

ELECTORAL.

1° Elizabeth II., No. LVII.

No. 57 of 1952.

AN ACT to amend the Electoral Act, 1907-1951.

[Assented to 23rd December, 1952.]

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

1. (1) This Act may be cited as the *Electoral Act Amendment Act, 1952*. Short title and citation.

(2) In this Act the Electoral Act, 1907-1951, Act No. 27 of 1907 reprinted pursuant to the Amendments Incorporation Act, 1938 with amendments to and including Act No. 26 of 1949 incorporated and further amended by Act No. 58 of 1951, Reprint approved 21st Oct., 1949.
is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Electoral Act^t 1907-1952.

2. Section seventy of the principal Act is amended by deleting the words, "or in any District situated therein" in line five. s. 70 amended.

3. Subsection (6) of section ninety-two of the principal Act is amended by— s. 92 amended. Cf. No. 58 of 1951, s. 9 (e).

(a) deleting the words, "and seal the third envelope" in lines five and six of paragraph (b);

- (b) deleting the words, "fasten and" in line three of paragraph (e);
- (c) adding after the word, "envelope" being the last word in paragraph (e) the words, "and seal it";
- (d) repealing and re-enacting paragraph (f) as follows—
 - (f) send by post or otherwise the third envelope and its contents unopened to the Chief Electoral Officer, but if the postal vote officer believes on reasonable grounds that a vote so taken by him cannot in the ordinary course of post reach the Chief Electoral Officer before the close of the poll, he shall send by post or otherwise the third envelope and its contents unopened to a Returning Officer or a Presiding Officer who in turn shall, in accordance with the regulations, send the third envelope and its contents unopened to the Chief Electoral Officer.

S. 95
amended.

4. Section ninety-five of the principal Act is amended by adding before the word, "section" in line six the words, "subsection (1) of".

S. 96
repealed.

5. Section ninety-six of the principal Act is repealed.

S. 99
amended.

6. Section ninety-nine of the principal Act is amended by adding before the words, "Returning Officer" in lines five and six the words, "Chief Electoral Officer".

S. 99A
amended.

7. Section ninety-nine A of the principal Act is amended by—

- (a) deleting the words, "at which a polling booth is" in lines nine and ten of subsection (1);
- (b) deleting the words, "opening of polling booths and the" and also deleting the word, "therein" in line three of subsection (2).

8. Section ninety-nine B of the principal Act is amended by adding after the word, "cast" in line five of subsection (3) the words, "and in the case of postal ballot papers, in any ballot box in use at the place at which they were received".

S. 99B
amended.
Cf. No. 58 of
1951, s. 11.

9. Subsection (2) of section one hundred and seventeen of the principal Act is amended by substituting for the word, "booth" in line three the word, "place".

S. 117
amended.

10. Section one hundred and forty-one of the principal Act is amended by adding the following paragraph—

S. 141
amended.

(c) where in the opinion of the Chief Electoral Officer the appointment will expedite the ascertainment of the result of the election.

11. Section one hundred and forty-two A of the principal Act is amended by adding before the word, "absent" wherever it appears the words, "postal and".

S. 142A
amended.

12. Section one hundred and forty-four of the principal Act is amended by—

S. 144
amended.

(a) adding the words, "and persons voting by post" after the word, "Act" where it appears—

(i) at the end of subparagraph (i) of paragraph (b) of subsection (1);

(ii) at the end of subparagraph (i) of paragraph (b) of subsection (2);

(b) adding after the word, "Act" in line seven of subparagraph (i) of paragraph (d) of subsection (2) the words, "and postal vote ballot papers";

(c) repealing subsection (3);

(d) adding after the word, "Act" in line four of paragraph (b) of subsection (4) the words, "or ballot papers used for voting by post".

S. 190
amended.

13. Section one hundred and ninety of the principal Act is amended by substituting for the word, "booth" in line eleven and also in line fifteen of the first column of the table of electoral offences and punishments the word, "place".

S. 198
amended.

14. Section one hundred and ninety-eight of the principal Act is amended by substituting for the word, "booth" in line two the word, "place".
