for a term not exceeding six months.

*Soldiers'*

George V,  
No. 40.

Soldiers  
under age.

*Soldiers' votes.*

**7.** Every soldier under the age of twenty-one years who is not otherwise disqualified shall, on application in the prescribed form to the registrar or deputy-registrar for the district in which such soldier has his usual place of residence, be entitled to have his name placed on the roll or supplementary roll for such district, and to vote at the next general election of members of the Legislative Assembly.

For the purposes of this section "a soldier" means a person who is or has been a member of the Commonwealth Naval or Military Forces on active service in or outside Australia or on a ship of war.

PART III.

*General amendments of Principal Act.*

Amendments  
of Principal  
Act.

**8.** The enactments and Schedules of the Principal Act set out in the Schedule hereto are amended as therein mentioned.

SCHEDULE.

Section or Schedule.	Subsection and Paragraph.	Amendments made.
1	Part IV	Omit "Additions to list by registrar—s. 27."
1	Part IV	Omit "revision courts before general election—ss. 38-44" insert in lieu thereof "s. 38."
1	Part V	Omit "114" insert "114M." Omit "second ballot—ss. 137-146."
1	Part VI	Omit "175" each time it occurs, insert "174."
22		Insert the following subsection to be read as subsection one:— " (1) The Governor may appoint an officer, to be called the Chief Electoral Officer, who shall, subject to the Minister, have the responsibility of administering this Act, and any provisions of any other Act so far as this Act and the said provisions relate to the registration of electors, the preparation of lists and rolls of electors, and the conduct of elections for the Legislative Assembly."
22	(2)	After "assistant registrars" insert "assistant deputy registrars"

SCHEDULE

SCHEDULE—*continued.*

George V,  
No. 40.

Section or Schedule.	Subsection and paragraph.	Amendments made.
22	(2) & (3)	Omit "polling-places" insert "polling-place areas"
22	(1)	At end of the subsection add "and an assistant deputy registrar shall have the powers of the deputy registrar"
		Insert the following subsection to be read as subsection five:—
22	(5)	"(5) The Governor may appoint a Principal Electoral Registrar, and every electoral registrar, deputy electoral registrar, and their assistants shall perform the duties imposed upon them by this Act under the general supervision and direction of the Principal Electoral Registrar."
23	(1)	Omit "polling-places" insert "polling place areas"
23	(2)	Omit the sub-section, insert the following:— (2) 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	.....	At end of the section add the following proviso: 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.
27	.....	Omit the section and short heading.
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"
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"
35	(1)	After "may appear" insert "personally or by agent"

SCHEDULE

H

George V,  
No. 40.SCHEDULE—*continued*.

Section or Schedule.	Subsection and paragraph.	Amendments made.
37	.....	Omit the section, insert the following :— 37. In each electoral district there shall be polling-place areas to be appointed by the Minister. 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.
Short heading before s. 38.	.....	Omit the words " Revision courts before general election "
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 twenty-three, and any such roll shall be printed at such other times as the Minister directs.
45	(2)	After " deputy registrar for the district " insert " and at such other places as the Chief Electoral Officer directs "
45	(2)	Omit " thereat and "; after " at the office of " insert " such registrar and deputy-registrars, and of "
45	(3)	Add new subsection :— (3) Every roll kept by an electoral registrar or deputy-registrar shall be open for public inspection at their respective offices, at such times as may be prescribed, without fee.
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	(2)	Omit " Schedule Six " insert " Schedule Five "
49	(3)	After " registrar " where first occurring insert " or deputy registrar "

SCHEDULE

Parliamentary Elections (Amendment) Act.

227

SCHEDULE -continued.

George V,  
No. 40.

Section or Schedule.	Subsection and paragraph.	Amendments made.
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"
51	.....	Omit "polling-place" each time it occurs in the section, insert "polling-place area"
51	(1)	Omit "prescribed form" insert "form of Schedule Five"
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"
52	.....	Omit "wilfully"
52	.....	Insert new subsection as follows :— (2) If any person writes the signature of any other person on any such claim or application, or signs his name as witness on any such claim or application unless he has seen the person whose signature he purports to witness write his signature or make his mark thereon, he shall be liable to six months' imprisonment. This subsection shall not affect the liability of any person to be proceeded against for forgery, provided that he shall not be liable to be punished twice in respect of the same offence.
54	.....	Omit section.
68	.....	Omit "forty-fifth" and insert "sixtieth," and at the end of the section add "or on such later day as the Governor may by proclamation in the Gazette direct."
75	.....	Add the following paragraph :— The returning officer for each district may, where necessary, appoint one or more persons to act as assistant returning officers for the purposes of any election.
79	(1)	Omit "male"

SCHEDULE

George V,  
No. 40.SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph	Amendments made.								
79	(4)	Omit "(Signatures of nominators)" insert in lieu thereof:— <p style="text-align: center;">Dated this                      day of                      19                      .</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Signatures of nominators.</th> <th style="text-align: center;">Place of residence as enrolled.</th> <th style="text-align: center;">Occupation.</th> <th style="text-align: center;">Polling-place area.</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Signatures of nominators.	Place of residence as enrolled.	Occupation.	Polling-place area.				
Signatures of nominators.	Place of residence as enrolled.	Occupation.	Polling-place area.							
79	(6)	Omit subsection.								
80	.....	After "elected" insert "and shall publish such declaration in some newspaper published or circulating in the district"								
81	.....	At end of section add "together with a list of the polling-places and the date of the poll"								
84	(d)	Omit "for any specified polling-place"								
88	.....	After "justice of the peace" insert "clergyman, school teacher, or postmaster"								
88	.....	In the form of declaration omit the words in italics within the brackets, "and in the case of a returning officer, or a substitute of a returning officer, or a deputy returning officer"								
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.								
90	.....	Omit section; insert following section in lieu thereof:— (1) Each candidate shall be entitled to appoint, by writing under his hand, scrutineers on his behalf at each polling-booth; save as is hereinafter provided such scrutineers shall be entitled to be present in that part of the booth in which the ballot papers are received. (2). A scrutineer shall not— (a) interfere with or attempt to influence any elector within the polling-booth, or								

SCHEDULE

SCHEDULE—*continued.*

George V,  
No. 40.

Section or Schedule.	Subsection and paragraph.	Amendments made.
		<p>(1) communicate with any person in the polling-booth except so far as is necessary in the discharge of his functions.</p> <p>(3) A scrutineer shall not be prevented from entering or leaving a polling-booth during the polling, and, during his absence, a relieving scrutineer may act in his place; but only one scrutineer for each candidate shall be entitled to be present in a polling-booth at any one time.</p> <p>(4) A scrutineer who commits any breach of this section, or who misconducts himself, or who fails to obey the lawful directions of the presiding officer shall be liable to a penalty not exceeding five pounds, and may be removed from the polling-booth by any member of the police force or person authorised by the presiding officer to remove him.</p>
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"; omit "if he makes and signs before the presiding officer a declaration in the form of Schedule Nine"
97	.....	<p>Insert new subsection as follows:—</p> <p>(2) If the elector is of Jewish persuasion, and has made the declaration prescribed under section one hundred and nine of this Act, the declaration under section one hundred and fifteen of this Act, may be made orally, and the signature of the elector provided for in these declarations may be made by the presiding officer.</p>
100	(1)	<p>After paragraph (d) insert the following paragraph:—</p> <p>(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).</p>
100	(4) (b)	Omit "last two" insert "last three"
115	(1) (e)	After "signed" insert "or initialled"

George V,  
No. 40.SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
115	(2)	In the first paragraph after "signed" insert "or initialled"
116	.....	After "forwarded" where firstly occurring insert "under registered cover where practicable"
118	(3) (a)	After "signed" insert "or initialled"
122	(2)	Omit "not be counted" insert "be rejected"
129	.....	After "tribunal" each time it occurs insert "or person"
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"
137-146 inclusive.	.....	Omit sections and short heading.
175	.....	Omit section.
176A, 176B	.....	After section 176 insert the following sections 176A and 176B:— 176A. Except as otherwise expressly provided in this Act any person who is required by or under this Act to sign his name, and who is unable to write, may make his distinguishing mark which shall be attested by some other person, and such mark, if it is identifiable as such and attested as herein provided, shall be deemed to be the signature of the person making it: Provided that where any person is required to sign as a witness or as an official, or where any person is required to sign in his own handwriting he shall not sign by means of a distinguishing mark. 176B. (1) Any person who, at any public meeting to which this section applies, acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting is held shall be guilty of an offence against this Act, and liable to a penalty not exceeding five pounds or to imprisonment for a term not exceeding one month.

SCHEDULE

SCHEDULE—*continued.*

George V,  
No. 40.

Section or Schedule.	Subsection and paragraph.	Amendments made.
Schedules Five and Six.	.....	<p>(2) This section applies to any lawful public political meeting held in relation to any election of members of the Parliament between the date of the issue of the writ for the election and the date of the return of the writ.</p> <p>Omit Schedules, insert the following Schedule in lieu thereof:—</p> <p style="text-align: center;"><b>SCHEDULE FIVE.</b></p> <p style="text-align: center;">STATE ELECTIONS.</p> <p style="text-align: center;"><i>Electoral claim</i></p> <p>(for original enrolment, or for transfer, or for change of enrolment).</p> <p>Electoral district of [<i>here insert name of electoral district</i>]</p> <p>Polling-place area of [<i>here insert name of polling-place area</i>]</p> <p>Surname</p> <p>Christian name at full length</p> <p>Place of residence</p> <p>Occupation                      Sex</p> <p>I claim to have my name placed on the electoral roll for the above district, to vote at [<i>here insert name of polling-place</i>]</p> <p>1. I am a { natural born } subject of the King [<i>strike out "natural born" or "naturalised" as the case requires</i>].</p> <p>2. I am not under the age of twenty-one years.</p> <p>3. I have resided, or had my principal place of abode immediately prior to the date of this claim—</p> <p style="padding-left: 40px;">For six months in the Commonwealth of Australia, and for three months in New South Wales, and for one month in the electoral district above-mentioned.</p> <p>[In the case of a <i>naturalised subject</i>, add the words "after my naturalisation."]</p>

George V,  
No. 40.SCHEDULE—*continued.*

Section or Schedule.	Subsection and paragraph.	Amendments made.
		<p>4. I formerly resided at _____, and was enrolled for _____ polling-place area, in the electoral district of _____</p> <p>NOTE.—If not already enrolled for the State Electoral roll for New South Wales strike out paragraph 4.</p> <p>Dated the _____ day of _____, 19 _____.</p> <p>(Usual signature)</p> <p>NOTE.—The claimant making any false statement in the above declaration shall be liable to six months imprisonment.</p> <p>I [<i>here insert name in full</i>], an elector enrolled for the electoral district of _____, certify that I have seen the abovenamed claimant sign the above claim.</p> <p>(Witness to signature of claimant)</p> <p>(Occupation)</p> <p>(Address as enrolled)</p> <p>Received the _____ day of _____ 19 _____.</p> <p>Registrar (<i>or</i> Deputy Registrar).</p> <p>NOTE.—If any person writes the signature of any other person on any such claim or application or signs his name as a witness on any such claim or application unless he has seen the person whose signature he purports to witness write his signature or make his mark thereon he shall be liable to six months imprisonment.</p>
Schedules Eight, Nine, and Ten.	.....	Omit the Schedules.
Schedule Eleven.	.....	<p>Schedule Eleven is repealed and the following is substituted for it :—</p> <p style="text-align: center;">SCHEDULE ELEVEN.</p> <p style="text-align: center;"><i>Absent voter's form of declaration.</i></p> <p>I declare that I am the person enrolled as—  <i>(Surname)</i> _____ <i>(Christian name)</i> _____  <i>(Residence as enrolled)</i> _____ <i>(Occupation)</i> _____  on the State electoral roll for _____ 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</p>

SCHEDULE

SCHEDULE—*continued.*

George V,  
No. 40.

Section or Schedule.	Subsection and paragraph.	Amendments made.
		<p>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.</p> <p style="text-align: right;"><i>(Signature of elector).</i></p> <p>Dated before me, this      day of 19      at      polling-place in the electoral district of Returning (or Deputy Returning) Officer.</p> <p>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.</p>

PART IV.

*Liquor Act, 1912.*

9. Paragraph (c) of subsection one of section fifty-seven of the Liquor Act, 1912, is amended by inserting at the end of the proviso thereto the following words:—  
“and only in such a case when a poll is taken.”

Amendment of Liquor Act, 1912.

*Non-preparation of 1918 rolls—Validation.*

10. It shall not be necessary or deemed to have been necessary to make lists or rolls for the year one thousand nine hundred and eighteen, but the rolls for the year one thousand nine hundred and seventeen shall, until new rolls are made, be the rolls in force for the respective districts.

Rolls for 1917 to remain in force until new rolls made.