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GOVERNMENT SECTION
Public Affairs Division

26 May 1950

MEMORANDUM FOR: Chief, Government Section

SUBJECT: Australian Parliamentary Procedures

1. As a result of the election held in Australia on 10 December 1949, the conservative Liberal Country party won 75 of the 123 seats in the House of Representatives. In the Senate, however, the Labor Party retained its majority because only 30 of the 60 Senate seats were at issue in the regular election. Prior to the election, Labor had held all of the Senate seats, so the party had to win only a few seats in order to retain working majority in that house.

2. Under Australian parliamentary procedure, defeat of the government on any "matter of substance" requires the Prime Minister to recommend one of two alternatives to the Governor-General: a) that he accept the Prime Minister's resignation and appoint a successor, or b) that he dissolve both houses of the parliament and order new elections. In the event of dissolution all seats of both houses would be vacated.

Osborne Hauge

AUSTRALIAN MISSION IN JAPAN,
TOKYO.

25th May, 1950

Dear Mr. Hauge,

I am attaching two (2) copies of some notes we have received from Australia on the attitude of labour to the Communist Party Dissolution Bill introduced by the Government into the House of Representatives on the 27th April.

I have since heard that the Labour Party attempted to introduce its amendments at the second reading of the bill and that these were defeated by 60 votes to 40.

The bill is now to go before the Senate, where the Labour Party holds a majority. It is reported that their present intention is to insert the amendments they desire. If this is done, there will be a deadlock, and it is expected that the Prime Minister will call for a dissolution of both Houses and another general election.

The Prime Minister has attempted to counter some of the criticism of the onus of proof clause by announcing that persons would only be "declared" on the recommendation of a panel of Civil Servants and the Cabinet. However, it is probable that the Opposition will not accept this. The conflict of principle still exists.

As you can well imagine, this bill has created more interest in Australia than any piece of legislation in my memory, even more than the Labour Party's bill for nationalizing banks.

Yours sincerely,

T. W. Eckersley

Mr. Osborne Hauge,
Government Section,
GHQ, SCAP,
Tokyo.

Confidential

EXTRACT FROM AUSTRALIAN WEEKLY NEWSLETTER
FOR WEEK ENDING MAY 8TH, 1950

LABOUR ATTITUDE TO RED BILL EMERGES

Following anxious conferences and signs of disagreement throughout the early part of last week, within the Labour Party and between its political and industrial wings a working Labour Party attitude towards the Prime Minister's proposed anti-Communist Bill is now emerging.

The bill to "outlaw and dissolve the Australian Communist Party" was introduced in the House of Representatives on April 27, by Mr. Menzies.

The Leader of the Opposition, Mr. Chifley, announced the decision of Labour Caucus on May 4 to support the bill but not to move four important amendments in the committee stages of the debate.

Subsequent indications from the Prime Minister were that the Government might be prepared to agree in principle to three of the amendments.

Amendments Sought

The amendments to be moved in committee are:-

The right of appeal to State Supreme Courts where affiliated Communist organisations are declared unlawful.

To call on the Commonwealth to prove the person guilty instead of throwing on him the onus of proving his innocence.

Where an individual succeeds in his appeal to the Court, costs and, if the Court thinks fit, compensation, should be awarded against the Government.

Amendment of the provision which gives the right of unlimited right of search and seizure to certainpersons.

The SUNDAY SUN states:

"Mr. Menzies is adamant on the onus of proof provisions in the bill, but he may make these concessions to Labour:-

" Make it simpler and cheaper for a person declared a Communist to appeal to the Court.

" Repay legal expenses and provide compensation for a declared person proved on appeal to be innocent.

" Make the right of search dependent on prior sanction being obtained from a responsible legal officer.

"If Labour accepted these amendments, the main point of disagreement would be on the onus of proof clause".

Mr. Chifley has urged that the proposed amendments be pressed even to the point of a double dissolution of Parliament - a contingency which, it was generally considered, the Labour Party wished to avoid, on this particular issue, at all costs.

Labour has a majority in the Senate, and therefore the power to impose deadlocks.

Coalfields Action

Expected coal stoppages as a protest against the bill have so far not had the severity feared, and this is construed by commentators as indicating the waning influence of the Communist-dominated Central Council of the Miners' Federation.

Pit-top meetings were called in New South Wales, Queensland, Victoria and Tasmania on May 1 to consider the legislation, with power to take "any action they deemed necessary".

Little more than half the mine-workers in New South Wales decided on a one-day strike as protest against the legislation. They caused the loss of 27,330 tons of coal.

In Queensland, only six of 50 mines were idle, for a loss of 900 tons.

It is pointed out that this was only one of the opening shots in the Central Council's campaign to organise the federation's rank-and-file to defeat the measure. An outburst of rolling strikes is expected by most observers.

Union opposition

Meanwhile other key unions have expressed opposition to various provisions of the bill, and officials have predicted resultant industrial unrest. Mr. Menzies has stated that means of dealing with this have been fully considered.

Two powerful union bodies which have decided to fight the bill are the Central Council of the Clerks' Union and the Sydney district of the Australian Engineering Union. These were the first unions to make official statements. The Federated Ironworkers' Association has threatened strike action.

Mr. A.E. Monk, president of the Australian Council of Trade Unions, said on May 4 that the Australian public could become "victims of an hysterical wave against Communism", and that experience in other countries showed clearly that the banning of any political party was a prelude to the suppression of other political organisations, the ultimate smashing of trade unions, and the gaoling of union officials without proper trial. He said the council opposed the bill.

Other key unions such as the Waterside Workers' Federation, the Australian Workers' Union and the Electrical Trades Union are considering their policy.

A special congress of the A.C.T.U. has been called in Melbourne for May 16 to discuss the anti-Communist legislation and other issues.

State Governments' Reactions

The New South Wales (Labour) Government on May 2 rejected an Opposition request to introduce legislation complementary to the Federal Government's bill. However, some Labour members of the State Government have openly supported the Federal Government's measure, either in its entirety or with reservations.

The Premier of Victoria, Mr. Hollway, is making Communism a State Election issue by promising to dismiss Communists from the State Public Service if his Liberal-Country Party Government is re-elected.

BILL TO RECONSTITUTE SENATE

Concomitant with Mr. Menzies' anti-Communist legislation and with recurring threats of stalemate because of Labour's Senate majority, the Constitution (Avoidance of Double Dissolution Deadlocks) Bill was introduced in the House of Representatives by Mr. Menzies on May 4.

The bill changes the method of voting for the Senate following a double dissolution. It is intended that a Senate majority should be won by the party gaining the popular verdict following a double dissolution.

Becausethe bill involves an amendment of the Constitution, it will necessitate a referendum - probably this year.

The bill does not alter the existing system of proportional representation voting at Senate elections, nor does it alter the size of the Senate.

In the event of a dissolution of the Senate 10 vacancies in each State will be filled by the election of five Senators for a six years term and five Senators for a three years term.

Two Senate votes will be recorded by the elector. In one he will vote for five Senators for a six-year term, and in the other he will vote for five Senators for a three-year term.

Both ballots will be conducted on the same day and at the same time.

The result will be that one side must win at least three out of five vacancies in each group, the other side winning the remaining two.

This should give a six-to-four party result in each State.

Proportional voting will be made effective by adopting an odd number of candidates be elected.

In his speech introducing the bill Mr. Menzies said that far too many highly important problems confronted the nation for any patriotic Australian to desire a Parliament, which would become unworkable or with a frustrated government.

Editorial Comment

THE AGE (May 5) adopts a cautious attitude towards the proposal:

"Many observers might ask whether the purpose could not equally well be sought by simpler procedure. Could not the same broad result be compassed by reducing to nine the number of Senators from each State, without the complications of voting for different blocs, according to term?

"The plan is obviously intended to equip the Government with another weapon against the Labour Opposition. It signifies a warning to the Labour Party against forcing a double dissolution. All present signs are that if this referendum were to be carried, and the new system put into operation, it would work to the present advantage of the Liberal and Country parties. But in the future it could have the opposite effect.

AUSTRALIAN MISSION IN JAPAN,
TOKYO.

3rd August, 1949

MEMORANDUM for:

The Chief,
Government Section,
GHQ, S.C.A.P.,
Tokyo

With further reference to your request for information concerning the electoral systems of Australia, enclosed herewith are -

The Constitution Acts Amendment Act 1899;
The Electoral Act 1907-1940 and Amendments 1948;
Regulations under the Electoral Act 1907-1940 and Amendments 1948,

which have been received from Australia.

Patrick Shaw
Head of Mission

Western Australia.

ANNO SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. XIX.

(As amended by Act 64 Vict., No. 2; and reprinted in accordance with Section 2 thereof.)

AN ACT to amend the Constitution Act, 1889, and to amend and consolidate the Acts amending the same.

[*Reserved, 16th December, 1899.*]

[*Royal Assent Proclaimed, 18th May, 1900.*]

WHEREAS by the Constitution Act, 1889, it is provided that the Legislature of Western Australia shall have full power and authority from time to time to repeal or alter any of the provisions of the said Act: And whereas it is expedient to amend the said Act and to amend and consolidate the Acts amending the same: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. THIS Act may be cited as the Constitution Acts Amendment Act, 1899.

Repeal.

2. THE enactments mentioned in the First Schedule hereto are thereby repealed to the extent therein stated.

3.

Interpretation.

52 Vict., 23, s. 75.

3. FOR the purposes of this Act—

"Her Majesty" means, when not repugnant to the context, Her Majesty, her heirs and successors.

"Governor" means the person for the time being lawfully administering the Government of Western Australia, or the lawfully appointed Deputy of such person.

"Governor in Council" means the Governor acting with the advice of the Executive Council.

"Minister" means the Minister charged with the execution of this Act.

"Treasurer" means the Treasurer of the Colony for the time being.

"Person," in sections fifteen, sixteen, seventeen, twenty-six, twenty-seven, and twenty-eight, means an individual of either sex.

Division of Act into parts.

52 Vict., 23, s. 1.

4. THIS Act is divided into three Parts, namely:—

PART I.—LEGISLATURE.

PART II.—EXECUTIVE.

PART III.—MISCELLANEOUS.

PART I.—LEGISLATURE.

Legislative Council.

Legislative Council to consist of 30 members.

60 Vict., 18, s. 3.

5. THE Legislative Council shall consist of thirty elected members, who shall be returned and shall sit for Electoral Provinces as hereinafter stated and defined.

Colony divided into 10 Electoral Provinces, each returning three members.

60 Vict., 18, s. 4.

6. THE Colony shall be divided into ten Electoral Provinces, and shall return in all thirty members to serve in the Legislative Council, that is to say:—

The Central Province, comprising Cue, Geraldton, Greenough, Irwin, Mt. Magnet, Murchison, and North Murchison Electoral Districts.

The East Province, comprising Beverley, Moore, Northam, Swan, Toodyay, and York Electoral Districts.

The Metropolitan Province, comprising Perth, East Perth, North Perth, and West Perth Electoral Districts.

The Metropolitan Suburban Province, comprising Claremont, Guildford, South Perth, and Subiaco Electoral Districts.

The North Province, comprising Gascoyne, East Kimberley, West Kimberley, Pilbara, and Roebourne Electoral Districts.

The

The North-East Province, comprising Boulder, Hannans, Kalgoorlie, Kanowna, Mount Margaret, and Menzies Electoral Districts.

The South Province, comprising Mount Burges, Coolgardie, Dundas, and Yilgarn Electoral Districts.

The South-East Province, comprising Albany, Plantagenet, and Williams Electoral Districts.

The South-West Province, comprising Bunbury, Murray, Nelson, South-West Mining, Sussex, and Wellington Electoral Districts.

The West Province, comprising Cockburn Sound, Fremantle, East Fremantle, North Fremantle, and South Fremantle Electoral Districts.

Each Electoral Province shall return three members.

Qualification of members of Legislative Council.
57 Vict., 14, s. 6.

7. SUBJECT as hereinafter provided, any man who has resided in Western Australia for two years shall be qualified to be elected a member of the Legislative Council, if he be of the full age of thirty years, and not subject to any legal incapacity, and is a natural born subject of Her Majesty the Queen, or if not a natural born subject of the Queen, shall have been naturalised for five years previously to such election, and have resided in Western Australia during that period.

Members to retire periodically.
57 Vict., 14, s. 8.
See 60 Vict., 18, s. 5.

8. (1.) THE senior member of the Legislative Council for each Province, at the passing of this Act, shall vacate his seat on the 21st day of May, 1900, and the member who in turn becomes the senior member shall retire two years after the day when the previous senior member was hereby required to retire, and so on with every member who subsequently in turn becomes senior member. In the case of the first members for the South Province and the Metropolitan Suburban Province, the member who polls the lowest number of votes shall vacate his seat on the twenty-first day of May, 1902, and the member who polls the next lowest number of votes shall vacate his seat on the twenty-first day of May, 1904, and the third member shall vacate his seat on the twenty-first day of May, 1906.

Times for issue and return of writ.
60 Vict., 18, pt. s. 5.

(2.) Every writ for the election of a member of the Legislative Council to fill any seat hereafter vacated under this section shall be issued before the tenth day of April immediately prior to the occurrence of such vacancy, and every such writ shall be returnable not later than the twenty-first day of May following. The member elected to fill any such vacancy shall not sit or vote until after the said twenty-first day of May, at the close of which day the retiring member shall vacate the seat.

Seniority, how determined.
57 Vict., 14, s. 8

(3.) For the purposes of this section the seniority of a member of the Legislative Council for any Province shall be determined

mined by the date of his election, and, in the event of two or more persons being elected for a Province upon the same day, the member who polled the smallest number of votes shall be the member to retire; and, in the event of an equality of votes, or of an unopposed return, the order of retiring shall be according to the alphabetical precedence of their surnames, and, if necessary, of their other names.

60 Vict., 18, pt. s. 5.

(4.) Whenever the seat of the senior member for the time being for any province or in the case of the first member for a new province the seat of a retiring member shall be vacated, otherwise than by effluxion of time, during the period between the twenty-first day of January and twenty-first day of May (both inclusive), in the year in which the same seat would have been vacated under this section, such seat shall be deemed to have been vacated by effluxion of time, and the member elected to fill such vacancy shall be entitled to sit and vote on and after the return of the writ.

Resignation of members.

57 Vict., 14, s. 9, and see 60 Vict., 18, s. 7.

9. ANY member of the Legislative Council may resign his seat therein, by writing under his hand addressed to the President, or if there be no President, or if the President is absent from the Colony, to the Governor, and upon the receipt of such resignation by the President or the Governor, as the case may be, the seat of such member shall become vacant.

Tenure of seat by member filling vacancy.

57 Vict., 14, s. 11.

10. SUBJECT to section eight of this Act the member elected to fill any vacancy arising otherwise than by effluxion of time shall hold the seat during the unexpired portion of the term for which the previous member would have been entitled to hold it, and no longer.

Election of President.

11. WHENEVER the office of President of the Legislative Council becomes vacant, the Council at their first meeting thereafter shall elect one of their members to be President, and the President so elected shall preside at all meetings of the Council.

Absence of President provided for.

12. IN case of the absence of the President upon leave of absence granted to him by the Legislative Council, or by reason of illness or other unavoidable cause, the Council shall thereupon elect some other member to fill the office and perform the duties of the President during such absence.

President of Council to hold office in certain cases until meeting of Parliament.

57 Vict., 17, s. 1.

13. THE member of the Legislative Council holding office as the President thereof who shall vacate his seat by periodical retirement when the Council is not in session, shall continue in office and be deemed to be the President of the said Council until the next meeting of Parliament, unless he shall not be re-elected a member of

of the said Council; but nothing in this section shall enable a President hereby continued in office to preside at any meeting of the said Council.

Quorum—division, casting vote.

57 Vict., 14, s. 7.

14. THE presence of at least one-third of the members of the Legislative Council, exclusive of the President, shall be necessary to constitute a quorum for the despatch of business; and all questions which shall arise in the Legislative Council shall be decided by a majority of votes of the members present, other than the President, and when the votes are equal the President shall have the casting vote: Provided always, that if the whole number of members constituting the Legislative Council shall not be exactly divisible by three, the quorum of the Legislative Council shall consist of such whole number as is next greater than one-third of the members of the Legislative Council.

Qualification of electors.

See 57 Vict., 14, s. 12.

15. EVERY person of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for six months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as an elector and when registered for six months to vote for each of any number of candidates not exceeding the number of members to be elected to serve in the Legislative Council for the Electoral Province in respect of which such person is so qualified, that is to say, if such person—

(1.) Has a legal or equitable freehold estate in possession situate in the Electoral Province of the clear value of One hundred pounds sterling; or

(2.) Is a householder within the Province occupying any dwelling house of the clear annual value of Twenty-five pounds sterling; or

(3.) Has a leasehold estate in possession situate within the Province of the clear annual value of Twenty-five pounds sterling; or

(4.) Holds a lease or license from the Crown to depasture, occupy, cultivate, or mine upon Crown lands within the Province at a rental of not less than Ten pounds per annum;

Or if the name of such person is on—

(5.) The Electoral List of any Municipality in respect of property within the Province of the annual ratable value of not less than Twenty-five pounds; or

(6.) The Electoral List of any Road Board District in respect of property within the Province of the annual ratable value of not less than Twenty-five pounds.

Provided

Provided that the names of all persons who have been struck off any Municipal or Road Board Electoral List on the ground merely of non-payment of rates, shall be deemed, for the purposes of this Act, to be on such lists respectively.

Provided also that—

(*a.*) No aboriginal native of Australia, Asia, or Africa, or person of the half-blood, shall be entitled to be registered, except in respect of a freehold qualification;

(*b.*) No elector possessing more than one qualification within a Province shall be thereby entitled to be registered more than once for that Province; and

(*c.*) A person claiming to be registered as a naturalised subject of Her Majesty must have been so naturalised for the period of twelve months before making the claim.

When joint owners and occupiers shall be entitled to be registered.

See 52 Vict., 23, s. 40.

16. WHERE any premises are jointly owned, occupied, or held on lease or license within the meaning of the last preceding section, by more persons than one, each of such joint owners, occupiers, leaseholders, or licensees, not exceeding four, shall be entitled to be registered as an elector, and subject as aforesaid to vote in respect of the said premises in case the value of the individual interest therein of any such person separately considered, would, under the provisions of the last preceding section, entitle such person to be registered as an elector.

Disqualifications.

57 Vict., 14, s. 22.

17. EVERY person nevertheless shall be disqualified from being registered as an elector who

(1.) Is of unsound mind or in the receipt of relief from Government or from any charitable institution; or

(2.) Has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, and has not served the sentence for the same or has not received a free pardon for such offence.

Legislative Assembly.

Legislative Assembly to consist of 50 members.

18. THE Legislative Assembly shall consist of fifty members, who shall be elected for the several Electoral Districts hereinafter named and defined.

Colony divided into 50 Electoral Districts.

See 60 Vict., 18, s. 9.

19. THE Colony shall be divided into fifty Electoral Districts, each returning one member to serve in the Legislative Assembly, that is to say, the districts of—

Albany	Mount Burges	Cue
Beverley	Claremont	Dundas
Boulder	Cockburn Sound	Fremantle
Bunbury	Coolgardie	East Fremantle
		North

North Fremantle	Mount Margaret	Pilbara
South Fremantle	Menzies	Plantagenet
Gascoyne	Moore	Roebourne
Geraldton	Murchison	South-West Mining
Greenough	North Murchison	Subiaco
Guildford	Murray	Sussex
Hannans	Nelson	Swan
Irwin	Northam	Toodyay
Kalgoorlie	Perth	Wellington
Kanowna	East Perth	Williams
East Kimberley	North Perth	Yilgarn
West Kimberley	South Perth	York.
Mount Magnet	West Perth	

The boundaries of the Electoral Districts shall be as described in the Second Schedule to this Act.

Qualification of members of Legislative Assembly.

57 Vict., 14, s. 17.

20. SUBJECT as hereinafter provided any man who has resided in Western Australia for twelve months shall be qualified to be elected a member of the Legislative Assembly, if he be of the full age of twenty-one years and not subject to any legal incapacity and is a natural born subject of Her Majesty the Queen, or if not a natural born subject of the Queen shall have been naturalised for five years and shall have resided in Western Australia for two years previously to such election.

Duration of Assembly.

See 52 Vict., 23, s. 14.

21. EVERY Legislative Assembly shall exist and continue for three years from the day of the first meeting thereof and no longer; subject, nevertheless, to being sooner prorogued or dissolved by the Governor.

Absence of Speaker provided for.

22. IN case of the absence of the Speaker upon leave of absence granted to him by the Legislative Assembly, or by reason of illness, or other unavoidable cause, the Chairman of Committees shall perform the duties and exercise the authority of Speaker in relation to all proceedings of the House as Deputy Speaker; and, in the absence of the Chairman of Committees, the Assembly shall thereupon elect some other member to fill the office and perform the duties of the Speaker during such absence.

Speaker to hold office till meeting of new Parliament unless not re-elected.

56 Vict., 17, s. 2.

See *Ibid.*, s. 3.

23. IN case of any dissolution of Parliament the Speaker of the Legislative Assembly at the time of such dissolution shall continue in office and shall be deemed to be the Speaker of the said Assembly until the first meeting of the new Parliament, unless he shall not be re-elected a member of the said Assembly; but nothing in this section shall enable a Speaker hereby continued in office to preside at any meeting of the said Assembly.

Quorum—division, casting vote.

57 Vict., 14, s. 18.

24. THE presence of at least one-third of the members of the Legislative Assembly, exclusive of the Speaker, shall be necessary to constitute a quorum for the despatch of business; and all questions which shall arise in the Legislative Assembly shall be decided by a majority of votes of the members present, other than the Speaker, and when the votes shall be equal the Speaker shall have the casting vote: Provided always, that if the whole number of members constituting the Legislative Assembly shall not be exactly divisible by three, the quorum of the Legislative Assembly shall consist of such whole number as is next greater than one-third of the members of the Legislative Assembly.

Resignation of members.

57 Vict., 14, s. 19.

See 60 Vict., 18, s. 10.

25. ANY member of the Legislative Assembly may resign his seat therein, by writing under his hand, addressed to the Speaker, or if there be no Speaker, or if the Speaker is absent from the Colony, to the Governor, and upon the receipt of such resignation by the Speaker or the Governor, as the case may be, the seat of such member shall become vacant.

Qualification of Electors.

See 57 Vict., 14, s. 21.

26. EVERY person of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for six months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as an elector, and when registered for six months to vote for a member to be elected to serve in the Legislative Assembly for the Electoral District in respect of which such person is so qualified, that is to say, if such person—

(1.) Is resident in the Electoral District at the time of making his claim to be registered; or

(2.) Has a legal or equitable freehold estate in possession situate in the Electoral District of the clear value of Fifty pounds sterling; or

(3.) Is a householder within the District occupying any house, warehouse, counting house, office, shop, or other building of the clear annual value of Ten pounds sterling; or

(4.) Has a leasehold estate in possession situate within the District of the clear annual value of Ten pounds sterling; or

(5.) Holds a lease or license from the Crown to depasture, occupy, cultivate, or mine upon Crown lands within the District at a rental of not less than Five pounds per annum.

Or if the name of such person is on—

(6.) The Electoral List of any Municipality in respect of property within the Electoral District; or

(7.)

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

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No. V.

AN ACT relating to Members of the Federal Parliament of the Commonwealth of Australia.

[*Assented to, 5th December, 1900.*]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows (that is to say):—

Short title and construction.

1. THIS Act may be cited as the Constitution Act Amendment Act, 1900, and shall be read and construed as one with the Constitution Act, 1889, and its amendments.

Disqualification of Federal Members for Western Australian Parliament.

2. NO Member of either House of the Parliament of the Commonwealth of Australia shall, at the same time, be qualified for nomination or election as a Member of either House of the Parliament of Western Australia.

3.

Members of Western Australian Parliament to vacate seats on sitting in Federal Parliament.

3. WHEN any Member of either House of the Parliament of Western Australia is elected a Member of either House of the Parliament of the Commonwealth of Australia, he shall vacate his seat in the Parliament of Western Australia on taking his seat in the Parliament of the Commonwealth.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

By Authority: RICHARD PETHER, Government Printer, Perth.

(7.) The Electoral List of any Road Board District in respect of property within the Electoral District.

Provided that the names of all persons who have been struck off any Municipal or Road Board Electoral List on the ground merely of non-payment of rates shall be deemed for the purposes of this Act to be on such lists respectively:

Provided also that—

(1.) No aboriginal native of Australia, Asia, or Africa, or person of the half-blood, shall be entitled to be registered, except in respect of a freehold qualification.

(2.) No elector possessing more than one qualification within an Electoral District shall be thereby entitled to be registered more than once for that District; and

(3.) A person claiming to be registered as a naturalised subject of Her Majesty must have been so naturalised for the period of six months before making the claim.

When joint owners and occupiers shall be entitled to be registered.

See 52 Vict., 23, s. 40.

27. WHERE any premises are jointly owned, occupied, or held on lease or license within the meaning of the last preceding section, or by more persons than one, each of such joint owners, occupiers, leaseholders, or licensees, not exceeding four, shall be entitled to be registered as an elector, and subject as aforesaid to vote in respect of the said premises in case the value of the individual interest of any such person therein, separately considered, would, under the provisions of the last preceding section, entitle such person to be registered as an elector.

Disqualifications.

57 Vict., 14, s. 22.

28. EVERY person nevertheless shall be disqualified from being registered as an elector who

(1.) Is of unsound mind or in the receipt of relief from Government or from any charitable institution; or

(2.) Has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, and has not served the sentence for the same or has not received a free pardon for such offence.

General.

Issue of writs.

29. EXCEPT as provided in the next following section, all writs for elections shall be issued by the Governor.

Issue of writs in cases of vacancy.

57 Vict., 14, s. 20.

60 Vict. 18, s. 12.

30. (1.) WHENEVER a vacancy (otherwise than by the effluxion of time, in the case of a member of the Council) occurs in either House from any cause, the President or Speaker, as the case may be, upon a resolution by the House declaring such vacancy and the cause thereof, shall cause a writ to be issued for supplying the vacancy

vacancy; and in case of a vacancy caused by death or resignation, or the acceptance of any of the principal Executive offices of the Government liable to be vacated on political grounds, the President or Speaker may issue such writ without such preceding resolution when Parliament is not in session, or when such vacancy occurs during any adjournment for a longer period than seven days, of the House affected by the vacancy.

(2.) If at the occurrence of any such vacancy caused by death, resignation, or acceptance of office, there is no President or Speaker of the House affected, and Parliament is not in session, or if the President or Speaker of the House affected is absent from the Colony, the Governor shall, if satisfied of the existence of such vacancy, issue a writ for the election of a member to serve in the seat so vacated.

(3.) Every such writ shall be issued by the President, Speaker, or Governor, as the case may require, as soon as, in the case of death, he shall receive notice by a certificate under the hands of two members of the House to which the deceased member belonged, of the death of such member, and in the case of acceptance of office as aforesaid, as soon as the appointment of such member has been published in the *Government Gazette*, and notified by the Minister to the President, Speaker, or Governor, as the case may be, and such appointment and notification, it shall be the duty of the Minister to publish and give forthwith. The certificate aforesaid may be in the form of the Third Schedule.

(4.) Provided that any such writ may be issued notwithstanding no such notice has been received or appointment published as aforesaid, if the President, Speaker, or Governor empowered to issue the same is satisfied of the existence of the vacancy.

(5.) Whenever a vacancy occurs by reason of any of the disqualifications mentioned in section thirty-one, paragraph (5) and section thirty-eight, paragraph (2), it shall be the duty of the Registrar in Bankruptcy forthwith to give notice thereof in writing to the President or the Speaker, as the case may be, if within the Colony, and otherwise to the Governor, and on receipt of such notice the President or Speaker, as the case may be, if within the Colony, or otherwise the Governor, shall forthwith issue a writ for the election of a member to fill the vacancy.

Disqualification for membership of either House.

See 52 Vict., 23, s. 23.

31. NO person shall be qualified to be a member of the Legislative Council or Legislative Assembly, if he—

(1.) Be a member of the other House of the Legislature; or,

(2.) Be a Judge of the Supreme Court; or

(3.) Be the Sheriff of Western Australia; or

(4.) Be a clergyman or minister of religion; or

(5.)

(5.) Be an undischarged bankrupt, or a debtor against whose estate there is a subsisting receiving order in bankruptcy; or

(6.) Has been in any part of Her Majesty's dominions attainted or convicted of treason or felony.

Persons holding contracts for the public service shall be incapable of being elected or sitting.
52 Vict., 23, s. 24.

32. ANY person who shall directly or indirectly, himself, or by any person whomsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy in the whole or in part any contract, agreement, or commission made or entered into with, under, or from any person whomsoever, for or on account of the Government of the Colony;

Or shall knowingly furnish or provide in pursuance of any such contract, agreement, or commission any money to be remitted abroad, or any goods whatsoever to be used or employed in the service of the public;

And any member of any company, and any person holding any office or position in any company formed for the construction of any railway or other public work, the payment for which, or the interest on the cost of which has been promised or guaranteed by the Government of the Colony;

shall be disqualified from being a member of the Legislative Council or Legislative Assembly during the time he shall execute, hold, or enjoy any such contract, agreement, or commission, or office or position, or any part or share thereof, or any benefit or emolument arising from the same.

If member not qualified election to be void.

33. IF any person not qualified to be a member of the Legislative Council or Legislative Assembly shall, nevertheless, be elected and returned as a Member to serve in the said Council or Assembly, such election and return shall be void.

Any member accepting a contract, or continuing to hold any contract after the commencement of the next session, his seat shall be void.
52 Vict., 23, s. 25.

34. IF any person, being a member of the Legislative Council or Legislative Assembly, shall directly or indirectly, himself, or by any person whomsoever in trust for him, or for his use or benefit, or on his account, enter into, accept, or agree for, undertake or execute, in the whole or in part, any such contract, agreement, or commission as aforesaid, or if any person being a member of the said Council or Assembly, and having already entered into any such contract, agreement, or commission, or any part or share of any such contract, agreement, or commission, by himself, or by any other person whomsoever in trust for him, or for his use or benefit, or upon his account, shall, after the commencement of the next Session of the Legislature, continue

tinue to hold, execute, or enjoy the same, or any part thereof, the seat of every such member shall be void: Provided that nothing in this or the last preceding section shall extend to persons contributing towards any loan for public purposes heretofore or hereafter raised by the Colony, or to the holders of any bonds issued for the purpose of any such loan.

Not to extend to incorporated trading companies.

52 Vict., 23, s. 26.

35. THE foregoing provisions shall not extend to any contract, agreement, or commission made, entered into, or accepted by any incorporated company where such company consists of more than twenty persons, and where such contract, agreement, or commission is made, entered into, or accepted for the general benefit of such company, nor to any contract or agreement in respect of any lease, license, or agreement in respect to the sale or occupation of Crown lands.

Not to extend to contracts by descent.

52 Vict., 23, s. 27.

36. THE foregoing provisions shall not extend to any person on whom, after the commencement of this Act, the completion of any contract, agreement, or commission shall devolve by descent, or limitation, or by marriage, or as devisee, or legatee, until twelve months after he shall have been in possession of the same, or to any executor or administrator until three years after he shall have been in possession of the same.

Office holder taking the oath as member thereby to vacate his office.

52 Vict., 23, s. 28.

37. IF any person while holding an office of profit under the Crown, other than that of an officer of Her Majesty's sea or land forces on full, half, or retired pay, be elected a member of the Legislative Council or of the Legislative Assembly, he shall, if he takes the oath or makes the affirmation hereinbefore prescribed, be held by so doing to vacate his said office.

Chief executive offices excepted.

See 60 Vict., 18, s. 13.

Provided that this section shall not apply to the six principal executive offices of the Government liable, in accordance with this Act, to be vacated on political grounds.

Seats in Parliament vacated in certain cases.

52 Vict., 23, s. 29.

38. IF any member of the Legislative Council or Legislative Assembly, after his election—

(1.) Ceases to be qualified or becomes disqualified as aforesaid; or

(2.) Takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors; or

(3.) Becomes of unsound mind; or

(4.) Takes any oath or makes any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign Prince or Power, or does, concurs in, or adopts any act whereby he may become a subject or citizen

citizen of any foreign State or Power, or whereby he may become entitled to the rights, privileges, or immunities of a subject or citizen of any foreign State or Power; or

(5.) Fails to give his attendance in the Legislative Council or in the Legislative Assembly, as the case may be, for two consecutive months of any session thereof without the permission of the said Council or Assembly, as the case may be, entered upon its journals; or

(6.) Accepts any pension during pleasure or for term of years other than an allowance under Section 71 of "The Constitution Act, 1889," or any office of profit from the Crown, other than that of an officer of Her Majesty's sea or land forces on full, half, or retired pay,

his seat shall thereupon become vacant: Provided that members accepting offices liable to be vacated on political grounds shall be eligible for re-election.

Election of disqualified persons void.
52 Vict., 23, s. 32.
58 Vict., 15.

39. IF any person under any of the disqualifications mentioned in this Act, shall presume to sit or vote as a member of the said Council or Assembly, such person shall forfeit the sum of Two hundred pounds, to be recovered, subject as hereinafter provided, by any person who shall sue for the same in the Supreme Court.

Presence of unqualified persons not to invalidate proceedings.
52 Vict., 23, s. 33.

40. THE proceedings of the Legislative Council or Legislative Assembly shall not be invalidated by reason of the presence thereat of any person by this Act disabled or declared to be incapable to sit or vote in the said Council or Assembly.

Member may accept office of Administrator without vacating his seat.
54 Vict., 6, s. 1.

41. NO member of the Legislative Council or Legislative Assembly shall vacate his seat by reason of his accepting the office of Administrator of the Government of the Colony, and any Member of either House duly appointed thereto may hold the said office.

Responsible Minister changing his office not to vacate seat.
54 Vict., 6, s. 2.

42. WHEN a person has been elected a member of the Legislative Council or Legislative Assembly after his acceptance of one of the offices liable to be vacated on political grounds, the subsequent acceptance by him from the Crown of another of such offices, whether both offices are held together, or the one office is accepted in lieu of and in immediate succession to the other, shall not vacate his seat.

Part II.—Executive.

Six principal executive offices.
(2.) 60 Vict., 18, s. 13.

43. (1.) THERE may be six principal executive offices of the Government liable to be vacated on political grounds, and no more.

To be designated by Governor.

(2.) The said offices shall be such six offices as shall be designated and declared by the Governor in Council, from time to time, to be the six principal executive offices of the Government for the purposes of this Act.

(3.) One at least of such executive offices shall always be held by a member of the Legislative Council.

No person to draw salaries for two offices.

54 Vict., 6, s. 3.

44. IF any person accepts any two or more of the offices liable to be vacated on political grounds, it shall not be competent for him to receive the salary of more than one office.

Amount payable out of Consolidated Revenue Fund.

60 Vict., 18, s. 14.

45. THERE shall be payable to Her Majesty in every year, out of the Consolidated Revenue Fund, sums not exceeding in the whole Fifteen thousand four hundred pounds, for defraying the expenses of the services and purposes set forth in the Fourth Schedule to this Act, and the said several sums shall be issued by the Treasurer in discharge of such warrants as shall from time to time be directed to him under the hand of the Governor.

PART III.—MISCELLANEOUS.

Alterations in Money Bills.

57 Vict., 14, s. 23.

46. IN the case of a proposed Bill, which, according to law, must have originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein; and the Legislative Assembly may, if it thinks fit, make such omissions or amendments, or any of them, with or without modifications.

Members' seats to be unaffected by new division.

60 Vict., 18, s. 15.

47. NOTWITHSTANDING the creation of any new Province or District, or the alteration of the name or boundaries of any Province or District by this Act, every member of the Legislative Council shall continue to represent in Parliament the Province of the same name as the Province for which he was elected, but with the boundaries assigned to it by this Act; and during the present Parliament every member of the Legislative Assembly shall continue to represent in Parliament the District for which he was elected as if this Act had not been passed.

Electoral Registrars to amend electoral rolls in accordance with new division of Provinces and Districts.

60 Vict., 18, s. 11.

48. (1.) IT shall be the duty of the Electoral Registrars, immediately after the commencement of this Act, to amend the Electoral Roll for each Province and District by removing from the roll the name of every elector whose qualification by the operation of this Act is situate or arises in some other Province or District, and to insert every name so removed on the Electoral Roll of the Province or District to which the qualification is, by the operation of this Act, transferred.

(2.)

(2.) In the case of a Province or District created by this Act for which there is no electoral roll in existence, the Electoral Registrar shall remove from the roll of the Province or District of which the newly created Province or District formed part, the name of every elector whose qualification by the operation of this Act is situate or arises in such newly formed Province or District, and shall compile a roll for every such last-mentioned Province or District of the names so removed in the form prescribed by "The Electoral Act, 1899," and such roll shall be forwarded by such Electoral Registrar to the Electoral Registrar of the newly formed Province or District, and such roll shall be the electoral roll for every such newly formed Province or District until a new roll is completed, and every elector whose name appears thereon, pursuant to this section, shall be entitled to vote for a member or members for such newly formed Province or District.

Temporary roll for newly formed Province or District.

49. NO action or other proceeding to recover any forfeiture, penalty, or sum of money under this Act shall be commenced except within three months after the time at which the right to bring such action or to take such proceeding first arose.

Commencement of action.
58 Vict., 15, s. 3.

50. NO action or other proceeding for the recovery of any penalty, forfeiture, or sum of money in respect of the breach or violation of any of the provisions of this Act shall be commenced unless and until the plaintiff shall pay into Court the sum of One hundred pounds as security for all such costs as may be awarded to the defendant in such action or proceeding, and such sum shall abide the order of the Court or a Judge.

Plaintiff to give security for costs.
58 Vict., 15, s. 4.

51. NO action or other legal proceedings shall lie or be maintained against the President of the Legislative Council, or the Speaker of the Legislative Assembly, or against the Chairman of Committees, or other officer of either House of Parliament, or any member of the Police Force, for anything done by, or under the warrant, or by the direction of, such President, Speaker, or other officer, under or purporting to be under the standing orders or other the order or resolution of the House in which he presides, or of which he is an officer, as the case may be, or under or purporting to be under the provisions of "An Act for defining the Privileges, Immunities, and Powers of the Legislative Council and Legislative Assembly of Western Australia, respectively."

No action to lie against officials of either House.
58 Vict., 15, s. 6.
54 Vict., 4.

52. THIS Act shall be proclaimed in Western Australia by the Governor so soon as he shall have received a notification by telegraph or otherwise of the Royal Assent thereto, and shall commence and take effect from the date of the publication of such Proclamation,

Proclamation of Royal Assent and commencement of Act.

clamation, but the constitution of the existing Legislative Assembly shall remain unaffected by this Act until the said Assembly is dissolved by effluxion of time or otherwise.

I hereby reserve this Bill for the signification of Her Majesty's pleasure thereon.

GERARD SMITH, Governor.

64° VICTORIÆ, No. 2.

AN ACT to correct certain errors in the Constitution Acts Amendment Act, 1899.

[*Assented to, 25th September, 1900.*]

WHEREAS by inadvertence the amendments consequent upon the alteration of the boundaries of the South-West Mining Electoral District were omitted to be made in the Second Schedule to the Constitution Acts Amendment Act, 1899, while passing through the Parliament, and errors were made in the description of the boundaries of the Menzies and Roebourne Electoral Districts in the said Schedule, and it is expedient to correct such errors: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of Schedule II. of 63 Vict., 19.

1. THE Second Schedule to the Constitution Acts Amendment Act, 1899, is amended by striking out the descriptions therein of the boundaries of the Bunbury Electoral District, the Menzies Electoral District, the Nelson Electoral District, the Roebourne Electoral District, the Sussex Electoral District, and the Wellington Electoral District, and by inserting in lieu thereof the boundaries of the said Electoral Districts as described in the Schedule to this Act.

Amendments to be followed in future prints of the said Act.

2. ALL copies of the said Act printed by the Government Printer after the passing of this Act shall be printed as amended by this Act.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE

Schedule I.

ENACTMENTS REPEALED. Section 2.

Session and Number.	Extent of Repeal.
52 Vict., No. 23	Sections 14, 18 to 21 inclusive, 23 to 30 inclusive, and 32, 33, and 40.
54 Vict., No. 6	The whole.
55 Vict., No. 32	Section 30, sub-sections (1*a*) and (4); Section 31.
56 Vict., No. 17	The whole.
57 Vict., No. 14	The whole.
58 Vict., No. 15	The whole.
60 Vict., No. 18	The whole.

Schedule II.

ALBANY ELECTORAL DISTRICT.

Section 19.

Bounded by lines starting from the Northern shore of Princess Royal Harbour, and extending North 20 chains 70 links along the most Eastern boundary of Plantagenet Location 33 to the South boundary of Plantagenet Location 2; thence East along it 15 chains 40 links to its South-East corner; thence North along the East boundary of Location 2 aforesaid to the North-East corner of Plantagenet Location 226; thence by a straight line to Scraggy Bluff on Strawberry Hill, along part of the Southern boundary of Plantagenet Location 42; thence to a spot on the Western shore of Oyster Harbour, from which the summit of Green Island bears due East, passing along part of the Southern boundary of Location 42 aforesaid, and the whole of the Southern boundary of Plantagenet Location 43. On the *North-East* by the shore of Oyster Harbour. On the *South-East* by the shore of King George's Sound; and on the *South-West* by the shore of Princess Royal Harbour; also, that portion of land about Mount Martin which lies West of a line extending from the summit of Green Island to the largest of the Gull Rocks lying off Point Spencer.

BEVERLEY ELECTORAL DISTRICT.

Bounded on the *West* by a Southerly line from the trigonometrical station on Mount Dale to the 41-Mile mark on the Perth-Albany Road; thence South-Easterly along said Road to the Hotham River Bridge. On the *Southward* by the Hotham River upwards to Millingnalling Pool, and thence due East. On the *North* by an Easterly line from the trigonometrical station on Mount Dale to the South-West corner of Avon Location 30; thence East-North-Easterly along South boundaries of Avon Locations 30 and O to the Avon River; thence downwards along East side of said river to the North boundary of Avon Location H 2; thence East-North-Easterly to the North-East corner of said Location H 2; thence to the trigonometrical station on Mount Stirling, and thence due East; and on the *East* by a due South line produced through a spot 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

BOULDER

Constitution Acts Amendment Act, 1899.

BOULDER ELECTORAL DISTRICT.

Bounded by lines starting from the South corner of late Gold Mining Lease 3354E, and extending South-Easterly along the South-West boundary of late Gold Mining Lease 1614E; thence South-Westerly and South-Easterly along part of the North-West and the South-West boundaries of Gold Mining Lease 1412E and part of the South-West boundary of Gold Mining Lease 1413E; thence South-Westerly and South-Easterly along the North-West and South-West boundaries of Gold Mining Lease 1672E; thence South-Westerly and South-Easterly along part of the North-West and the South-West boundaries of Gold Mining Lease 2509E to the North side of Hopkins Street; thence East to the East side of Shannon Street; thence South to the South side of Vivian Street, and along it West to the East side of Hamilton Street; thence South along said side of street for a distance of 13 chains 50 links; thence West along the South side of a public street, to a point South of the South-West corner of Boulder Town Lot 299; thence North along its West boundary and that of Town Lot 300 and part of 301 to a point West of the North side of Dwyer Street; thence West 46 chains 3 links; thence North 32 chains 25 links; thence East 46 chains 3 links; thence North along the West boundaries of Boulder Town Lots 305, 306, and 307, and to the North side of North Terrace; thence East along said side of Terrace to the West side of Brookman Street, and along it South to the South-West boundary of Gold Mining Lease 3364E; thence South-Easterly and North-Easterly along the South-West and South-East boundaries of said Gold Mining Lease 3364E to the starting point.

BUNBURY ELECTORAL DISTRICT.

(As amended by 64 Vict., No. 2.)

Bounded on the *West* by the Sea-coast. On the *South* by an East line from the Sea-coast to the centre of the Capel River, passing along the South boundary of Sussex Location 82; then by the said centre of river upwards to Wellington Location 171 inclusive; then due East from the South-West corner of Wellington Location 171 aforesaid to a point due South from the South-East corner of Wellington Location 40. On the *East* by a North line to the Preston River; on the *North* by the said Preston River downwards to its entrance into Leschenault Inlet, and by said Inlet to the Sea. And on the inner part by and exclusive of that portion of Part 1 of the South-West Mining Electoral District within these boundaries.

MOUNT BURGES ELECTORAL DISTRICT.

Bounded by lines starting from a spot situate about 50 miles West from a cairn marked NB 1 near Wangine Soak, and extending South about 118 miles through a cairn, H 26, on Koorarawalyee Granite Rock, to a point due West of the summit of a granite rock near the 50-Mile Soak on the Dundas and Lake Lefroy Road; thence East about 133 miles through the summit of the granite rock aforesaid near the 50-Mile Soak on the Dundas and Lake Lefroy Road; thence North about 48 miles to a point 35 miles East of the South-East corner of East Location 48; thence West 35 miles to the said South-East corner of the above-mentioned Location; thence along the boundaries of Location 48, West 443 chains 91 links to its South-West corner; thence North 564 chains 87 links to the South-East corner of Location 51; thence along the boundaries of that Location West 160 chains, South 60 chains, West 119 chains 87 links to the South-West corner of Location 51 aforesaid; thence North 400 chains along the West boundary of Location 51 and the East boundary of Location 53 to its North-East corner; thence along a surveyed line bearing North 324° 46′ East for 36 miles 14 chains 81 links; thence North 30 miles 47 chains 46 links along a surveyed line to a survey mark, R 3, near the Cane Grass Swamp on the Coolgardie-Goongarrie Road; thence Westerly to a cairn marked NB 1 near Wangine Soak; thence West about 50 miles to the starting point, and excluding the Coolgardie Electoral District.

COCKBURN SOUND ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast. On the *North* and *East* by lines starting from the Sea-coast and extending Easterly along the centre of By-the-Sea Road to the West boundary of Cockburn Sound Location 134; thence North along part of its West boundary; thence East along the South boundary of Cockburn Sound Location 7; thence South, East, and North along part of the West, the South, and one of the East boundaries of Location 329, thence East and North along parts of the South and East boundaries of Location 66, thence East along the South boundaries of Locations 127 and 67 and Fremantle Suburban Lots 66, 65, 64, 63, and 62 to the South-West corner of Suburban Lot 61; thence North along the West boundaries of Suburban Lots 61, 54, and 53 and the East boundary of Fremantle Townsite; thence West along part of the North boundary of said townsite, thence North along the West boundaries of Swan Locations 8 and 70 and to the centre of the Swan River; thence along the centres of the Swan and Canning Rivers upwards to the centre of the South-Western Railway, and thence Southerly along the centre of said railway to a point East of the North-East corner of Serpentine Agricultural Area Lot 28; and on the *South* by lines starting from the Sea-coast at the South-West corner of Reserve 746 and extending East along its South boundary and the South and part of the South-East boundaries of Rockingham Townsite to the centre of the Rockingham-Jarrahdale Railway; thence Easterly along the said centre of railway to the East boundary of Cockburn Sound Location 16; thence North along part of the said boundary to a point one chain West of the North-West corner of C.P. 47/351; and thence East along the South side of a public road to the centre of the South-Western Railway.

CLAREMONT ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from a point on the Sea-coast, situate West from the North-West corner of Perthshire Location Aw., and extending East through said corner to the centre of the Eastern Railway; thence South-Westerly along said centre of Railway to a point West from the centre of Aberdare Road; and thence East along said centre of road. On the *East* and *South* by lines starting from the intersection of the centre of Aberdare Road with the West boundary of the City of Perth, and extending South along said West boundary to its South end; thence East through the South-East corner of Swan Location 90 to the centre of the Swan River; thence Westerly along said centre of Swan River to a point situate South from the North-East corner of North Fremantle Townsite; thence North to said corner; and thence West to the Sea-coast; and on the *West* by the Sea-coast.

COOLGARDIE ELECTORAL DISTRICT.

Bounded by lines starting from a point situate 1 chain 50 links West and 15 chains South from the South-West corner of Coolgardie Town Lot 1050, and extending Eastward along the South side of Hopetoun Street to a point situate due South of the intersection of the North side of Morgans Street with the East side of Londonderry Road; thence Northward through said point of intersection to the prolongation East of the North side of Marmion Street; thence Westward along said North side of Marmion Street to the West side of Smith Street; thence Southward along the West sides of Smith and Parkes Streets to the starting point.

CUE ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from the trigonometrical station on Mount Hochstetter, and extending South-Easterly and Easterly through the trigonometrical stations on Mount Lulworth, Beebynbeebynganna and Culculli to that on Nowthanna, and thence East for about 48 miles. On the *West* by lines extending

extending Southward from the trigonometrical station on Mount Hochstetter to that on Woolgerong Hill, and onwards to the trigonometrical station on Mount Charles. On the *South* by an East line from the said trigonometrical station on Mount Charles for about 105 miles; and on the *Eastward* by a North-North-Easterly line in the direction of Mount Russell from a point situate 4½ miles East and 4 miles South from the trigonometrical station on Wyemandoo Hill.

DUNDAS ELECTORAL DISTRICT.

Bounded on the *North* by an East line, passing through the summit of a granite rock, near the 50-Mile Soak, on the Dundas and Lake Lefroy Road, to the 125th meridian of East longitude; thence North along said meridian to a point due East of Survey Mark R 3, and thence due East to the Eastern boundary of the Colony. On the *West* by a South line to the Sea-coast from where a South line from the cairn on the summit of Koorarawalyee Granite Rock intersects the North boundary aforesaid. On the *East* by the East boundary of the Colony; and on the *South* by the Sea-coast, including the islands adjacent.

FREMANTLE ELECTORAL DISTRICT.

Bounded on the *Northward* and *Westward* by the centre of the Swan River and the Sea-coast, including the South Mole and Jetties. On the *Southward* and *Eastward* by the Sea-coast and lines starting from a point on the Sea-coast situate South-Westerly from the centre of Essex Street, and extending North-Easterly along the centres of Essex and Henderson Streets to the centre of Queen Street; thence North-West along the centre of Queen Street to the centre of Adelaide Street; thence South-Westerly along the centres of Adelaide Street and High Street to the centre of Market Street; thence along the centre of Market Street to its intersection with the centre of Phillimore Street and a North line to the centre of the Swan River, and including Rottnest, Carnac, Garden, and other islands adjacent.

EAST FREMANTLE ELECTORAL DISTRICT.

Bounded on the *North* by the centre of the Swan River upwards from a point due North from the intersection of the centres of Market and Phillimore Streets to a point situate North from the North-East corner of Fremantle Suburban Lot M. On the *West* by a line due South from the West end of the North boundary to the intersection of the centres of Market and Phillimore Streets; thence Southerly along the centre of Market Street to the centre of High Street. On the *South* by lines extending Easterly along the centres of High and Adelaide Streets to the centre of Queen Street; thence along the centre of Queen Street to the centre of Doonan Street; thence along the centres of Doonan, Hill, and Knutsford Streets to the centre of Montreal Street; thence North along the centre of Montreal Street to the centre of High Street; thence East along the centre of High Street to the East boundary of Fremantle Townsite; and on the *East* by lines extending along parts of the East and North boundaries of Fremantle Townsite; and thence North along the West boundaries of Swan Locations 8 and 70, and to the centre of the Swan River.

NORTH FREMANTLE ELECTORAL DISTRICT.

Bounded on the *East* by a North line starting from a point in the centre of the Swan River, situate South of the South-East corner of North Fremantle Townsite, and extending North to the North-East corner of said townsite. On the *North* by a West line to the Sea Coast. On the *West* by the Sea Coast and the Northern side of the North Mole. On the *South-East* by the said centre of Swan River from a point due South from the Western extremity of the North Mole to the starting point.

SOUTH FREMANTLE ELECTORAL DISTRICT.

Bounded on the *North* by lines extending North-Easterly from the Sea-coast along the centres of Essex and Henderson Streets to the centre of Queen Street; thence South-Easterly along the centre of Queen Street to the centre of Doonan Street; thence Easterly along the centres of Doonan, Hill, and Knutsford Streets to the centre of Montreal Street; thence North along the centre of Montreal Street to the centre of High Street: and thence East along the centre of High Street to the East boundary of Fremantle Townsite. On the *West* by the Sea-coast. On the *South* by Easterly lines from the Sea-coast along the centre of By-the-Sea Road to the West boundary of Cockburn Sound Location 134; thence North along part of its West boundary; thence East along the South boundary of Cockburn Sound Location 7; thence South, East, and North, along part of the West, the South, and one of the East boundaries of Location 329; thence East and North along parts of the South and East boundaries of Location 66; thence East along the South boundaries of Locations 127 and 67, and Fremantle Suburban Lots 66, 65, 64, 63, and 62, to the South-West corner of Suburban Lot 61; and on the *East* by the West boundaries of Fremantle Suburban Lots 61, 54, and 53, and part of the East boundary of Fremantle Townsite.

GASCOYNE ELECTORAL DISTRICT.

Bounded on the *Westward* by the Sea-coast, including the islands adjacent. On the *Southward*, *Eastward*, and *Northward* by lines starting from the Sea-coast at a point situate West from the 105-Mile Post on the telegraph line from Northampton to Carnarvon, and extending East through said Mile Post to a point situate South from another point 15 miles West from the trigonometrical station on Mount Madeline; thence North to a point situate West from a point 10 miles North from the trigonometrical station on Mount Gould; thence East to a point in line between the trigonometrical stations on Mount Clere and Mount Gould; thence Northward through the trigonometrical stations on Mount Clere, K 20, and towards that on Mount Blair to the Tropic of Capricorn; thence East to a point situate South from the summit of Mount Lionel; thence North to said summit; thence North-Westerly to Trigonometrical Station Y 13; and thence West-North-Westerly through the trigonometrical stations on Mount Rica and Mount Darnell to that on Peedamullah; and thence North-West to the Sea-coast.

GERALDTON ELECTORAL DISTRICT.

Bounded on the *North* by an East line from the Sea-coast in the direction of the North-West corner of Victoria Location 1815. On the *East* by a South line passing through the trigonometrical station on Mount Fairfax. On the *South* by an East line from the Sea-coast passing partly along the South boundary of Geraldton Townsite; and on the *West* by the Sea-coast. Including also Houtman's Abrolhos.

GREENOUGH ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from the Sea-coast, and extending East through the North-East corner of Victoria Location 1815 to the centre of the Greenough River; thence North-Easterly along the centre of said river upwards to its junction with the North Spring Brook at "Cadjacootherra;" thence North-Easterly to the trigonometrical station on Tallering Peak; thence Easterly to the trigonometrical station on Marlandy Hill. On the *East* by lines starting from Marlandy Hill, and extending Southward to the cairn on Mugga Mugga Hill, and thence South to a point situate East from the trigonometrical station on Mount Hill. On the *South* by lines starting from the Sea-coast, and extending North-East to the said trigonometrical station on Mount Hill, and thence due East; and on the *West* by the Sea-coast, excluding the Geraldton Electoral District.

GUILDFORD ELECTORAL DISTRICT.

Bounded by lines starting from the West corner of Swan Location Q 1 and extending South-East along part of the North-East boundary of Swan Location T, across the Swan River, and along the North-East boundary of Location 30 and its production to the North-West boundary of Canning Location 11; thence North-Easterly through the North corner of said Location 11 to the South-Western boundary of Helena Location 20a; thence Northerly to the South corner of Helena Location 20b; thence North and West along the East and part of the North boundaries of said Location 20b; thence North and West along the East and part of the North boundaries of Swan Location 16 to a point South from the South-East corner of Swan Location 14 A; thence North through said corner and along the East boundaries of Locations 14 A, 14, and 13 A and to the South boundary of Location 12; thence West along parts of the South boundaries of Locations 12 and K 1 to the centre of the Wanneroo Road; thence Southerly along said centre of road to the 5-Mile Post; and thence Easterly to the starting point.

HANNAN'S ELECTORAL DISTRICT.

Bounded by lines starting from the 40-Mile Post on the Eastern boundary of the Mount Burges Electoral District, and extending North 144° 46′ East for 26 miles 62 chains 37 links along a surveyed line to the North-East corner of East Location 53; thence South along the East boundary of the said Location 53 and the West boundary of Location 51 to its South-West corner; thence along the boundaries of said Location 51 East 119 chains 87 links, North 60 chains, East 160 chains to its South-East corner; thence along the boundaries of Location 48, South 564 chains 87 links, East 443 chains 91 links to its South-East corner; thence East about seven miles 65 chains to a point due South of the South-East corner of Location 45; thence North to the said corner; thence North along the East boundary of Location 45 aforesaid for four miles to its North-East corner; thence about 342° 10′ about 1 mile 64 chains to the South-East corner of Location 44; thence North along the East boundary of Location 44 to its North-East corner; thence North 321° 35′ East about 30 miles 53 chains to a point bearing North 54° 50′ East from the 40-Mile Post on the Eastern boundary of the Mount Burges Electoral District; thence North 234° 50′ East about 14½ miles to the starting point, and on the inner part by the exterior boundaries of the Kalgoorlie and Boulder Electoral Districts.

IRWIN ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from the Sea-coast and extending North-East to the trigonometrical station on Mount Hill, thence East to a point situate South from the cairn on Mugga Mugga Hill, thence South to a point situate West from the trigonometrical station on Mount Gibson, thence East to said trigonometrical station, thence Easterly to trigonometrical station K 83, and thence due East. On the *West* by the Sea-coast, including the islands adjacent. On the *South* by an East line through Mount Lesueur; and on the *East* by a North line towards a point situate 4½ miles East from the trigonometrical station on Wyemandoo Hill.

KALGOORLIE ELECTORAL DISTRICT.

Bounded by lines starting from the intersection of the centre of Ward Street with the centre of the Kalgoorlie-Menzies Railway line, and extending 223° 30′ about 54 chains along said centre of street; thence 133° 30′ 12 chains 75 links along the South-Western side of Cassidy Street; thence 223° 30′ 15 chains along the North-Western side of Campbell Street; thence 133° 30′ 20 chains 70 links along the South-Western side of Russell Street; thence 223° 30′ 71 chains 50 links

links along the North-Western side of Bourke Street; thence 133° 30′ about 62 chains, partly along the South-Western side of Throssell Street; thence 43° 30′ 23 chains 50 links along part of the South-East side of Egan Street; thence 109° 30′ about 26 chains 70 links; thence 43° 30′ about 46 chains 60 links; thence 39° 48′ about 29 chains 55 links parallel to and at the distance of 75 links South-Easterly from the South-Eastern boundaries of Kalgoorlie Town Lots R713 to R719 inclusive, to the centre of the Kalgoorlie-Boulder Railway line, and thence North-Westward along the said centre and the centre of the aforesaid Kalgoorlie-Menzies Railway line to the starting point.

KANOWNA ELECTORAL DISTRICT.

Bounded by lines starting from the *South-East* corner of the Mt. Burges Electoral District, a point about 40 miles East from the summit of a granite rock near the 50-Mile Soak on the Dundas and Lake Lefroy Road, and extending East to the 125th meridian, East longitude; thence North along that meridian to a point East of Survey Mark R 3, near the Cane Grass Swamp, on the Coolgardie-Goongarrie Road; thence West to the above-mentioned Survey Mark R 3; thence along part of the Eastern boundary of the Mt. Burges Electoral District, South 30 miles 47 chains 56 links, and North 144° 46′ East for 9 miles 32 chains 44 links to the 40-Mile Post; thence along the North-West and North-East boundaries of the Hannan's Electoral District, North 54° 50′ East for 14½ miles, and North 141° 35′ East about 30 miles 53 chains to the North-East corner of East Location 44; thence along the East boundary of said Location 44 to its South-East corner; thence North 162° 10′ East about 1 mile 64 chains to the North-East corner of Location 45; thence South along its East boundary to its South-East corner; thence South to a point about 7 miles 65 chains East from the South-East corner of Location 48; thence East about 27 miles 15 chains; and thence South about 48 miles to the starting point.

EAST KIMBERLEY ELECTORAL DISTRICT.

Bounded on the *East* by the Eastern boundary of the Colony (longitude 129° E.). On the *South* by the parallel of 19° 30′ South latitude. On the *West* by a North line through the cairn on Mt. George as far North as the parallel of 16° South latitude, thence due West along said parallel to the Sea Coast; and on the *North* by the Sea Coast, including the islands adjacent.

WEST KIMBERLEY ELECTORAL DISTRICT.

Bounded on the *North* by the 16th parallel of South latitude. On the *East* by a South line through the cairn on Mt. George. On the *South* by the parallel of 19° 30′ South latitude; and on the *Westward* by the Sea Coast, including the islands adjacent.

MOUNT MAGNET ELECTORAL DISTRICT.

Bounded on the *West* and *North* by lines starting from a point situate West from the trigonometrical station on Mount Gibson and South from the cairn on Mugga Mugga Hill, and extending Northward through said cairn to the trigonometrical station on Marlandy Hill; thence North-Easterly through the trigonometrical station on Doothagnunganna to that on Mount Charles, and thence East for about 105 miles. On the *South* and *East* by lines starting from the South end of the West boundary, and extending East through the trigonometrical stations on Mount Gibson and K83 to a point situate South from a point 4½ miles East from the trigonometrical station on Wyemandoo Hill; thence North to a point situate 4½ miles East and 4 miles South from said trigonometrical station, and thence North-North-Easterly towards Mount Russell.

MOUNT MARGARET ELECTORAL DISTRICT.

Bounded on the *North* by the Tropic of Capricorn. On the *East* by the East boundary of the Colony. On the *West* by lines starting from a point on the Tropic of Capricorn situate North from the trigonometrical station on Wonyulgunna Hill, and extending South to said trigonometrical station; thence Southerly through the trigonometrical station on Thadoona Hill to the summit of Mount Russell; thence South-South-Westerly to a point situate 4½ miles East and 4 miles South from the trigonometrical station on Wyemandoo Hill, and thence South to a point situate West from a tree marked ΛB 82 at Brickey's Soak; and on the *South* by an East line to the East boundary of the Colony.

MENZIES ELECTORAL DISTRICT.

(As amended by 64 Vict., No. 2.)

Bounded by lines starting from Survey Mark $\frac{R}{3}$, near Cane Grass Swamp, and extending 267° 20′ about 20 miles 22 chains to a cairn marked NB 1 near Wangine Soak; thence West about 50 miles; thence West-North-West to a point situate North from a point 10 miles West of a cairn on Yorkrakine Granite Rock, and due East from Trigonometrical Station K 83; thence North to a point due West of a tree marked B 82, at Brickey's Soak; thence East to the East boundary of the Colony; thence South to a point due East from Survey Mark $\frac{R}{3}$; and then West to the starting point.

MOORE ELECTORAL DISTRICT.

Bounded on the *North* by a due East line from the Sea-coast through Mount Lesueur. On the *East* by a due South line, passing through the highest point of the Wongan Hills. On the *South* by a Westerly line, passing through Bolgart Spring and through the 22nd Mile Post on the road from Newcastle to New Norcia, to the 59th Mile Post on the road from Perth to New Norcia; thence by a line in a Southerly direction towards the South-West corner of Swan Location 95 at Bailup, to a point due East of the North-East corner of Swan Location 178; thence Westerly, passing along the North boundaries of Swan Locations 178 and 875, through the 46th Mile Post on the road from Perth to Gingin, along the South boundary of Swan Location 369, and through the trigonometrical station on Wabling Hill to the Sea-coast; and on the *West* by the Sea-coast, including the islands adjacent.

MURCHISON ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from a point on the Sea-coast situate West from the 105-Mile Post on the telegraph line from Northampton to Carnarvon, and extending East through said mile post to a point situate South from a point 15 miles West from the trigonometrical station on Mount Madeline; thence North to a point situate West from a point 10 miles North from the trigonometrical station on Mount Gould; and thence East to a point in line between the trigonometrical stations on Mount Clere and Mount Gould. On the *East* and *South* by lines starting from the last-mentioned point, and extending Southerly through the trigonometrical stations on Mount Gould, Mount Hale, Mount Hochstetter, and Woolgerong Hill to that on Mount Charles; thence South-Westerly through the trigonometrical station on Doothagnunganna to that on Marlandy Hill; thence Westerly to the trigonometrical station on Tallering Peak; thence South-Westerly to the junction of the North Spring Brook with the Greenough River at "Cadjacootherra"; thence South-Westerly along the centre of said river to a point situate East from the North-East corner of Victoria Location 1815, and thence West through said corner to the Sea-coast; and on the *West* by the Sea-coast.

Constitution Acts Amendment Act, 1899.

NORTH MURCHISON ELECTORAL DISTRICT.

Bounded on the *North* by the Tropic of Capricorn; on the *South* by lines starting from the trigonometrical station on Mt. Hochstetter, and extending South-Easterly and Easterly through the trigonometrical stations on Mt. Lulworth, Beebynbeebynganna, and Culculli to that on Nowthanna, and East for about 48 miles. On the *West* by lines starting from the aforesaid trigonometrical station on Mt. Hochstetter, and extending Northerly through the trigonometrical stations on Mt. Hale, Mt. Gould, and Mt. Clere, and Trigonometrical Station K 20 towards that on Mt. Blair to the Tropic of Capricorn; and on the *East* by lines starting from the East end of the South Boundary, and extending North-North-Easterly to the summit of Mt. Russell; thence Northerly through the trigonometrical station on Thadoona Hill to that on Wonyulgunna, and North to the Tropic of Capricorn.

MURRAY ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast, including the islands adjacent. On the *North* by lines starting from the Sea-coast at the South-West corner of Reserve 746, and extending East along its South boundary and the South and part of the South-East boundaries of Rockingham Townsite to the centre of the Rockingham-Jarrahdale Railway; thence Easterly along said centre of Railway to the East boundary of Cockburn Sound Location 16; thence North along part of the said boundary to a point one chain West from the North-West corner of C.P. 47/351; thence East along the South side of a public road to the centre of the South-Western Railway; thence Northerly along said centre of Railway to a point West of the North-West corner of the Rockingham Jarrah Timber Company's Concession; and thence East through said North-West corner and along part of the North boundary of the said concession to a point in line between the trigonometrical station on Mount Dale and the 41-Mile Post on the Perth-Albany Road. On the *East* by a Southerly line from the East end of the North boundary to the 41-Mile mark on the Perth-Albany Road; and thence South-Easterly along said road to the 95-Mile mark; and on the *South* by an East line from the Sea-coast, passing through the summit of Mount William to the Murray River, and by that River upwards to its junction with the Hotham River; and thence by an East line to the 95-Mile mark on the Perth-Albany Road aforesaid.

NELSON ELECTORAL DISTRICT.

(As amended by 64 Vict., No. 2.)

Bounded on the *Northward* by lines starting from a point West of the South-West corner of Reserve 6321, and in line between the South-West corner of Wellington Location 171 and the junction of Padbury's Brook with the Blackwood River, and extending East to said South-West corner of Reserve 6321; thence North to the Western boundary of the Boyanup-Bridgetown Railway Reserve; thence North-Westerly along the Western boundary of said Railway Reserve to a point situate East from the South-West corner of Wellington Location 171 aforesaid; thence East to a point South from the South-East corner of Wellington Location 40; thence North, passing along the Eastern boundary of said Location 40 to the old road from Bunbury to Kojonup, known as the "Old Post Road," and thence by the said road Easterly to the junction of the Balgarup and Blackwood Rivers. On the *Eastward* by a line from the said junction South-South-Easterly to the junction of the Towerlup Creek and Frankland River, and thence by the said Frankland River downwards to the sea. On the *Westward* by a South-Easterly line from the West end of the North boundary to the aforesaid junction of Padbury's Brook with the Blackwood River, and onwards to the South-West corner of Nelson Location 31 at Manjimup; thence in

in a Southerly direction to a spot known as Bullamurrup; thence by the Bullamurrup Creek downwards to its junction with the Warren River, and thence by a line South-South-Westerly to Point D'Entrecasteaux on the Sea-coast. On the *Southward* by the Sea-coast, including the islands adjacent. And on the inner part by and exclusive of Part 2 of the South-West Mining Electoral District.

NORTHAM ELECTORAL DISTRICT.

Bounded on the *West* and *South* by lines starting from the Eastern Railway and extending due South five miles towards the North-East corner of Helena Location 22; thence East-North-Easterly to the North-West corner of Avon Location f; thence East-North-Easterly along the North boundaries of Avon Locations f and J to the North-East corner of Location J, and thence due East. On the *North* by the Eastern Railway to the Clackline; thence Northwards along the branch Railway to Newcastle to a point West-South-Westerly from the North-West corner of Avon Location X; thence East-North-Easterly along the Northern boundary of Location X to the East side of the Avon River; thence down said river to the North boundary of Avon Location U; thence East-North-Easterly along the North boundary of Location U aforesaid, and on to the South-West corner of Avon Location 895; thence East-North-Easterly to the South-East corner of Avon Location 296; thence North-North-Westerly to the North-West corner of Avon Location W; thence East-North-Easterly to the North-East corner of Location W aforesaid, and thence due East. On the *East* by a due South line produced through a point 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

PERTH ELECTORAL DISTRICT.

Bounded on the *Northward* by the centre of Wellington Street. On the *Eastward* by the centre of Lord Street to Swan River; thence due South to centre of Swan River. On the *Westward* by the centre of Milligan Street Southward to its junction with St. George's Terrace; thence South-Westward along the centre of Mount Street to its junction with Spring Street, and thence by the centre of Spring Street to Swan River; and thence due South to centre of Swan River; and on the *South* by the centre of Swan River aforesaid.

EAST PERTH ELECTORAL DISTRICT.

Bounded by lines starting from the centre of the Swan River at a point due South of the centre of the South end of Lord Street, and extending North to said centre of Lord Street and Northerly along the centre of Lord Street to the centre of Wellington Street; thence Westerly along the centre of Wellington Street to the centre of Beaufort Street; thence Northerly along the centre of Beaufort Street to the centre of Newcastle Street; thence Easterly along the centres of Newcastle Street, Samson Street, and Kensington Street, and the latter's production East to the centre of the Swan River; and thence by the centre of the said River downwards to the starting point.

NORTH PERTH ELECTORAL DISTRICT.

Bounded by lines starting from the West corner of Swan Location Q 1, and extending South-East along part of the North-East boundary of Swan Location T and to the centre of the Swan River; thence along the centre of the said Swan River downwards to a point due East of the centre of Kensington Street; thence West to the centre of Kensington Street and along said centre and Westerly along the centres of Samson and Newcastle Streets to the centre of Loftus Street; thence Northerly along the centre of Loftus Street to the centre of Vincent Street; thence East along the centre of Vincent Street to the centre of Wanneroo Road; thence Northerly along the centre of Wanneroo Road to the 5-Mile Post, and thence Easterly to the starting point.

SOUTH PERTH ELECTORAL DISTRICT.

Bounded by lines starting from a point in the centre of Swan River, situate North-West from the North corner of Swan Location 30, and extending South-East along the North-Eastern boundary of said Location 30 through its East corner and its production to the North-West boundary of Canning Location 11; thence South-Westerly along the North-West boundary of said Location 11, and through its West corner to the centre of the Canning River; thence along the centre of the said river downwards to its junction with the centre of the Swan River; thence along the centre of the Swan River upwards to the starting point.

WEST PERTH ELECTORAL DISTRICT.

Bounded on the *East* by a North line from the centre of the Swan River to the centre of the South end of Spring Street; thence by the centre of Spring Street to the centre of Mount Street; thence by the centre of Mount Street to the centre of St. George's Terrace; thence by the centre of Milligan Street to the centre of Wellington Street; thence by the centre of Wellington Street to the centre of Beaufort Street; and thence Northerly along the centre of Beaufort Street to the centre of Newcastle Street. On the *North* by the centre of Newcastle Street North-Westerly to the centre of Loftus Street. On the *West* by the centre of Loftus Street, the South-East side of Trevarton Street, and the North-West side of Thomas Street to its junction with Ferdinand Street; and thence South along the West side of Ferdinand Street to a point West of the North-West corner of Swan Location 87. And on the *South* by an East line to the centre of the Swan River, and thence upwards along said centre to the starting point.

PILBARA ELECTORAL DISTRICT.

Bounded on the *South* by the Tropic of Capricorn. On the *East* by the East boundary of the Colony. On the *North* by the parallel of 19° 30′ South Latitude and by the Sea-coast, including the islands adjacent as far West as to a point situate North from the trigonometrical station on Red Hill; and on the *West* by lines extending South to the trigonometrical station on Red Hill aforesaid; thence Southward through the trigonometrical stations on Mt. Righthofen and Mt. Pyrton to trigonometrical station Y 13; thence South-Eastward to the summit of Mt. Lionel; and thence South to the Tropic of Capricorn.

PLANTAGENET ELECTORAL DISTRICT.

Bounded on the *West* and *North* by the Frankland River upwards to its junction with Towerlup Creek; thence by lines extending North-North-Westerly towards the junction of the Blackwood and Balgarup Rivers to a point situate West from the North-West corner of Kojonup Location 249; thence East through said corner of Location 249; thence North toward a point situate 10 miles West from the trigonometrical station on Yorkrakine Granite Rock to a point West from the summit of Mount Madden; and thence East to a point situate South from Cairn H 26 on Koorarawalyee Granite Rock. On the *East* by a South line from the East end of the North boundary; and on the *South* by the Sea-coast, including the islands adjacent, and excluding the Albany Electoral District.

ROEBOURNE ELECTORAL DISTRICT.

(As amended by 64 Vict., No. 2.)

Bounded on the *Northward* by the Sea-coast, including the islands adjacent. On the *Southward* by lines starting from the Sea-coast at a point situate North-West from the trigonometrical station on Peedamullah Hill, and extending South-East to said trigonometrical station, and thence East-South-Easterly through the trigonometrical

trigonometrical stations on Mount Darnell and Mount Rica to Trigonometrical Station Y13; and on the *Eastward* by lines starting from Y13 and extending Northerly through the trigonometrical stations on Mount Pyrton, and Mount Righthofen to that on Red Hill, and thence North to the Sea-coast.

SOUTH-WEST MINING ELECTORAL DISTRICT.

PART 1 (DONNYBROOK).

Bounded by lines starting from the South-Western corner of Reserve 6321; thence North about 60 chains to the Boyanup-Bridgetown Railway Reserve; thence by the Western boundary of said Railway Reserve in a general North-Westerly direction about 14¼ miles to its intersection with the Eastern boundary of Wellington Location 239; thence North about 10 chains to the left bank of the Preston River; thence by said river in a general North-Easterly direction about 2¼ miles to the North-Eastern corner of Reserve 645A; thence North about 3 miles; thence West about 7 miles to the Eastern boundary of Boyanup-Bridgetown Railway Reserve; thence by said Railway Reserve in a general South-Easterly direction about 3¾ miles to a point North of North-West corner of Wellington Location 836; thence South about 13¼ miles; thence East about 9¼ miles to the point of commencement.

PART 2 (GREENBUSHES).

Bounded on the *South* and *West* by lines extending East 500 chains and North 500 chains from a point situate 50 chains West, and 156 chains South from the junction of Cowan and Norilup Brooks; the opposite boundaries being parallel and equal.

PART 3 (COLLIE).

Bounded by lines starting from the North-East corner of Wellington Location 56, and extending South, West, and South, along that location's Eastern boundaries and through its South-East corner to a point 2 miles South therefrom; thence East to a point situate North from the South-East corner of Wellington Location 40; thence South to the old road from Bunbury to Kojonup, known as the "Old Post Road"; thence South-Easterly along said road to a point situate South from a point 12 miles East from survey mark T 28; thence North to a point situate 12 miles East from said survey mark T 28; thence West to the centre of the Collie River; thence Northward along said centre of River to a point East of the starting point, and thence West to the starting point.

SUBIACO ELECTORAL DISTRICT.

Bounded by lines starting at the South-West corner of Swan Location 1151 and extending Easterly along the South boundaries of Locations 1151 and 612, along a public road, the South and part of the East boundaries of Location 92, and part of the South boundary of Location K1, to the centre of Wanneroo Road; thence Southerly along the centre of Wanneroo Road to the centre of Vincent Street; thence West along the centre of Vincent Street to the centre of Loftus Street; thence South-Westerly along the centre of Loftus Street, the South-East side of Trevarton Street and the North-West side of Thomas Street; thence South along the West side of Ferdinand Street to the centre of Aberdare Road; thence West along the centre of Aberdare Road and a production thereof to the centre of the Eastern Railway; thence North-Easterly along the centre of the said railway to a point East of the North-East corner of Perthshire Location Aw; thence West through said corner of Location Aw to the Sea-coast; thence Northerly along the said Sea-coast to the starting point.

SUSSEX ELECTORAL DISTRICT.

(As amended by 64 Vict., No. 2,)

Bounded on the *Northward* and *Eastward* by the shore of Geographe Bay; thence by lines extending East from the shore of the said Bay to the centre of the Capel River, passing along the South boundary of Sussex Location 82; thence along the centre of the river aforesaid upwards to the North-West corner of Wellington Location 171; thence South to its South-West corner; thence East to a point South from the North-West corner of Wellington Location 836; thence South to a point situate West from the South-West corner of Reserve 6321; thence East to a point in line between the South-West corner of said Location 171 and the junction of Padbury's Brook with the Blackwood River; thence South-Easterly to the said junction, and onwards to the South-West corner of Nelson Location 31 at Manjimup; thence in a Southerly direction to a spot known as Bullamurrup; thence by the Bullamurrup Creek downwards to its junction with the Warren River; and thence by a line South-South-Westerly to Point D'Entrecasteaux on the Sea coast; and on the *Southward* and *Westward* by the Sea-coast, including the islands adjacent.

SWAN ELECTORAL DISTRICT.

Bounded on the *North* by an Easterly line from the Sea-coast, extending through the trigonometrical station on Wabling Hill, along the South boundary of Swan Location 369, through the 46th-Mile Post on the road from Perth to Gingin, along the North boundaries of Swan Locations 875 and 178 till it intersects a line in a Southerly direction from the 59th-Mile Post on the road from Perth to New Norcia to the South-West corner of Swan Location 95 at Bailup. On the *East* by a line from the East end of the North boundary in a Southerly direction to the aforesaid South-West corner of Swan Location 95 at Bailup; thence by a South-Easterly line to a point on the Eastern Railway due North from the North-East corner of Helena Location 22; thence by a South line to the South-East corner of said location; thence Southerly to the trigonometrical station on Mount Dale, and onwards towards the 41-Mile mark on the Perth-Albany Road to the North boundary of the Rockingham Jarrah Timber Company's concession. On the *South* and *West* by lines starting from the South end of the East boundary and extending West along part of the North boundary and through the North-West corner of said concession to the centre of the South-Western Railway; thence Northerly along the said centre of railway to the centre of the Canning River; thence North-Westerly along the said centre of River to a point situate South-West from the West corner of Location 11; thence North-East along the North-West boundary of said Location 11 through its North corner to the South-Western boundary of Helena Location 20a; thence Northerly to the South corner of Helena Location 20b; thence North and West along that location's East and part of its North boundaries; thence North and West along the East and part of the North boundaries of Swan Location 16 to a point South from the South-East corner of Location 14A, thence North through the said corner and the East boundaries of Locations 14A, 14, and 13A, and through the latter's North-East corner to the South boundary of Location 12; thence West along the said boundary of Location 12, crossing the Swan River, and along the South boundary of Location K1; thence South and Westerly along part of the East and the South boundaries of Location 92, a public road, and the South boundaries of Locations 612 and 1151 to the Sea-coast; and thence Northwards along the Sea-coast to the West end of the North boundary.

TOODYAY ELECTORAL DISTRICT.

Bounded on the *North* by a due East line produced East through Mount Lesueur. On the *West* by a due South line, passing through the highest summit in the Wongan Hills; thence Westerly through Bolgart Spring and the 22nd Mile Post from Newcastle towards New Norcia to the 59th Mile Post on the road from Perth to New Norcia; thence by a line in a Southerly direction from the 59th Mile Post

Post aforesaid to the South-West corner of Swan Location 95 at Bailup; thence by a South-Easterly line to a point on the Eastern Railway due North from the North-East corner of Helena Location 22. On the *South* by the Eastern Railway to the Clackline; thence Northwards along the branch Railway to Newcastle to a point West-South-Westerly from the North-West corner of Avon Location X; thence East-North-Easterly along Northern boundary of Location X to the East side of the Avon River; thence down said river to the North boundary of Avon Location U; thence East-North-Easterly along North boundary of Location U aforesaid and on to South-West corner of Avon Location 895; thence East-North-Easterly to the South-East corner of Avon Location 296; thence North-North-Westerly to the North-West corner of Avon Location W; thence East-North-Easterly to the North-East corner of Location W aforesaid, and thence due East; and on the *East* by a due North and South line produced through a point 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

WELLINGTON ELECTORAL DISTRICT.

(As amended by 64 Vict., No. 2.)

Bounded on the *West* by the Sea-coast. On the *North* by an East line from the said coast passing through the summit of Mount William to the Murray River, then by that river upwards to the junction of the Hotham and Williams Rivers. On the *Eastward* by a South-South-Easterly line from the junction of the Hotham and Williams Rivers aforesaid to the junction of the Blackwood and Balgarup Rivers. On the *South* by a West-North-Westerly line along the old road from Kojonup to Bunbury, known as the "Old Post Road," to a point on the said road due North from the North-East corner of Wellington Location 40; thence due South passing along the East boundary of Wellington Location 40 aforesaid to the Preston River; thence by the said Preston River downwards to a point situate North from the North-East corner of Reserve 645A; thence North three miles; thence West to the Preston River aforesaid; thence along the said River downwards to its entrance into Leschenault Inlet, and by the said Inlet to the sea. And on the inner part by and exclusive of Part 3 of the South-West Mining Electoral District.

WILLIAMS ELECTORAL DISTRICT.

Bounded on the *North* by an East line from the junction of the Hotham and Williams Rivers to the 95th-Mile mark on the Perth-Albany Road; thence North-Westerly along said road to the Hotham River Bridge; thence North-Easterly along the Hotham River upwards to Millingnalling Pool, and thence East. On the *West* by a line extending in a South-South-Easterly direction from the junction of the Hotham and Williams Rivers to the junction of the Balgarup and Blackwood Rivers; thence South-South-Easterly towards the junction of the Towerlup Creek and Frankland River to a point situate West from the North-West corner of Kojonup Location 249. On the *South* by an East line through the North-West corner of Location 249 aforesaid; and on the *East* by a South line produced through a point 10 miles West from the trigonometrical station on Yorkrakine Granite Rock.

YILGARN ELECTORAL DISTRICT.

Bounded on the *West* by a due North line passing through a point 10 miles West of a trigonometrical station on Yorkrakine Granite Rock, starting from a point due West from the summit of Mount Madden to a point due East of Trigonometrical Station K 83. On the *North* by an East-South-Easterly line to a point about 50 miles due West from a cairn marked NB 1 near Wangine Soak. On the *East* by a due South line through cairn H 26 on Koorarawalyee Granite Rock; and on the *South* by a due West line through Mount Madden.

YORK ELECTORAL DISTRICT.

Bounded on the *North* by an East-North-Easterly line, starting from a point 5 miles due South from the Eastern Railway towards the North-East corner of Helena Location 22, and extending to the North-West corner of Avon Location f; thence East-North-Easterly along the North boundaries of Avon Locations f and J to the North-East corner of Location J, and thence due East. On the *West* by a due South line to the South-East corner of Helena Location 22, and thence in a Southerly direction to the trigonometrical station on Mount Dale. On the *South* by an Easterly line from Mount Dale aforesaid to the South-West corner of Avon Location 30; thence East-North-Easterly along the South boundaries of Avon Locations 30 and O to the Avon River; thence downwards along East side of said river to the North boundary of Avon Location H 2; thence East-North-Easterly to the North-East corner of said Location H 2; thence to the trigonometrical station on Mount Stirling, and thence due East; and on the *East* by a due South line produced through a point 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

Schedule III.

The Constitution Act, 1899. Section 30.

CERTIFICATE OF DEATH OF MEMBER.

We, the undersigned, being two members of the Legislative Council (*or* Assembly), do hereby certify that A.B., a member of the said House, serving for the Province (*or* District), died upon the day of , and we give you this notice to the intent that you may issue a Writ for the election of a member to supply the vacancy caused by the death of the said A.B.

Given under our hands this day of , 1

C.D.
E.F.

To the President of the Legislative Council, or the Speaker of the Legislative Assembly, or His Excellency the Governor of Western Australia *(as the case may require)*.

Schedule IV.

Section 45.

Governor	£4,000
Private Secretary	350
Clerk of the Executive Council	350
Chief Justice	1,700
First Puisne Judge	1,400
Second Puisne Judge	1,400
Six Ministerial Salaries	6,200
	£15,400

By Authority: RICHARD PETHER, Government Printer, Perth.

Western Australia

THE ELECTORAL ACT, 1907-1940.

(No. 27 of 1907.)

Reprinted pursuant to the Amendments Incorporation Act, 1938, as amended by Nos. 44 of 1911, 5 of 1918, 59 of 1919, 7 of 1921, 38 of 1931, 39 of 1934, 10 of 1936, 18 of 1940, and 47 of 1940.

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WESTERN AUSTRALIA.

ELECTORAL.

No. 27 of 1907.

Reprinted pursuant to the Amendments Incorporation Act, 1938, as amended by No. 44 of 1911, No. 5 of 1918, No. 59 of 1919, No. 7 of 1921, No. 38 of 1931, No. 39 of 1934, No. 10 of 1936, No. 18 of 1940, and No. 47 of 1940.

AN ACT to regulate Parliamentary Elections.

[*Assented to 20th December*, 1907.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.—PRELIMINARY.

Short title. No. 27 of 1907, s. 1†; No. 47 of 1940, s. 3.

1. This Act may be cited as the *Electoral Act*, 1907-1940.

Commencement. No. 27 of 1907, s. 2.

2. This Act* shall come into operation on the first day of March, one thousand nine hundred and eight.

Division. No. 27 of 1907, s. 3; No. 10 of 1936, s. 3.

3. This Act is divided into Parts as follows:—

Part I.—PRELIMINARY, ss, 1–4.
PART II.—ADMINISTRATION, ss. 5–16.
PART III.—ENROLMENT, ss, 17–62.
Division (1)—*Qualification of Electors.*
Division (2)—*Electoral Rolls.*
Division (3)—*Additions to Rolls.*
Division (4)—*Objections.*
(*i*) *To Claims;*
(*ii*) *To Enrolment;*
(*iii*) *Powers of Magistrate.*
Division (5)—*Miscellaneous.*

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*Meaning the original Act, No. 27 of 1907.

†Where in the marginal notes of this reprint reference is made to section numbers of the principal Act No. 27 of 1907 such section numbers are those which appear in the reprint contained in the Appendix to the Sessional Volume of the Statutes for the year 1928.

PART IV.—ELECTIONS, ss, 63–156.
Division (1)—*Writs.*
Division (2)—*Nominations.*
Division (3)—*Voting.*
(*i*) *In absence;*
(*ii*) *At the Poll.*
Division (4)—*Counting the Votes.*
Division (5)—*Declaration of Poll and Return of the Writ.*
Division (6)—*After the Poll.*
Division (7)—*Voting for Assembly to be Compulsory.*

PART V.—DISPUTED RETURNS, ss. 157–173.

PART VI.—LIMITATION OF ELECTORAL EXPENSES, ss. 174–178.

PART VII.—ELECTORAL OFFENCES, ss. 179–206.

PART VIII.—MISCELLANEOUS, ss. 207–214.

cf. No. 10 of 1936, s. 3.

Interpretation.

No. 27 of 1907, s. 4; 1911, No. 44, s. 2.

4. In this Act, unless the contrary intention appears—

"Absolute majority of votes" means a number of votes greater than one-half of the number of all the electors who vote at an election, exclusive of electors whose ballot papers are rejected as informal, but inclusive of the casting vote of the returning officer, when given.

"Assembly" means the Legislative Assembly.

"By-election" means any election other than a General Election.

"Candidate" in Parts II, VI, and VII includes any person who, within three months before the day of election, offers himself for election as a member of the Council or Assembly.

"Chief Electoral Officer" means the officer for the time being appointed to that office, and includes a substitute.

"Christian name" means the name or names prefixed to the surname of any person, whether received at Christian baptism or not.

"Council" means the Legislative Council.

"District" means an Electoral District for the election of a member of the Assembly.

"Elector" means any person whose name appears on a Roll as an elector.

"Electoral Census" means any enumeration of persons eligible as electors for the Council or Assembly, made under the provisions of Part III. of this Act.

"General Election" means:—

(1) Any election for the Assembly caused by effluxion of time or by the dissolution of the Assembly by the Governor;

(2) Any election for the Council caused by the retirement of the senior member for each Province by effluxion of time.

"Local governing body" means and includes the council of a municipality, the board of a road district, and any local board of health.

"Magistrate" means a Government Resident, Police Magistrate, or Resident Magistrate, and includes any Justice of the Peace authorised by the Governor to hear and determine electoral appeals.

"Minister" means the responsible Minister of the Crown charged for the time being with the administration of this Act.

"Naturalised" means naturalised under a law of the United Kingdom, or of a Colony which has become a State of the Commonwealth, or of the Commonwealth, or of a State.

"Officer includes all persons appointed to any office under this Act, or exercising any power or discharging any duty thereunder, except as an honorary Government electoral agent.

"Parliament" means the Parliament of Western Australia.

"Polling place" means any building or structure in which the polling at elections is appointed to take place.

"Prescribed" means prescribed by this Act or by the regulations.

"President" means the President of the Legislative Council.

"Proclamation" means a proclamation by the Governor published in the *Government Gazette.*

"Province" means an Electoral Province for the election of members of the Council.

"Registrar" means an Electoral Registrar, and includes a substitute.

"Returning Officer" includes Deputy Returning Officer.

"Roll" means the electoral roll of a Province or District.

"Speaker" means the Speaker of the Legislative Assembly.

"Sub-district" means a portion of a District the boundaries of which have been defined under the provisions of section one hundred.

"Telegraph Office" means any office appointed for the receipt and transmission of telegraph messages.

"Writ" means a writ issued by the Clerk of the Writs directing a Returing Officer to proceed with the election of a member of the Council or Assembly.

Part II.—Administration.

Chief Electoral Officer. No. 27 of 1907, s. 5.

5. (1) The Governor may, from time to time, appoint a Chief Electoral Officer who shall, under the Minister, be charged with the administration of this Act.

(2) The Chief Electoral Officer in office at the commencement of this Act shall be deemed to have been appointed under this Act.

Registrars and Returning Officers. No. 27 of 1907, s. 6; 1911, No. 44, s. 3.

6. (1) The Governor may, from time to time, appoint such Registrars, Returning Officers, and Assistant Returning Officers as may be required to carry the provisions of this Act into execution.

(2) A person appointed to be a Registrar, Returning Officer, or Assistant Returning Officer shall be deemed to have been appointed as from a date specified in his appointment or, if no such date is specified, as from the date of his appointment.

Substitute.
No. 27 of 1907, s. 7.

7. (1) The Governor may, during the absence or temporary incapacity of the Chief Electoral Officer or of any Registrar or Returning Officer, appoint a substitute to discharge the duties of such officer.

(2) Every substitute appointed under this section shall, while so acting, have and may exercise all the duties, powers, and functions of the officer for whom he is acting.

Registrars.
No. 27 of 1907, s. 8: 1911, No. 44, s. 4.

8. (1) There shall be a Registrar for each Province and District and Sub-district.

(2) The same person may be appointed Registrar for a Province and for a District and Sub-district, or for two or more Provinces and Districts and Sub-districts.

Returning Officers.
No. 27 of 1907, s. 9.

9. There shall be a Returning Officer for each Province and District.

Deputy Returning Officers.
No. 27 of 1907, s. 10.

10. The Returning Officer for each District shall be a Deputy Returning Officer for the Province within which his District is situated.

Registrar may be Returning Officer.
No. 27 of 1907, s. 11.

11. A Registrar may be appointed Returning Officer for any Province or District.

Returning Officer's declaration.
No. 27 of 1907, s. 12; 1911, No. 44, s. 43.

12. Every person shall, upon being appointed to the office of Returning Officer, and before acting in such office, make and subscribe before a Justice of the Peace a declaration in the prescribed form and lodge such declaration with the Chief Electoral Officer, who shall cause the same to be filed in his office.

Resignation of Returning Officer after issue of Writ.
No. 27 of 1907, s. 13.

13. No person being a Returning Officer for any Province or District shall, without the consent of the Governor, resign his office after the issue of any writ for an election for such Province or District until such writ is executed or returned.

Death, resignation, or removal of Returning Officer after issue of Writ.
No. 27 of 1907, s. 14.

14. (1) If the Returning Officer for any Province or District dies, resigns, leaves, or is removed, after the issue of a Writ for an election for such Province or District, the Governor may appoint some other person to be the Returning Officer in his place; and such writ, so far as it is not executed, may be executed and returned by the Returning Officer so appointed.

1911, No. 44, s. 5.

(2) A writ may be lawfully executed and returned by the Returning Officer notwithstanding that the writ may, in the absence of the Returning Officer, have been issued to some other person appointed to be the Returning Officer in his place.

Temporary assistance. No. 27 of 1907, s. 15.

15. (1) The Minister may, on the recommendation of the Chief Electoral Officer, appoint such temporary assistants as he may consider requisite for the due administration of this Act.

(2) The Public Service Act, 1904, shall not apply to temporary assistants appointed under this section.

Disqualification of Officers. No. 27 of 1907, s. 16.

16. (1) No candidate, and no person holding any official position in connection with any political organisation or election committee, shall be appointed an officer under this Act.

(2) If any such officer knowingly becomes a candidate, or is elected, appointed, or otherwise becomes an official of any political organisation or election committee, he shall be deemed to have vacated the office held by him under this Act, and some other person shall be appointed in his stead.

PART III.—ENROLMENT.

Division (1)—*Qualification of Electors.*

Qualification of Assembly electors. No. 27 of 1907, s. 17; *see* 63 Vict., No. 19, s. 26; 1911, No. 44, s. 6.

17. (1) Subject to the disqualifications hereinafter set out, every person not under twenty-one years of age, who—

(a) is a natural born or naturalised subject of His Majesty; and

(b) has lived in Western Australia for six months continuously; and

(c) has lived in the district or, when a district is divided into sub-districts, in the sub-district, for which he claims to be enrolled for a continuous period of one month immediately preceding the date of this claim,

shall be entitled, subject to the provisions of this Act, to be enrolled as an elector, and when enrolled, and so long as he continues to live in the district for which he is

enrolled, to vote at any polling place in the district at the election of a member of the Legislative Assembly for that district.

Provided that an elector who has changed his place of living to another district may, until his name is transferred to another roll, vote for the district in which his name continues enrolled at any election held within three months after he has ceased to live in the district.

(2) For the purposes of this Act a person shall be deemed to have lived within the district or sub-district wherein he has his usual place of abode, notwithstanding his occasional absence from such district or sub-district.

(3) Any member of the Legislative Assembly, and the wife of any member of the Legislative Assembly, may claim to be enrolled for the district represented by such member, and when so enrolled shall be deemed to live in such district.

(4) A person shall not be entitled to be enrolled at the same time on more than one Assembly roll.

Disqualifications.
No. 27 of 1907, s. 18; No. 39 of 1934, s. 2. *See* 63 Vict., No. 19, s. 28.

18. Every person, nevertheless, shall be disqualified from being enrolled as an elector, or if enrolled, from voting at any election, who—

(a) Is of unsound mind; or

(b) is wholly dependent on relief from the State or from any charitable institution subsidised by the State, except as a patient under treatment for accident or disease in a hospital; or

(c) has been attainted of treason, or has been convicted and is under sentence or subject to be sentenced for any offence punishable under the law of any part of the King's dominions by imprisonment for one year or longer; or

No. 39 of 1934, s. 2.

(d) is an aboriginal native of Australia, Asia (except British India), Africa, or the Islands of the Pacific (except New Zealand), or a person of the half-blood, but the disqualifications created by this paragraph do not apply to any person who is a naturalised subject of His Majesty.

Division (2)—*Electoral Rolls.*

Electoral Rolls.
No. 27 of 1907, s. 19; 1911, No. 44, s. 7.

19. (1) There shall be a roll of electors for each Province and District.

(2) The roll for any District may be divided into separate parts for each Sub-district, the parts into which a roll is so divided being hereinafter called a "Sub-district roll."

(3) All the sub-district rolls for a District shall together form the roll for the District.

Rolls to be kept by Registrars.
No. 27 of 1907, s. 20.

20. The roll for each Province and District shall be kept by the Registrar.

Existing rolls.
No. 27 of 1907, s. 21.

21. Until new rolls prepared under this Act come into operation, the rolls in existence at the commencement of this Act shall, as altered from time to time, be the rolls of electors.

Form of rolls.
No. 27 of 1907, s. 22; 1911, No. 44, s. 43.

22. (1) Rolls may be in the prescribed form, and shall describe the surname, christian name, sex, residence, and occupation of each elector, and shall contain such other particulars as may be prescribed.

(2) The Council rolls shall also state the qualification of each elector.

Arrangement of rolls.
No. 27 of 1907, s. 23; 1911, No. 44, s. 8.

23. (1) The rolls shall be arranged in lexicographical order of surnames, and where the surnames are identical, then in lexicographical order of the christian names.

(2) The names appearing on the printed roll shall be numbered in regular, progressive arithmetical order, commencing with number one for the first name.

(3) In the supplementary printed roll the first name shall have the number next following that which is set against the last name on the general printed roll.

Printing of rolls.
No. 27 of 1907, s. 24; 1918, No. 5, s. 2.

24. (1) The rolls shall be printed, and issued under the hand of the Chief Electoral Officer, whenever he thinks fit.

(2) An amalgamation of each roll with its supplement shall be made, and shall be printed immediately after the issue of the writs for a general election.

Copies to be kept for public inspection. No. 27 of 1907, s. 25.

25. A printed copy of the roll of every Province and District shall be kept for inspection by the public at the office of the Registrar, and at such other convenient places within such Province or District as the Chief Electoral Officer may from time to time determine.

Supplementary rolls. No. 27 of 1907, s. 26; 1918, No. 5, s. 3.

26. Supplementary rolls, setting out additions and alterations since the last print, shall be printed and issued under the hand of the Registrar for each Province and District —

(a) as soon after the last day of June and the last day of December in each year as practicable, and not later than the last day of the month next following, and

(b) immediately after the issue of the writ for any general election or by-election:

Provided that if it is not practicable to print any supplementary roll after the issue of the writ, such supplementary roll may be issued in written form.

Incorporation of supplementary rolls. No. 27 of 1907, s. 27; 1911, No. 44, s. 11.

27. In the printing of a second or subsequent supplementary roll, all the names in the last preceding supplementary roll shall be incorporated in lexicographical order.

Amalgamation of rolls. No. 27 of 1907, s. 28.

28. (1) Whenever the Minister so directs, the roll and any supplementary roll may be printed in an amalgamated form.

(2) In the preparation of such amalgamated roll, the provisions of section twenty-three shall be observed.

(3) Every amalgamated roll shall have printed upon it in a conspicuous place an indication of what roll and supplementary roll it is an amalgamation, giving the number and date of such rolls.

Rolls to be dated. No. 27 of 1907, s. 29.

29. Each new or amalgamated roll shall be dated with the date of its completion.

Supplementary rolls to be numbered and dated. No. 27 of 1907, s. 30.

30. (1) The supplementary rolls shall be numbered in regular progressive arithmetical order. The first issue following upon a new roll, or an amalgamated roll as aforesaid, shall be supplementary roll No. 1, and subsequent rolls numbered consecutively.

(2) The date to which a supplementary roll is made up shall also appear on such roll.

Arrangement with Commonwealth.
No. 27 of 1907, s. 31; *See* Com. 1918-1925, s. 32.

31. (1) The Governor may arrange with the Governor General of the Commonwealth for the preparation, alteration, and revision of the Assembly rolls, in any manner consistent with the provisions of this Act, jointly by the State and the Commonwealth, to the intent that the rolls may be used as electoral rolls for Commonwealth elections as well as State elections.

(2) When any such arrangement has been made, the rolls may contain, for the purposes of such Commonwealth election,—

(a) The names and descriptions of persons who are not entitled to be enrolled thereon as electors of the State, provided that it is clearly indicated in the prescribed manner that those persons are not enrolled thereon as State electors;

(b) Distinguishing marks against the names of persons enrolled as State electors, to show that those persons are, or are not also enrolled as Commonwealth electors;

(c) Other particulars in addition to the prescribed particulars;

and for the purposes of this Act the names and descriptions, marks and particulars so contained, shall not be deemed part of the roll.

The rolls.
No. 27 of 1907, s. 32; 1911, No. 44, s. 12.

32. The latest printed or written rolls filed in the office of the Registrar as altered from time to time, as hereinafter provided, shall be deemed to constitute the roll for the Province or District.

Inspection of rolls by the public.
No. 27 of 1907, s. 33.

33. The roll and supplementary roll for each Province or District shall be open for public inspection without fee, at the Registrar's office, on any week day during the hours the office is open, and the latest printed copies thereof shall be obtainable at the prescribed price not exceeding one shilling.

Rolls and documents not to be invalidated.
No. 27 of 1907, s. 34.

34. No roll or other document shall be invalidated by reason only that it is not printed, kept, or published in the place or manner or for the time required for such purposes respectively, nor by reason of any error in the copying or printing of the same.

Officers to furnish information. No. 27 of 1907, s. 35.

35. All public officers in the service of the State, and all officers in the service of any local governing body are hereby authorised and required to furnish to the Chief Electoral Officer or any of his officers all such information as he requires to enable him to prepare or to revise the rolls.

Chief Electoral Officer to inspect District offices and rolls. No. 27 of 1907, s. 36.

36. The Chief Electoral Officer shall from time to time inspect the various Registrars' offices and the rolls kept by each Registrar, and forward to the Minister such recommendation for the more efficient conduct of such offices, or the keeping of the rolls as he may deem expedient.

New rolls. No. 27 of 1907, s. 37.

37. A new roll for any Province or District, and new rolls generally, shall be prepared under the supervision of, and issued by, the Chief Electoral Officer, whenever directed by proclamation, and shall come into operation at the date stated in the same or any subsequent proclamation.

Method of preparation of roll. Compulsory enrolment for Assembly. No. 27 of 1907, s. 38; 1919, No. 59, s. 2.

38. The Governor may by regulations, either general or applicable to any particular roll, specify the method of preparation and prescribe the rules to be observed in regard thereto.

Any such regulations may provide that any person entitled to enrolment as an elector for the Assembly shall fill in, sign, and send to the officer indicated therein a claim for enrolment in accordance with this Act, and otherwise comply with the relative provisions of this Act:

Provided that any elector who has been enrolled in pursuance of any claim signed by him and is correctly enrolled shall not be required to sign and send in any further claim for enrolment in connection with the preparation of a new roll unless he has changed his place of living, so as to render a change in his enrolment necessary.

Penalties.

The regulations may prescribe anything necessary or convenient to be prescribed for carrying a system of compulsory enrolment into effect, and may prescribe a penalty not exceeding ten pounds for the contravention of any regulation.

Electoral census.
No. 27 of 1907, s. 39.

39. (1) New rolls for the whole or any portion of the State shall, if the Governor so orders, be prepared from the results obtained by means of an electoral census to be taken for that purpose.

(2) Such electoral census shall be taken under the direction and superintendence of the Chief Electoral Officer, in the manner prescribed by regulations, and at such time or times as the Governor may direct.

(3) In such portion or portions of the State for which an electoral census may be ordered, the result of such census shall alone be used for the purpose of preparing new rolls.

Names to be inscribed from existing rolls, etc.
No. 27 of 1907, s. 40.

40. (1) In preparing new rolls —

(a) the names of all persons who appear to be qualified shall be inserted; and

(b) the names of all persons—

(i) who, from information supplied by the Registrar General of Deaths, appear to be dead, or who, from information supplied by the Inspector General of the Insane, the Superintendent of Public Charities, and the Comptroller General of Prisons appear to be disqualified; or

(ii) who appear to be otherwise disqualified; or

(iii) in the case of Assembly rolls, who do not appear to reside in the district,

shall be omitted.

(2) The Chief Electoral Officer shall forthwith give notice to any person whose name is omitted, if such name appears on an existing roll for the same Province or District.

(3) If the person to whom such notice is given makes and sends in a claim to be enrolled, and such claim appears to the Chief Electoral Officer to be in order, he shall enrol the claimant.

(4) If the Chief Electoral Officer rejects such claim, he shall forthwith give notice thereof to the claimant, and the claimant may, within the prescribed time, appeal from the rejection of his claim to a magistrate, and the provisions of Division (4) of this Part shall apply.

Division (3)—*Additions to Rolls.*

Addition of names. No. 27 of 1907, s. 41.

41. New names may be added to rolls by the Registrars pursuant to claims.

Claims. No. 27 of 1907, s. 42; 1911, No. 44, secs. 13 and 43.

42. Claims—

(a) may be in the prescribed form;

(b) shall be signed by the claimant in the presence of a person authorised by this Act to witness the signatures of claimants; and

(c) shall be sent to the Registrar keeping the roll on which the claimant claims to be enrolled.

Claims, how dealt with. No. 27 of 1907, s. 43.

43. (1) Immediately upon the receipt of a claim the Registrar shall—

(a) insert therein the date of its receipt; and

(b) file the claim provisionally.

(2) Claims shall be open for public inspection, without fee, at the Registrar's office on any week day during the hours the office is open.

Essential particulars. No. 27 of 1907, s. 44; 1911, No. 44, ss. 14 and 43.

44. (1) The essential parts of a claim shall be—

(a) the surname and christian names in full of the claimant;

(b) the residence of the claimant;

(c) the usual signature of the claimant in his own handwriting; and

(d) if the claim is for enrolment for a Province, the qualification of the claimant, with sufficient particulars to identify the qualifying property.

(2) If the residence of the claimant is within a municipal district or townsite, the name of the street and the number of the house, if numbered, shall be stated, and if not numbered, such particulars shall be given as, in the opinion of the Registrar, are sufficient to enable the exact locality of the claimant's residence to be ascertained.

(3) If the residence of a claimant is not within a municipal district or townsite, his residence shall be stated with such particulars as are, in the opinion of the Registrar, sufficient to enable the exact locality of the claimant's residence to be ascertained.

(4) Any claim that does not comply with this section, and paragraph (b) of section forty-two, shall be rejected, and notice thereof in the prescribed form shall be given by the Registrar to the claimant.

Compulsory enrolment for Assembly.
Inserted by 1919, No. 59, s. 3, as s. 44A, now renumbered s. 45.

45. (1) Every person who is entitled to have his name placed on the roll for any district or sub-district, and whose name is not on such roll shall (whether his name is registered on the roll of any other district or sub-district or not) within twenty-one days after becoming so entitled, fill in and sign in accordance with this Act a claim in the prescribed form, and deliver the same to the Registrar of the district or sub-district, and otherwise comply with the relative provisions of this Act.

Penalty: Two pounds.

(2) Every person who is enrolled on the roll of any district or sub-district, and who changes his place of living from one address in the district or sub-district to another address therein, shall make, sign, and deliver a new claim within twenty-one days after the change, to the Registrar of the district or sub-district.

Penalty: Two pounds.

(3) The fact that the name of any elector who has become entitled to have his name enrolled on any roll has not been enrolled thereon within twenty-one days after he became so entitled shall be *prima facie* evidence of a contravention on his part of the provisions of subsection (1) of this section.

(4) The registrar of the district concerned shall issue a receipt to the elector for each claim received.

Registration of claims.
No. 27 of 1907, s. 45; 1911, No. 44, s. 15.

46. (1) If the claim is in order, and is not objected to, the Registrar shall, at the expiration of fourteen days from its receipt—

(a) indorse the claim as approved;

(b) enrol the claimant by entering his name and other prescribed particulars on the roll filed in the Registrar's office under the provisions of section thirty-two;

(c) send the claim to the Chief Electoral Officer.

(2) If the Registrar has reason to believe that the qualification of a claimant as set out in his claim is insufficient or incorrect he may, if he thinks fit, submit the claim to any officer referred to in section thirty-five, qualified in his opinion to report thereon, and such officer shall forthwith make all necessary inquiries and report to the Registrar.

(3) If such report is adverse to the claimant, the Registrar shall object to the claim, or, if the claim has been enrolled, to the enrolment, under the provisions of section forty-seven, subsection three (a), or section forty-eight, subsection three (a), respectively.

Division (4)—Objections.

(i) To Claims.

47. (1) The claim of any person to be enrolled may be objected to— Objections to claims. No. 27 of 1907, s. 46.

(a) by any elector enrolled on the same roll; or

(b) by the Registrar.

It shall be the duty of the Registrar to object to any claim if he has reason to believe that the claimant is not entitled to be enrolled.

(2) If the objection is by an elector, the following provisions shall apply:— By Electors. 1911, No. 44, s. 43.

(a) The objection shall be in writing lodged in duplicate with the Registrar, setting forth the grounds thereof, and may be in the prescribed form.

(b) The sum of two shillings and sixpence shall be deposited with the Registrar, and shall be forfeited if the objection is held not to be reasonable.

(c) The Registrar shall set down the objection for hearing before a magistrate, who shall appoint a day and place for the hearing.

(d) The Registrar shall give notice in writing to the objector, and the person objected to, of the day and place appointed for the hearing, and a copy of the objection, setting forth the grounds thereof, shall be sent therewith to the person objected to.

(e) The person objected to may, on the hearing of the objection, either—

(a) appear in person to prove his claim, or

(b) appear by agent appointed in writing under his hand, or

(c) forward by post, addressed to the Registrar, a statement made by the person objected to and signed before another elector of the same District or Province, setting forth the reasons for his remaining on the roll.

(f) The magistrate shall hear and determine the objection, and may direct the Registrar to enrol the claimant or to reject the claim, but no grounds of objection shall be entertained except such as are specifically set forth in the objection lodged as aforesaid.

(g) If a writ is issued for an election before the objection is heard and determined, and the claim was received by the Registrar not less than fourteen days before the issue of the writ, it shall be the duty of the Registrar to enrol the claimant.

Provided that the Registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by himself in the prescribed form.

By the Registrar.
1911, No. 44, s. 43.

(3) If the objection is by the Registrar, the following provisions shall apply:—

(a) The Registrar shall give notice of objection to the claimant setting forth—

(i) the grounds of objection; and

(ii) that unless notice of appeal is given within a time stated (not being less than seven days), the claim will be rejected.

The notice of objection may be in the prescribed form, and a form of notice of appeal shall be annexed thereto.

(b) If notice of appeal is not duly given, the Registrar may reject the claim.

(c) If notice of appeal is duly given, the Registrar shall set down the objection for hearing before a magistrate, who shall appoint a day and place for the hearing.

(d) The Registrar shall give notice to the claimant of the day and place appointed for the hearing.

(e) The magistrate shall hear and determine the objection, and may direct the Registrar to enrol the claimant or reject the claim, as he thinks fit, but no grounds of objection shall be entertained except such as are specifically set forth in the notice of objection.

(f) If a writ is issued for an election before the appeal is heard and determined, and the claim was received by the Registrar not less than fourteen days before the issue of the writ, it shall be the duty of the Registrar to enrol the claimant:

Provided that the Registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by himself in the prescribed form.

(*ii*) *To Enrolment.*

Objections to enrolment. No. 27 of 1907, s. 47.

48. (1) Any name on the roll may be objected to—

(a) by an elector registered on the same roll; or

(b) by the Registrar.

By Electors. 1911, No. 44, s. 43.

(2) If the objection is by an elector, the following provisions shall apply:—

(a) The objection shall be in writing lodged in duplicate with the Registrar, setting forth the grounds thereof, and may be in the prescribed form.

(b) The sum of two shillings and sixpence shall be deposited with the Registrar, and shall be forfeited if the objection is held not to be reasonable.

(c) The Registrar shall set down the objection for hearing before a magistrate, who shall appoint a day and place for the hearing.

(d) The Registrar shall give notice to the objector and the person objected to of the day and place appointed for the hearing, and a copy of the objection, setting forth the grounds thereof, shall be sent therewith to the person objected to.

(e) The person objected to may, on the hearing of the objection, either—

(a) appear in person to prove his claim, or

(b) appear by an agent appointed in writing under his hand, or

(c) forward by post, addressed to the Registrar, a statement made by the person objected to and signed before another elector of the same District or Province setting forth reasons for his remaining on the roll.

(f) The magistrate shall hear and determine the objection, and may direct the Registrar to retain the name on the roll, or to strike the name off the roll, or to make such amendment as may be necessary according to such determination; but no grounds of objection shall be entertained except such as are specifically set forth in the objection lodged as aforesaid.

(g) No objection shall be entertained by the magistrate unless notice thereof is served upon the person objected to in sufficient time to admit of the objection being determined before the issue of a writ for an election in the Province or District, as the case may be, and the name of the person so objected to shall not be removed from the roll, notwithstanding such objection, unless the objection has been so determined.

By the Registrar.
1911, No. 44, s. 43.

(3) If the objection is by the Registrar, the following provisions shall apply:—

(a) The Registrar shall give notice of objection to the person objected to, setting forth—

(i) the grounds of objection; and

(ii) that unless notice of appeal is given within a time stated (not being less than seven days), the name of the elector will be struck off the roll.

The notice of objection may be in the prescribed form, and a form of notice of appeal shall be annexed thereto.

(b) If notice of appeal is not duly given, the Registrar may strike the name off the roll.

(c) If notice of appeal is duly given, the Registrar shall set down the objection for hearing before a magistrate, who shall appoint a day and place for the hearing.

(d) The Registrar shall give notice to the person objected to of the day and place appointed for the hearing.

(e) The magistrate shall hear and determine the objection, and may direct the Registrar to retain the name on the roll, or to strike the name off the roll, or to make such amendment as may be necessary according to such determination; but no grounds of objection shall be entertained except such as are specifically set forth in the notice of objection.

(f) If a writ is issued for an election before the appeal is heard and determined the appeal shall lapse, but the name of the person objected to shall not be removed from the roll:

Provided that the Registrar shall place a mark in the prescribed manner against the elector's name on the roll, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by himself in the prescribed form.

(4) The name of every elector whose enrolment is objected to shall be publicly exhibited outside such place or places as the Chief Electoral Officer may direct, and maintained there until the objection is heard and determined.

(iii) Powers of Magistrate.

Powers of magistrate. No. 27 of 1907, s. 48.

49. (1) The magistrate shall, for the purposes of this Part of this Act, be deemed to be and shall have all the powers of a court of petty sessions, and if any objection, except an objection by the Registrar, is held not to be reasonable, may make such order as to costs as he thinks fit.

(2) If the parties to any proceeding appear by an authorised agent, the magistrate may, if he deem it necessary, adjourn the hearing for the attendance of any party in person, and may make an order requiring his attendance accordingly.

(3) The magistrate shall make such order for the forfeiture or return of the sum deposited with the objection as he thinks fit.

Division (5)—*Miscellaneous.*

Substitution of qualification. No. 27 of 1907, s. 49.

1911, No. 44, secs. 16, 43.

50. (1) Any elector for a Province may apply to substitute for his registered qualification any other sufficient qualification.

(2) The application shall be in writing in the prescribed form, signed by the applicant, and delivered or sent by post to the Registrar.

(3) If the application is in order, the Registrar shall forthwith make the necessary alteration of the roll, and forward the application form to the Chief Electoral Officer after indicating thereon that the alteration has been made.

(4) If the application appears to the Registrar not to be in order he shall give notice to the applicant in the prescribed form.

Removal of names repeated on roll. No. 27 of 1907, s. 50.

51. (1) Whenever in the opinion of the Chief Electoral Officer the name of the same person appears more than once on the same roll, or on more than one Assembly roll, he shall direct the Registrar to remove from the roll every such name except the latest enrolled name, and the Registrar shall forthwith remove such names accordingly.

(2) Whenever under any Act for the redistribution of seats at Parliamentary elections, the State is redivided into Provinces or Districts, or the boundaries of Provinces or Districts are altered, the Minister may, by notification in the *Government Gazette*, give such directions to the Chief Electoral Officer as are thereby rendered necessary for the change of electors from one roll to another, and effect shall be given by the Chief Electoral Officer to such directions accordingly.

Change of electors from one roll to another on redistribution of seats.
1911, No. 44, s. 17.

52. In addition to the other powers of alteration conferred by this Act, rolls may be altered by the Registrar as follows:—

Alteration of rolls.
No. 27 of 1907, s. 51; 1911, No. 44, secs. 18, 43.

(a) By correcting any obvious mistake or omission, but not to the extent of wholly removing a name from the roll except where a name is repeated.

(b) By removing the name of any person who requests in writing that his name may be removed from the roll.

(c) By changing, upon the written application of an elector in the prescribed form, the original name or address of the elector to an altered name or address.

(d) By changing, pursuant to an order in writing under the hand of the Chief Electoral Officer, the maiden name of a female elector to her married name.

(e) By removing, pursuant to an order in writing under the hand of the Chief Electoral Officer, the names of persons reported as being—

(i) dead;

(ii) of unsound mind;

(iii) inmates of any public charitable institution who are wholly dependent on relief from the State, except as a patient under treatment for accident or disease in a hospital;

(iv) convicted, or subject to be sentenced, for an offence disqualifying them as electors for the time being;

(v) already enrolled in another district, or whose names are repeated on the same roll.

(f) By re-instating, pursuant to an order in writing under the hand of the Chief Electoral Officer, any name struck off by mistake under the last preceding subsection.

(g) By changing the address of an elector from that appearing on the claim, to the addresses inserted by the electoral canvasser on the roll revised by him after an electoral canvass or census taken by order of the Governor or the Minister, if the new address is within the boundaries of the same District.

Time for altering rolls. No. 27 of 1907, s. 52.

53. Claims received not less than fourteen days before the issue of the writ for an election may be enrolled after the issue of the writ, and alterations of the rolls pursuant to applications or directions received under sections fifty or fifty-one before the issue of the writ for an election may be made after the issue of the writ, but otherwise no addition to or alteration of the roll shall be made between the date of the issue of the writ for an election and the closing of the poll at the election.

Alterations, how to be made. No. 27 of 1907, s. 53; 1911, No. 44, s. 19.

54. All alterations of the rolls shall be made in such manner that the original writing or print shall not be obliterated, and the reason for the alteration, the date thereof, and such reference to authority as may be deemed necessary, shall be set against the alteration together with the initials of the Registrar making such alteration.

Method of removing names from a printed roll. No. 27 of 1907, s. 54.

55. A name shall be deemed to be removed from the roll when a line in ink is drawn through the name and a note stating the ground of removal made opposite thereto, with such reference to authority as may be deemed necessary, and initialed and dated by an officer authorised to remove such name from the roll.

Registrar General to furnish quarterly lists. No. 27 of 1907, s. 55.

56. The Registrar General of Births, Deaths, and Marriages shall, during the months of January, April, July, and October in every year, forward to the Chief Electoral Officer—

(a) a list, in the prescribed form, containing the names, address, occupation, and age at the time of death of every person not under

twenty-one years of age, whose death has been registered in each Registry District respectively during the preceding three months;

(b) a list, in the prescribed form, of the maiden name, residence, and occupation as disclosed by the marriage certificate of every woman not under twenty-one years of age, whose marriage has been registered in each Registry District respectively during the preceding three months, as well as particulars of the name, residence, and occupation of her husband.

Inspector General of the Insane to furnish quarterly lists. No. 27 of 1907, s. 56.

57. The Inspector-General of the Insane shall, during the months of January, April, July, and October in each year, forward to the Chief Electoral Officer a list, in the prescribed form, containing the names and age and the address and occupation immediately prior to the date of reception, of every person not under twenty-one years of age who has been received by him as an inmate of any hospital or reception house for the insane during the preceding three months, and who continues an inmate of such hospital or reception house.

Superintendent of Public Charities to furnish quarterly lists. No. 27 of 1907, s. 57; 1911, No. 44, s. 20.

58. The Superintendent of Public Charities shall, during the months of January, April, July, and October in each year, forward to the Chief Electoral Officer, in the prescribed form, a list containing the names, age, address and previous occupation of every person not under twenty-one years of age who has been received as an inmate of any public charitable institution for the reception, maintenance, and care of indigent persons, other than a hospital, during the preceding three months, and who continues in receipt of such relief, and is wholly dependent upon relief from the State.

Comptroller General of Prisons to furnish quarterly lists. No. 27 of 1907, s. 58.

59. The Comptroller-General of Prisons shall, during the months of January, April, July, and October in each year, forward to the Chief Electoral Officer, in the prescribed form, a list containing the names and age, and the address and occupation prior to conviction, of every person sentenced for any offence punishable by law by imprisonment for one year or longer, received by him in each of His Majesty's gaols during the preceding three months.

Chief Electoral Officer to cause certain names to be struck off the rolls.
No. 27 of 1907, s. 59; 1911, No. 44, s. 21.

60. (1) Upon receipt of the lists referred to in section fifty-six, subsection (a), and sections fifty-seven, fifty-eight, and fifty-nine, the Chief Electoral Officer shall cause the names of such persons enumerated in such lists, as are enrolled as electors for the Council and Assembly, to be ascertained.

(2) He shall thereupon cause lists of such names as are, to his satisfaction, identical with the names on the lists above referred to, to be prepared in respect of each Province or District, and shall forward the lists to the Registrars, together with an order in writing under his hand, authorising the Registrar to strike off the roll the names of the persons who appear on such lists, and the Registrar shall forthwith remove such names accordingly.

Chief Electoral Officer to cause certain names to be altered.
No. 27 of 1907, s. 60; 1911, No. 44, s. 22.

61. (1) Upon the receipt of the lists referred to in section fifty-six, subsection (b), the Chief Electoral Officer shall cause the names of the married women enumerated in such lists, who are enrolled as electors for the Council and Assembly, to be ascertained under the maiden surname of such married women.

(2) He shall thereupon issue to every such elector a form of claim to be made out in her married name, and signed by her in the presence of a person authorised by this Act to witness the signatures of claimants, and returned to the Chief Electoral Officer.

(3) On receipt of any such claim the Chief Electoral Officer shall forward it, if in order, to the proper Electoral Registrar, who shall enrol the claimant forthwith.

(4) The Chief Electoral Officer shall direct the proper Electoral Registrar to remove the maiden name of any such elector from any roll on which it appears, and such name shall be removed accordingly.

Method for restitution of electoral registration.
No. 27 of 1907, s. 61.

62. Every person whose name has been removed from any roll under the provisions of section sixty, pursuant to the lists furnished under sections fifty-seven, fifty-eight, and fifty-nine, may, when no longer disqualified, claim, in the manner prescribed in section forty-two, to have his name entered upon any roll for which he possesses the necessary qualification.

Part IV.—Elections.

Division (1)—Writs.

63. (1) The Governor may, from time to time, appoint a Clerk of the Writs, by whom writs for the election of members of the Council and Assembly shall be issued, and to whom such writs shall be returned.

(2) There shall be a Deputy Clerk of the Writs, to be appointed in like manner, who shall act when the Clerk of the Writs is unable to act.

Appointment of Clerk of the Writs.
No. 27 of 1907, s. 62.

64. (1) For every general election the Governor may, within the time prescribed by the Constitution Acts Amendment Act, 1899, in the case of the biennial vacancies in the Council, and not later than twenty-one days after the day of the dissolution or expiry of the then last Parliament in the case of the Assembly, by warrant under his hand in the prescribed form direct the Clerk of the Writs to issue writs for the election.

(2) On the receipt of such warrant the Clerk of the Writs shall forthwith cause writs to be issued to the several Returning Officers.

Writs for general election to issue within seven days.
No. 27 of 1907, s. 63; 1911, No. 44, secs. 23, 43.

65. Before any warrant is issued under the last preceding section fourteen days' notice of the intention to issue the same shall be published in the *Government Gazette*.

Notice to be published.
No. 27 of 1907, s. 64.

66. In the case of a general election for the Assembly, the same day shall be fixed by the writ for the polling in each District.

General elections to be held on same day.
No. 27 of 1907, s. 65.

67. (1) Whenever a vacancy occurs in either House from any cause (otherwise than by effluxion of time in the case of a member of the Council), the President or Speaker, as the case may be, upon a resolution by the House declaring such vacancy and the cause thereof, shall by warrant under his hand, in the prescribed form direct the Clerk of the Writs to issue a writ to supply the vacancy.

(2) In the case of any such vacancy when Parliament is not in session, or when the vacancy occurs during any adjournment for a longer period than seven days of the House affected, the President or Speaker may, without

Issue of writs in cases of vacancy.
No. 27 of 1907, s. 65; *see* 63 Vict. No. 19, s. 30; 1911, No. 44, secs. 24, 43.

such preceding resolution, by warrant under his hand in the prescribed form, direct the Clerk of the Writs to issue a writ to supply the vacancy.

(3) If at the occurrence of any such vacancy there is no President or Speaker of the House affected, and Parliament is not in session, or if the President or Speaker of the House affected is absent from the State, the Governor shall, if satisfied of the existence of such vacancy, by warrant under his hand direct the Clerk of the Writs to issue a writ for the election of a member for the seat so vacated.

(4) Every such warrant shall be issued by the President or Speaker, or by the Governor, as the case may require, as soon as—

(a) in the case of death, he shall receive notice by a certificate in the prescribed form, under the hands of two members of the House of which the deceased was a member, of the death of such member; and

(b) in the case of acceptance of any of the principal executive offices of the Government liable to be vacated on political grounds, as soon as the appointment of such member has been published in the *Government Gazette*, and notified by the Minister to the President or Speaker, or to the Governor, as the case may be, and such appointment and notification it shall be the duty of the Minister to publish and give forthwith:

Provided that any such warrant may be issued notwithstanding no such notice has been received or appointment published as aforesaid, if the President or Speaker, or the Governor, as the case may be, is satisfied of the existence of the vacancy.

(5) Whenever a vacancy occurs by reason of any of the disqualifications mentioned in section thirty-one, subsection (5), and section thirty-eight, subsection (2) of the Constitution Acts Amendment Act, 1899, it shall be the duty of the Registrar in Bankruptcy forthwith to give notice thereof in writing to the President or the Speaker, as the case may be, if within the State, and otherwise to the Governor, and on receipt of such notice

the President or Speaker, as the case may be, if within the State, or otherwise the Governor, shall forthwith, by warrant under his hand, direct the Clerk of the Writs to issue a writ for the election of a member to supply the vacancy.

[*s.* 66*A inserted by* 1921, *No.* 7, *s.* 2, *repealed by s.* 2 *of No.* 47 *of* 1940.]

Issue of writs.
No. 27 of 1907, s. 67.

68. (1) The Clerk of the Writs shall, forthwith after the receipt of a warrant under the hand of the Governor, President, or Speaker, issue the writs or writ for the election.

(2) Every writ shall be deemed to have been issued at the commencement of the day on which it was issued.

Form of writs.
No. 27 of 1907, s. 68; 1911, No. 44, s. 43.

69. Writs may be in the prescribed form, and shall fix the dates for—

(a) the nomination;
(b) the polling; and
(c) the return of the writ.

Date of nomination.
No. 27 of 1907, s. 69.

70. The date fixed for the nomination of candidates shall not be less than seven or more than thirty days from the date of the writ.

Date of polling.
No. 27 of 1907, s. 70; No. 38 of 1931, s. 2.

71. The date fixed for the polling shall not be less than fourteen days nor more than thirty days after the date of nomination.

No. 38 of 1931, s. 2.

Provided that, in the case of an election to fill a vacancy caused by the acceptance by a member of any of the principal offices of the Government liable to be vacated on political grounds, the date fixed for the polling may be less than fourteen but not less than seven days after the date of nomination.

Date of return of writ.
No. 27 of 1907, s. 71.

72. The date fixed for the return of the writ shall not be more than sixty days after the issue of the writ.

Notice to Registrars of issue of writ.
No. 27 of 1907, s. 72.

73. The Clerk of the Writs shall cause notice of his intention to issue the writ to be sent by telegraph to the Registrar of the Province or District for which the election is to be held, stating the date on which the writ will be issued.

Address of writs. No. 27 of 1907, s. 73.

74. Writs shall be addressed to the Returning Officer for the Province or District for which an election is to be held.

Duty of Returning Officer on receipt of writ. No. 27 of 1907, s. 74.

75. On the receipt of a writ the Returning Officer to whom it is directed shall—

(a) indorse thereon the date of its receipt;

(b) advertise its receipt and particulars in a newspaper circulating in the Province or District, or by placards or otherwise, and the dates fixed for the nomination and the polling, giving at least ten clear days' public notice of the day of polling and the places at which the poll will be taken; and

(c) in the case of a Council election, forward a copy of the writ to each Deputy Returning Officer.

Extension of time. No. 27 of 1907, s. 75.

76. Subject to the provisions of section eight of the Constitution Acts Amendment Act, 1899, the Governor may extend the time appointed for the nomination of candidates, the taking of the poll, or the return of the writ for any election.

Provided that—

(a) public notice shall be forthwith given in the Province or District in which the election is to be held of any extension of time for taking the poll;

(b) no extension of the time for taking the poll shall be made under this section at any time later than seven days before the time originally appointed.

Division (2)—*Nominations.*

Candidates to nominate. No. 27 of 1907, s. 76; No. 18 of 1940, s. 2.

77. (1) No person shall be capable of being elected as a member of the Council or Assembly unless he—

(a) duly nominates himself; and

(b) is qualified to be elected and is not disqualified from being elected as a member of the Council or Assembly, as the case may be.

(2) No person shall nominate himself as a candidate for more than one Province or District at the same general election.

(3) No person shall nominate himself as a candidate either in an election for the Council or in an election for the Assembly if, prior to and until the hour of nomination, as fixed in accordance with section eighty-six of this Act, he is, either by this Act or by any other Act, disqualified from being elected at such election as, or from being, a member of the Council or of the Assembly, as the case may be, for which the election is being held. No. 18 of 1940, s. 2.

Any person who nominates himself as a candidate in contravention of this subsection shall be guilty of an offence.

Penalty—One hundred pounds, or imprisonment for six months.

Mode of nomination. No. 27 of 1907, s. 77; 1911, No. 44, s. 43.

78. Nominations may be in the prescribed form, and shall—

(a) be signed by the candidate;

(b) state the place of residence and occupation of the candidate; and

(c) be addressed to the Returning Officer.

Time for receipt. No. 27 of 1907, s. 78.

79. Nominations may be received by the Returning Officer at any time after the issue of the writ and before the hour of nomination.

Nominations may be telegraphed. No. 27 of 1907, s. 79.

80. It shall suffice if the nomination paper is lodged at any telegraph office, and the contents are communicated to the Returning Officer by telegraph.

Requisites for nomination. No. 27 of 1907, s. 80.

81. No nomination shall be valid unless—

(1) The nomination paper or nomination by telegraph is received by the Returning Officer after the issue of the writ and before the hour of nomination; and

(2) The person nominated, or some person on his behalf, deposits the sum of twenty-five pounds in money—

(a) with the Returning Officer at or before the hour of nomination; or

(b) at the Treasury in Perth, in which case notice from the Under Treasurer that the money is deposited must be received by the Returning Officer before the hour of nomination.

Withdrawal of nomination. No. 27 of 1907, s. 81.

82. Any candidate may withdraw his nomination by lodging with the Returning Officer notice in writing of such withdrawal at any time not later than seven clear days before polling day, and in such case the deposit shall be forfeited to the King.

Formal defects. No. 27 of 1907, s. 82.

83. No nomination paper shall be rejected by reason of any defect or error therein, if the Returning Officer is satisfied that the provisions of this Act have been substantially complied with.

Deposits to be forfeited in certain cases. No. 27 of 1907, s. 83.

84. (1) The deposit made by or on behalf of a person nominated shall be retained pending the election, and after the election shall be returned unless the person by or on whose behalf it was made fails to obtain at the election a number of votes above one-fifth of the number of votes polled by the successful candidate, in which case the deposit shall be forfeited to the King:

Provided that, in computing the number of votes for the purposes of this section when there are more candidates than two, only the first preference votes shall be reckoned.

(2) On the death of a candidate before the election, the deposit made on behalf of such candidate shall be paid to his legal representative.

Place of nomination. No. 27 of 1907, s. 84.

85. The chief polling place for the Province or District, as the case may be, shall be the place of nomination.

Hour of nomination. No. 27 of 1907, s. 85.

86. (1) Twelve o'clock noon on the day of nomination shall be the hour of nomination, and the Returning Officer shall, on the day of nomination, attend between the hours of eleven a.m. and twelve noon at the place of nomination, for the purpose of receiving nominations.

(2) At the hour of nomination the Returning Officer shall publicly produce all nomination papers received by him between the issue of the writ and the hour of nomination, and declare the names, occupations, and residences of all candidates nominated, and immediately forward to the Chief Electoral Officer at Perth, by telegraph or other expeditious means, the names and other particulars of the several candidates nominated, and also advertise the same in a newspaper circulating within the Province or District.

(3) Before attending the chief polling place for the purpose of receiving the nominations, the Returning Officer shall ascertain the correct time; and in any dispute that may arise as regards time the Returning Officer's decision shall be final.

87. The Returning Officer shall declare the candidate nominated to be duly elected if no greater number are nominated than are required to be elected; but otherwise the proceedings shall stand adjourned to polling day.

Proceedings on nomination day. No. 27 of 1907, s. 86; 1919, No. 59, s. 5.

88. (1) If, after the nominations have been declared and before polling day, any candidate withdraws his nomination and there remains only one candidate, such last-mentioned candidate shall forthwith be declared to be elected and the writ shall be returned.

Withdrawal or death of candidate after nomination. No. 27 of 1907, s. 87, repealed and new s. 87, inserted by No. 18 of 1940, s. 3, now renumbered s. 88.

(2) If, after the nominations have been declared and before or on polling day before the hour of closing the poll, any candidate in an election dies, such election shall, by reason of such death, be deemed to have wholly failed and the writ issued in respect thereof shall be deemed to be vacated, and in such case the following provisions shall apply:—

(a) Where the candidate dies before polling day the returning officer shall, upon being satisfied of the fact of the death of the candidate—

(i) countermand the notice of the poll;

(ii) report the fact of the death to the Chief Electoral Officer;

(iii) indorse upon the writ, which is vacated as aforesaid, the fact of the death and the date of the proof thereof and of the countermand of the notice of the poll; and

(iv) return such writ indorsed as aforesaid to the Clerk of the Writs.

(b) Where the candidate dies on polling day, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate—

(i) immediately close the poll;

(ii) report the fact of the death to the Chief Electoral Officer;

(iii) indorse upon the writ, which is vacated as aforesaid, the fact of the death and of the time of the closing of the poll by him as aforesaid; and

(iv) return such writ indorsed as aforesaid to the Clerk of the Writs.

(c) Where any poll is interrupted in consequence of the death of a candidate, all ballot papers placed in the several ballot boxes shall be taken out by the several presiding officers, and, being made up into sealed packages, shall be sent by them respectively unopened to the Returning Officer or deputy returning officer, who shall forthwith, in the presence of a magistrate or justice of the peace, burn or otherwise destroy the sealed packages unopened.

(d) Upon the return to the Clerk of the Writs of a writ which has been vacated as aforesaid, a fresh writ shall be issued forthwith for a new election in the place of the election which has failed as aforesaid, and save and except as in this subsection otherwise provided, all proceedings in connection with such new election shall be had and taken anew.

(e) The roll which was in force and required to be used at the election which has failed shall, without any amendment thereof or addition thereto, be used at the new election.

(f) Candidates who had duly nominated for the election which has failed and had not withdrawn their nomination prior to the failure of such election, shall be deemed to have been duly nominated for the new election and shall not be required to renominate for such new election, but, subject as hereinafter provided, may withdraw their nomination before the polling day fixed in relation to the new election:

Provided that—

(i) If a candidate withdraws his nomination at or before the hour of nomination on the nomination day fixed in relation to the new

election he shall be entitled to a refund of the deposit lodged by him with his original nomination notwithstanding anything to the contrary contained in section eighty-two of this Act; and

(ii) the right of a candidate to withdraw his nomination after the hour of nomination on the nomination day fixed in relation to the new election shall be subject to the provisions of section eighty-two of this Act.

(g) The appointment of officials and of polling places as made for and in connection with the election which has failed as aforesaid, shall not merely by reason of the failure of such election, be void or in any way affected, and may continue and apply for and in connection with the new election.

Provided that nothing in this paragraph shall operate so as to prevent the cancellation of any of the appointments aforesaid or the making of new appointments of officials or of polling places for and in connection with the new election.

(3) If, after the close of the poll on polling day and before the counting of the votes in the election has been completed, a candidate dies, and on the completion of the count of the votes it is found that such candidate, if still living, would have been entitled to be declared and to be returned as elected, no candidate shall be returned as elected at the election, and section eighty-nine of this Act shall apply.

Failure of election when no candidate nominated or returned as elected.
No. 27 of 1907, s. 88, repealed and new s. 88 inserted by No. 18 of 1940, s. 4, as s. 88.

89. If no candidate is nominated for an election, or if no candidate is returned as elected at an election, the election shall be deemed to have wholly failed, and a new writ shall forthwith be issued for a supplementary election.

Division (3)—Voting.

(i) In Absence.

Voting by post.
No. 27 of 1907, s. 89; 1911, No. 44, s. 25.

90. (1) Any elector—

(a) who has reason to believe that he will, on polling day, be more than seven miles from any polling place at which he is entitled to vote; or

(b) who, being a woman, believes that she will, on account of ill health, be unable, on polling day, to attend a polling place to vote; or

(c) who will be prevented by serious illness or infirmity from attending a polling place on polling day,

may, after the nominations have been declared, attend before a magistrate, or other person appointed by the Minister in that behalf (in this Part of this Act referred to as a "postal vote officer"), and vote by post.

(2) Notice of every appointment, or suspension, or removal of a postal vote officer shall be published in the *Government Gazette*.

Postal vote books.
No. 27 of 1907, s. 90; 1911, No. 44, s. 43.

91. It shall be the duty of the Chief Electoral Officer to supply postal vote officers with postal vote books in the prescribed form.

Directions.
No. 27 of 1907, s. 91; 1911, No. 44, s. 43.

92. The following directions for voting by post shall be observed:—

(1) The elector shall sign and declare before the postal vote officer the declaration contained in the prescribed form.

(2) The postal officer shall then—

(a) write on the counterfoil—

(i) the name of the Province or District for which the elector claims to vote;

(ii) the christian name, surname, and address of the elector; and

(iii) the date of issue of the postal ballot paper; and

(b) sign and require the elector to sign the counterfoil.

(3) The postal vote officer shall then—

(a) indorse on the ballot paper—

(i) the name of the Province or District as on the counterfoil; and

(ii) the date of issue; and

(b) sign the indorsement.

(4) The postal vote officer shall then hand the ballot paper and an envelope to the elector, and complete and sign the certificate indorsed on the declaration.

(5) The elector shall then—

(a) write on the ballot paper, in the manner prescribed by section ninety-three, the name of the candidate for whom he votes, but so that the postal vote officer shall not see the vote;

(b) fold up the ballot paper and, in the presence of the postal vote officer, put it in the envelope; and

(c) fasten the envelope and hand it to the postal vote officer:

Provided that where an elector satisfies the postal vote officer that he is blind, or that his sight is so impaired, or that he is otherwise so physically incapable that he is unable to vote without assistance, or is unable to read or write, such officer may, and at the request of such elector shall, mark on the ballot paper, according to the instructions of the elector, the name of the candidate, and enclose the ballot paper in the envelope.

(6) The postal vote officer shall then write "Ballot paper" on the envelope, and place the counterfoil in another envelope and fasten it and write "Counterfoil" thereon, and shall forthwith send both envelopes, enclosed in an envelope marked "Electoral ballot paper only," and upon which the postal vote officer shall write his name and title, by post or otherwise, addressed to the Returning Officer of the Province or District in which the elector claims to be entitled to vote, or to a Presiding Officer at any polling place within such Province or District if the postal vote officer is satisfied that the vote taken by him cannot in the ordinary course of post reach the Returning Officer before the close of the poll.

Mode of marking ballot paper.
No. 27 of 1907, s. 92; 1911, No. 44, s. 26.

93. An elector recording his vote by means of a postal vote ballot paper shall do so in the following manner:—

(1) At elections where there are only two candidates, the elector shall insert in the postal ballot paper the surname of the candidate for whom he votes.

(2) At elections where there are more than two candidates, the elector shall insert in the postal ballot paper the surname of the candidate for whom he votes as a first preference, and he shall also insert in the ballot paper the surnames of and give further contingent votes for all remaining candidates.

(3) The voting under subsection two shall be as follows:—The voter shall first write on the ballot paper the surname of the candidate for whom he votes as a first preference, and he shall mark the numeral 1 against such name, and he shall then write on the ballot paper the surnames of all the other candidates, and he shall mark the numerals 2, 3, and so on against each name respectively in the order of his preference.

(4) In the case of more candidates than one having the same surname, the elector shall also insert in the ballot paper the christian names of such candidates.

(5) A postal vote shall not be invalid by reason only of the name appearing thereon of a candidate who, after nomination day and before polling day, has withdrawn his nomination; but effect shall be given to the preference shown on the postal vote according to the arithmetical sequence of the marking after the exclusion of the number set against the name of the candidate who has withdrawn his nomination.

Inspection. No. 27 of 1907, s. 93; 1911, No. 44, s. 27.

94. At any time when called upon in writing by the Chief Electoral Officer, or by a Registrar, a postal vote officer shall transmit to the Chief Electoral Officer or such Registrar, for inspection, his postal vote book.

Postal vote officer not to visit electors. No. 27 of 1907, s. 94.

95. It shall be unlawful for any postal vote officer to visit any elector for the purpose of taking his vote, or to take any elector's postal vote in any other place than such postal vote officer's ordinary place of living or business. But this section shall not apply to electors entitled to vote by post under paragraph (b) or (c) of section ninety.

96. The Returning Officer or Presiding Officer, as the case may be, upon the receipt of any postal votes, shall retain them in his possession and

(a) during or immediately after the close of the poll, in the presence of the scrutineers, proceed to open them; and

(b) if satisfied, by comparing each counterfoil with the roll, that the person named is entitled to vote, shall, as he takes out each ballot paper from its envelope, without unfolding it, deposit it in the ballot box.

Duty of Returning Officer in regard to postal votes. No. 27 of 1907, s. 95; 1911, No. 44, s. 28.

97. No postal vote shall be rejected by reason of any mistake in spelling where the elector's intention is clear.

Mistakes. No. 27 of 1907, s. 96.

98. The decision of the officer conducting the count of the votes as to the allowance or disallowance of any postal vote shall be subject only to review by the Court of Disputed Returns under Part V.

Officer to decide. No. 27 of 1907, s. 97.

99. Any person who has applied to a postal vote officer for the purpose of voting under this Part of the Act, and has complied with the provisions thereof, shall not be entitled to vote otherwise at the election, although the said envelopes may not have been sent to the Returning Officer or Presiding Officer, as the case may be, or although they have miscarried.

Applicant not to vote otherwise at election. No. 27 of 1907, s. 98.

(*ii*) *At the Poll.*

100. (1) The Minister may, by notice in the *Government Gazette*—

(a) appoint a chief polling place for each Province and District;

(b) appoint such other polling place for each Province and District as he thinks necessary;

(c) abolish any polling place;

(d) establish Sub-districts and fix the boundaries thereof, and abolish Sub-districts; and

(2) When a Sub-district is established or abolished the Minister may, by notification in the *Government Gazette*, give such directions as are thereby rendered necessary or expedient for the change of electors from one roll to another roll, and effect shall be given forthwith to such directions in the manner prescribed by such notice.

Polling places. No. 27 of 1907, s. 99; 1911, No. 44, s. 29.

Polling.
No. 27 of 1907, s. 100.

101. If the proceedings on the day of nomination stand adjourned to polling day, the Returning Officer shall immediately make all necessary arrangements for taking the poll.

Duty of Returning Officer.
No. 27 of 1907, s. 101.

102. In particular the Returning Officer shall—

(1) appoint a presiding officer to preside at each polling place at which he will not be continuously present;

(2) appoint all necessary poll clerks and doorkeepers;

(3) furnish polling places and provide ballot boxes;

(4) provide ballot papers and copies of the roll for use at each polling place.

Presiding Officer.
No. 27 of 1907, s. 102.

103. The Returning Officer shall be the presiding officer at the chief polling place unless he appoints some other person to be the presiding officer thereat.

Appointment of presiding officers, poll clerks, and doorkeepers.
No. 27 of 1907, s. 103; 1911, No. 44, s. 43.

104. (1) The appointment of presiding officers, assistant presiding officers, poll clerks, and doorkeepers shall be made in writing in the prescribed form.

(2) Every presiding officer, assistant presiding officer, poll clerk, and doorkeeper shall, before acting as such, make and subscribe before an officer authorised by section two hundred and seven to witness signatures, a declaration in the prescribed form, and lodge such declaration with the Returning Officer, who shall forward the same to the Chief Electoral Officer, to be filed in his office.

Substitute.
No. 27 of 1907, s. 104.

105. (1) Any presiding officer may appoint a substitute to perform his duties during his temporary absence, and may, if authorised by the Returning Officer so to do, appoint in writing one or more assistant presiding officers to assist him in presiding at any polling place.

(2) Any assistant presiding officer may, subject to the direction of the presiding officer, exercise all or any of his powers, and shall, in respect of those powers, be deemed to be the presiding officer.

Absence of Returning Officer or presiding officer not to invalidate election.
No. 27 of 1907, s. 105.

106. (1) In case any returning officer or presiding officer is prevented from attendance by illness or other sufficient cause, and time does not permit of a substitute being appointed under the provisions of section seven, he

may appoint by writing under his hand, a substitute to act for him, who shall have full power and authority to do all things required by this Act to be done by his principal.

(2) If, by reason of the absence of the presiding officer, the poll is not taken at any polling place, the election shall not therefore be void, but the returning officer may appoint another day, not later than twenty-one days from the day fixed for the election, for taking the poll at such polling place, of which appointment public notice shall be given, and the poll shall be taken accordingly and be deemed to have been taken on the day previously appointed.

107. (1) When a large number of electors is likely to vote at a polling place, the Returning Officer may subdivide a polling place into sections, and shall, in such case, appoint presiding officers to take the poll at each section at which he does not himself preside.

Subdivision of polling places. No. 27 of 1907, s. 106.

(2) If a polling place is divided into sections, there shall be fixed over each such section, a notice indicating the letters of the alphabet for the section of such polling place at which each elector, according to the initial letter of his surname, is to vote; and no elector shall be permitted to vote in any section thereof save that which is so denoted by the initial letter of his surname.

(3) All the provisions of this Act relating to presiding officers shall apply to presiding officers at each section of a polling place.

108. No part of any premises licensed for the sale of intoxicating liquors shall be used for the purposes of any polling place.

No licensed premises to be used. No. 27 of 1907, s. 107.

109. All buildings under the control of the Government, or the property of Municipal Corporations or Roads Boards, and all Agricultural Halls, Mechanics' and Miners' Institutes, and other buildings which have been or may hereafter be subsidised in their erection by the Government, may be used free of charge, for the purposes of any nomination proceedings or poll.

Certain buildings to be used free. No. 27 of 1907, s. 108.

Separate compartments.
No. 27 of 1907, s. 109.

110. Polling places shall have separate voting compartments, constructed so as to screen the electors from observation while they are marking their ballot papers, and each compartment shall be furnished by the Returning Officer with a pencil for the use of electors.

Ballot boxes.
No. 27 of 1907, s. 110; 1919, No. 59, s. 5.

111. Each polling place or section of a polling place shall be provided with a ballot box, with a lock and key, and with a cleft for receiving the ballot papers.

Registrar to supply signed rolls.
No. 27 of 1907, s. 111.

112. (1) Prior to an election the Registrar shall, whenever requested by a Returning Officer, supply a sufficient number of copies of the roll for use at such election, such copies to include the names of all electors, if any, enrolled since the last print, and entitled to vote.

(2) The copies of the roll so supplied shall be duly marked in accordance with the proviso to subsections two and three of sections forty-seven and forty-eight respectively, and signed and dated by the Registrar.

(3) The Returning Officer shall cause a sufficient number of such copies of the roll to be delivered to each presiding officer before the hour for opening the poll, and such copies shall be signed and dated by the Returning Officer, and the name of the polling place at which they are to be used shall be written on the front page by the Returning Officer.

Ballot papers.
No. 27 of 1907, s. 112; 1911, No. 44, s. 43.

113. (1) Ballot papers may be in the prescribed form, and shall contain the surnames of all the persons nominated as candidates, arranged alphabetically in large characters.

(2) Where two or more candidates have the same surname they shall be distinguished upon the ballot papers by their christian names being inserted in smaller characters, and if necessary by such other addition as is sufficient to distinguish them.

Scrutineers.
No. 27 of 1907, s. 113; 1911, No. 44, s. 43.

114. (1) Scrutineers may be appointed by candidates to represent them at polling places during the polling, but not more than one scrutineer shall be allowed to each candidate at each polling place, or section of a polling place, if divided.

(2) The appointment of scrutineers shall be made by written notice to the Returning Officer or Presiding Officer, signed by the candidate, giving the names and addresses of the scrutineers, or without such notice by permission of the Returning Officer or Presiding Officer.

(3) Every scrutineer shall, upon his appointment, make and subscribe a declaration in the presence of the Returning Officer or Presiding Officer in the prescribed form.

Persons present at polling. No. 27 of 1907, s. 114.

115. No candidate shall in any way take part in the conduct of an election; and no one, other than the Chief Electoral Officer or an officer deputed by him, the Presiding Officer, the poll clerks, doorkeepers, scrutineers, and any member of the police force on duty at a polling place, and the electors voting or about to vote, shall be permitted to enter or remain in the polling place during the polling.

Maintenance order. No. 27 of 1907, s. 115.

116. (1) The Returning Officer or presiding officer may summon to his assistance in such polling place any member of the police force for the purpose of—

(a) preserving the public peace or preventing any breach thereof, and for removing out of such polling place any person who, in his opinion, is wilfully and unnecessarily obstructing the polling, or wilfully violating any of the provisions of this Act;

(b) causing to be removed any person who obstructs the approaches to a polling place; or

(c) causing to be arrested and taken before a justice of the peace, without any other warrant than this Act, any person reasonably suspected by the Returning Officer or Presiding Officer of committing or attempting to commit at a polling place any of the offences mentioned in this Act.

(2) All members of the police force shall aid and assist the Returning Officer or Presiding Officer in the performance of his duty.