

# The Electoral Act, 1893.

(57th Vic., No. 15.)

## ARRANGEMENT OF SECTIONS.

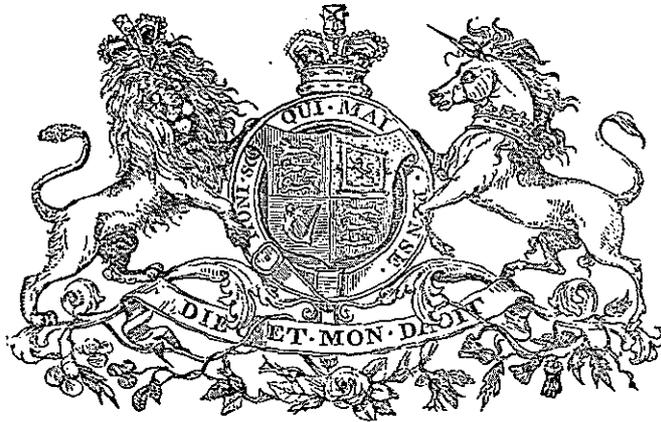
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| <p>Substitute may be appointed by Returning Officer.</p> <p>Absence of Returning Officer or Presiding Officer or substitute not to invalidate election.</p> <p>48. Right of elector to vote under 53 V., 23, s. 52, not affected.<br/>Except in respect of a residence qualification.</p> <p>49. Questions to voters.</p> <p>50. Consequence of answers.</p> <p>51. Declaration against bribery.</p> <p>52. No other question of declaration necessary.</p> <p>53. Ballot papers to be given to electors.</p> <p>54. Ballot papers not to be taken out of polling places.</p> <p>55. How elector may vote.</p> <p>56. Expenses.</p> <p>57. Election not to be questioned.</p> <p style="text-align: center;">OTHER OFFENCES.</p> <p>58. Intrusion into polling booths.</p> <p>59. Obstructing elections.</p> <p>60. Penalty for neglect of Electoral Registrar.</p> <p>61. Penalty for undue influence by public officers.</p> | <p>62. (1.), (2) Penalty for neglect by Returning Officer, &amp;c.<br/>(3.) Governor may mitigate or remit penalty.</p> <p>63. Stuffing ballot-boxes.</p> <p>64. Persons wilfully misleading Electoral Registrar, &amp;c., liable to penalty.</p> <p>65. False answers punishable as misdemeanour.</p> <p>66. Penalty for attempting to discover persons for whom elector votes; or disclosing knowledge of such person obtained in exercise of office.</p> <p style="text-align: center;">MISCELLANEOUS.</p> <p>67. Minister may appoint persons to assist Registrar.</p> <p>68. Remuneration of Returning and Presiding Officers.</p> <p>69. Remuneration of Registrars.</p> <p>70. Remuneration of Municipal and Road Board clerks for preparation of Ratepayers' Lists.</p> <p>71. On non-payment of penalties, &amp;c., Justice may imprison.</p> <p>72. Appeal.</p> <p>73. Application of penalties.</p> |
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Western Australia.

ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

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No. XV.

AN ACT to amend "The Electoral Act, 1889."

[Assented to, 13th October, 1893.]

WHEREAS it is expedient to amend the Law relating to Parliamentary Elections: 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:—

PRELIMINARY.

1. THIS Act may be cited as "The Electoral Act, 1893," and shall be incorporated and read and construed with and as an amendment of "The Electoral Act, 1889" (hereinafter called the Principal Act), which Act and this Act may together be cited as "The Electoral Acts, 1889 and 1893." Short title.

2. SECTIONS three, four, fifty-four, sixty-four, sixty-five, and seventy-eight, and the whole of Part I. of the Principal Act and Schedule A and Schedule B to the said Act, are respectively hereby Repeal.

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repealed. Such repeal shall not affect any right or liability, civil or criminal, incurred at the time of the repeal, or the validity of any claim which has been heretofore delivered or sent to an Electoral Registrar by any person, if such claim shows that the claimant is entitled to be registered as an elector.

Any claim made or any act commenced to be done under the said Act shall and may be dealt with and completed respectively under this Act.

Any roll made out and completed under the said Act for any Electoral District shall be the Electoral Roll for that district until a new roll has been completed under this Act.

#### Interpretation.

3. IN the interpretation of this Act and the Principal Act, the following terms, unless the context otherwise indicates, have the meanings set against them respectively, that is to say:—

“Council”—The Legislative Council of Western Australia:

“President”—The President of the Council for the time being:

“Assembly”—The Legislative Assembly of Western Australia:

“Speaker”—The Speaker of the Assembly for the time being:

“Election”—The election of a member of the Council or Assembly:

“Electoral Province” or “Province”—An Electoral Province appointed by law to return a member or members to the Council:

“Electoral District” or “District”—An Electoral District appointed by law to return a member or members to the Assembly:

“Court”—A Registration Court or Revision Court hereby constituted, as the case may be:

“Claim”—A notice by a person claiming to have his name inserted in an Electoral Roll:

“Roll”—The Electoral Roll of electors entitled to vote at the election of a member of the Council or Assembly for the Province or District in question, as the case may be:

“List”—An unrevised list of persons appearing to be entitled to vote, compiled under the provisions of the Principal Act or this Act:

“Electors”—A person named as such in a roll:

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- “Electoral Registrar”—The person appointed to perform, in the Province or District, the duties imposed on Electoral Registrars by the Principal Act or this Act, and includes Deputy Electoral Registrars:
- “Returning Officer”—The Returning Officer or Deputy Returning Officer appointed for the Electoral Province or Electoral District by the Governor in Council:
- “Presiding Officer”—The Returning Officer or other person appointed by him to preside and take the poll at any polling place, or the substitute duly appointed of either:
- “Special Magistrate”—Any Justice of the Peace appointed by the Governor in Council to perform the duties and exercise the powers of a Registration or Revision Court at any such Court:
- “Poll Clerk”—The officer appointed by the Returning Officer to assist himself or the Presiding Officer in taking the poll at any polling place:
- “Scrutineer”—The person appointed by a candidate to act as scrutineer on his behalf at any polling place, during the election at which he is a candidate:
- “Natural-born Subject” or “British Subject”—A person born in Her Majesty’s Dominions, or whose parents or either of them were or was so born:
- “Naturalised Subject,” or “Naturalised”—A person who in England or Western Australia has been naturalised.
- “Minister”—The Colonial Secretary or other Minister charged with the execution of this Act:
- “Local Authority”—The Council of a Municipality, or the Road Board of a Road District.

4. WHEREVER in the Principal Act the words “Electoral Division,” or “Divisions,” occur, or reference is made to Electoral Division, or Divisions, the same shall be read and mean Electoral Province or Provinces. Division to read Province.

### PREPARATION OF ELECTORAL ROLLS.

5. THE Governor in Council may appoint for each Electoral District a place at which a Court of Petty Sessions is held to be a place at which a Registration Court shall be held for the district. Registration Courts.

When no place is so appointed the principal place at which a Court of Petty Sessions is held in the district shall be the place at which the Registration Court shall be held for the district.

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If no Court of Petty Sessions is held in the district, the Governor may appoint any place, whether in the district or not, to be the place at which the Registration Court shall be held for such Electoral District.

The Governor in Council may appoint any Justice of the Peace to be the Special Magistrate of any Registration Court or Courts, or any two or more persons to perform the duties and exercise the powers of any such Court.

Electoral Registrar.

6. THE Governor in Council may appoint for each place appointed for holding a Registration Court an Electoral Registrar, who shall be and act as an Electoral Registrar for all the Electoral Districts and Provinces, or portions of a Province or Provinces, for which a Registration Court is held at that place. If no Electoral Registrar is appointed, the Clerk of Petty Sessions for the place so appointed shall be and act as Electoral Registrar.

The Governor in Council may from time to time remove any person so appointed from office, and appoint another person or other persons in his place.

Courts—how constituted and presided over.

7. (1.) THE Registration Court shall be constituted as follows:—

- (a.) The Special Magistrate; or
- (b.) Any Police or Resident Magistrate; or
- (c.) Any two or more Justices of the Peace for the Colony; or
- (d.) Any two or more persons appointed by the Governor in Council to perform the duties and exercise the powers of the Court; or
- (e.) All or any two or more of the above-mentioned Magistrates, Justices, or persons.

(2.) The Special Magistrate, if present, or if he is not present a Police or Resident Magistrate, if present, shall be Chairman of the Court. If no such officer is present the other qualified persons present shall, from time to time, elect one of their number to be Chairman.

(3.) No candidate for election or member of the Legislative Council or Legislative Assembly shall take any part in the proceedings at any Court under a penalty of £20, to be recovered in a summary way before two Justices of the Peace.

Majority to decide.

8. THE decision of the majority of the members of the Registration Court shall be the decision of the Court, and in estimating the majority the Chairman shall have a vote, and when the numbers are equal a casting vote.

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9. EVERY Registrar and Assistant or District Registrar of births, deaths, and marriages, shall, during the month of January in every year, furnish to the Electoral Registrars of every Electoral District any part whereof is comprised in the registry district for which he is such Registrar, Assistant, or District Registrar of births, deaths, and marriages, a correct list of all deaths of adult males of 21 years and upwards, which have been registered by him during the twelve months then last past.

Registrars to furnish deaths.

10. THE clerk of every local authority in Western Australia shall, during the month of January in every year, make out a list to be called "The List of Ratepayers," containing in alphabetical order of surnames the name of every male person whose name appears in the Electoral or Voters' Lists of such local authority. Such lists shall be in the following form, and shall contain all the other information required by such form:—

List of Ratepayers.

Schedules.

LIST OF RATEPAYERS  
OF THE [MUNICIPALITY OR DISTRICT] OF

OCCUPIER.				OWNER.			Description and Situation of the Land.	Portion, Subdivision, or as the case may be.	Annual Rateable value.
Number.	Surname.	Christian Name.	Trade or Occupation.	Sur-name.	Christian Name.	Trade or Occupation, and Place of Residence.			
1	Brown	James	Tinsmith	Jones	Thomas	Solicitor, Perth	Shop, Hay St., Perth	Portion Town Lot F 1	£75

To the Electoral Registrar for the District of

I certify the above to be a correct List of Ratepayers taken from the Electoral or Voters' List of the \_\_\_\_\_ for the purposes of "*The Electoral Act, 1893.*"

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 189 .

(Signed) A.B.,  
Clerk of the

11. IT shall be the duty of such clerk as aforesaid, on or before the thirty-first day of January in every year, to transmit the said list, certified by such clerk under his hand, to the Electoral Registrar or Registrars of the district or districts within the boundaries of which the local authority or any part thereof, or the municipality or district (as the case may be) of such local authority is situate.

To be transmitted to Registrar.

12. THE Electoral Registrar shall, on receiving the List or Lists of Ratepayers so transmitted to him as aforesaid, keep the same in his custody, and shall at the proper times compare the same with the

Duty of Registrar.

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the annual Electoral Lists, in order to ascertain whether the name of any person appearing therein as qualified by the ownership or occupation of certain rateable land is absent from the List or Lists of Ratepayers received by him from the clerk or clerks of the local authority or authorities within the jurisdiction of which such land is described to be situated, or whether any such person appears to have become disqualified by reason of his ceasing to be an owner or occupier of rateable land of the requisite value or annual value within the district. Each List of Ratepayers shall remain in force until a new list is received by the Registrar from the clerk of the same local authority in the following year.

Consequences of absence of name from List of Ratepayers.

**13.** THE absence from such List or Lists of Ratepayers for the district of the name of any person appearing by any annual electoral list to be so qualified as aforesaid, or its entry therein as an owner or occupier in respect of premises or several premises within the district of less in the aggregate than the requisite value or annual value shall have the same effect as the making within the times respectively prescribed by this Act, in proper form and manner, by a person duly qualified in that behalf, of an objection to the retention of such name upon the electoral lists on which it appears, and shall, upon the revision of such lists by the Court at which such lists are revised, be deemed, notwithstanding anything in this Act hereinafter contained, to be *prima facie* evidence against the existence of the qualification claimed by the person whose name so appears on such electoral lists. The Court may nevertheless retain the name of any person on such lists when revised, if the Court is satisfied that his name is improperly omitted from the List or Lists of Ratepayers or is entered therein incorrectly as to the amount of the value or annual value of the premises of which he is the owner or occupier.

Mode of claiming registration.

**14.** A PERSON claiming to have his name inserted in the Electoral List of voters for an Electoral District or for an Electoral Province in respect of any qualification to vote for such Province, situate or arising in such District, may deliver his claim, or send it by post to the Electoral Registrar for such District.

Form of claim.

The claim must be in the following form or to the like effect, and must set forth, in the form of answers to the questions contained in it, sufficient facts to show that the claimant is entitled to be registered.

### THE ELECTORAL ACTS, 1889 AND 1893.

#### CLAIM.

To the Electoral Registrar of the Electoral District of

I claim to have my name inserted in the Electoral Roll for the Electoral ["Province" or "District," as the case may be] of ; my name and qualification being as appears by the answers to the following questions :—

1. What is your Christian name and surname ?

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2. What is your age ?
3. What is your occupation ?
4. What is your place of abode ?
5. What are the particulars of your qualification ?
6. Are you by birth a British subject ?
7. If you are not by birth a British subject, how long have you been and where were you naturalised ?
8. How long have you resided in Western Australia ?
9. Are you registered in respect of the qualification of residence as an elector for any other Electoral District ?
10. If so, for what district or districts ?
11. Are you in receipt of relief from the Government or from any charitable institution ?

And I do solemnly and sincerely declare that the foregoing answers to the above questions are true.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Ordinance made and passed in the eighteenth year of the Reign of Her Present Majesty, No. 12, intituled "An Ordinance for the Abolition of Unnecessary Oaths and to Substitute Declarations in lieu thereof."

(Signed) A. B.  
day of 18 .  
J.P. (or as the case may be).

Signed and declared before me this

15. THE claimant must, in answer to the question, "What is your place of abode," give such a description of the locality of his place of abode as will enable it to be easily and clearly identified. Mode of filling up Claims.

The claimant must, in answer to the question, "What are the particulars of your qualification," give a description of the particulars of his qualification in such one of the forms hereunder mentioned as is applicable, or to the like effect, that is to say:—

If the claimant claims to have his name inserted in the Electoral Roll for a Province:— For Province.

- (a.) Ownership for the last preceding twelve months of a freehold estate in possession at [giving the situation and number of the portion, location, or allotment (if any), or otherwise describing the locality so as to identify it] of the clear value of not less than One hundred pounds above all encumbrances.
- (b.) Householder at [describing situation as above directed] for the last preceding twelve months, the dwelling house being of the clear annual value of Twenty-five pounds.
- (c.) Holder of a leasehold at [describing situation as above directed] of the clear annual value of Twenty-five pounds, the lease of which has eighteen months to run.
- (d.) Holder for the last preceding eighteen months of a leasehold at [describing situation as above directed] of the clear annual value of Twenty-five pounds.
- (e.) Holder for the last preceding twelve months of a lease or license of Crown Lands at the annual rental of not less than Ten pounds.
- (f.) That his name is on the Electoral List of a Municipality or Roads Board, in respect of property in the Electoral District, of the annual rateable value of Twenty-five pounds.

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For District.

If the claimant claims to have his name inserted in the Electoral Roll for a District:—

- (g.) Residence for the last preceding six months at [describing situation as above directed]
- (h.) Ownership for the last preceding six months of a freehold estate in possession at [describing situation as above directed] of the clear value of not less than Fifty pounds above all encumbrances;
- (i.) Householder at [describing situation as above directed] for the last preceding six months, the premises occupied being of the clear annual value of Ten pounds;
- (j.) Holder of a leasehold at [describing situation as above directed] of the clear annual value of Ten pounds, the lease of which has eighteen months to run;
- (k.) Holder for the last preceding eighteen months of a leasehold at [describing situation as above directed] of the clear annual value of Ten pounds;
- (l.) Holder for the last preceding six months of a lease or license of Crown lands at [describing situation as above directed] at the annual rental of not less than Five pounds;
- (m.) That his name is on the Electoral List of a Municipality or Roads Board District in respect of property within the Electoral District.

The situation of the property, if any, in respect of which registration is claimed must be specified in such a manner as to enable it to be easily and clearly identified.

**16.** FORMS of claims may be provided by the Government Printer, with the sanction of the Minister.

Forms may be provided by Government Printer.

Directions to be printed.

Every claim so provided shall have printed at the foot or on the back a note in the following form, or to the like effect, that is to say:—

*Directions to be observed in answering the Questions and filling up the Claim.*

- (1.) Name.—The claimant's Christian and surnames must be written in full.
- (2.) Place of Abode.—The claimant must give such a description of his place of abode as will enable it to be easily and clearly identified.
- (3.) Particulars of Qualification.—The answer to this question must set out a description of the claimant's qualification in such one of the following forms as is applicable, or to the like effect:—
  - (a.) Residence for the last preceding six months at [giving the situation and number of the portion, location, or allotment (if any), or otherwise describing locality of residence so as to identify it];
  - (b.) Ownership for the last preceding [twelve or six months, as the case may be], of a freehold estate in possession at [describing situation as above directed], of the clear value of not less than [One hundred pounds or Fifty pounds, as the case may be], above all encumbrances;
  - (c.) Householder at [describing situation as above directed] for the last preceding [twelve or six months, as the case may be], the house or premises, being of the clear annual value of [Twenty-five pounds or Ten pounds, as the case may be.]

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- (d.) Holder of a leasehold at [describing situation as above directed] of the clear annual value of [Twenty-five pounds or Ten pounds, as the case may be], the lease of which has eighteen months to run;
  - (e.) Holder for the last preceding eighteen months of a leasehold [describing situation as above directed], of the clear annual value of [Twenty-five pounds or Ten pounds];
  - (f.) Holder for the last preceding [twelve or six months] of a lease or license of Crown lands at [describing situation as above directed], at the annual rental of [Ten pounds or Five pounds];
  - (g.) That his name is on the Electoral List of a Municipality or Road Board in respect of property within the Electoral District, of the annual rateable value of [£25 or less, as the case may be].
- (4.) The situation of the property, if any, in respect of which registration is claimed must be specified in such a manner as to enable it to be easily and clearly identified.
  - (5.) If the registration is not claimed in respect of residence, the ninth and tenth questions need not be answered.
  - (6.) The claim must be signed by the claimant with his own hand, in the presence of and be declared before and attested by a Justice of the Peace or an Electoral Registrar, or the head male teacher of a Government School, or an Inspector, Sub-Inspector, or Sergeant of Police, or the Officer in charge of any Police Station, or a Postmaster.

17. THE claim must be signed by the claimant with his own hand, in the presence of, and be declared before, and attested by, a Justice of the Peace, or an Electoral Registrar, or the Head Male Teacher of a Government School, or an Inspector, Sub-Inspector, or Sergeant of Police, or the Officer in charge of any Police Station, or a Postmaster, each of whom is hereby authorised to take such declaration.

Declaration and attestation.

18. THE Justice or other person attesting the claim shall, if he is not personally acquainted with the facts, satisfy himself by inquiry from the claimant or otherwise that the answers to the questions are true, and shall sign at the foot of the claim a certificate in the following form, or to the like effect, that is to say:—

Justice to certify.

I \_\_\_\_\_, J.P. [or as the case may be] hereby certify that the above-named A. B. has satisfied me, after full inquiry, that he possesses the qualification above stated.

19. ANY Justice or other person who signs any such certificate, without personal knowledge or full inquiry from the claimant or otherwise, shall be liable on summary conviction to a penalty not exceeding Fifty pounds, and on such conviction shall be incapable of being or acting as a Justice, or of being registered as an elector, or voting at any Parliamentary election for the period of two years from the date of the conviction.

Duty of Justices.

Penalty.

20. IF it appears from the claim that the claimant is registered in respect of the qualification of residence for some other Electoral

Notice to be sent by Electoral Registrar

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to Returning Officer  
and name to be  
erased from roll.

District or Districts, the Electoral Registrar shall forthwith send notice of the claim to the Electoral Registrar or Registrars and Returning Officer or Officers of the District or Districts for which the claimant is so registered, and such last mentioned Registrar or Registrars and Returning Officer or Officers shall forthwith erase the name of the claimant from the roll or rolls of such District or Districts, and such Registrar or Registrars shall send him notice that his name has been so erased.

Claimants may be  
called on to prove  
their claims.

**21.** IT shall be the duty of the Electoral Registrar to make full and careful inquiries with respect to the qualifications of all persons who claim to have their names inserted in an Electoral Roll.

Objections by Regis-  
trar.

If the Electoral Registrar, upon inquiry, has reason to believe that any claimant whose claim is duly received by the Registrar on or before the fifteenth day of February in any year is not qualified to be registered as an elector, he shall, within the time prescribed by this Act for sending notices of objection, send him a notice requiring him to attend and prove his qualification at the next Registration Court, and informing him that if he fails so to attend, either in person or by agent, and to prove his qualification, the claim will be rejected.

Claimant to appear  
and prove qualifi-  
cation.

At the Court at which the claimant is so required to attend, he must appear either in person or by agent, and must prove his qualification orally by the oath of himself or some witness competent to depose to the facts from his own knowledge. And if he fails so to appear and prove his qualification the claim shall be rejected.

Rolls to be marked.

**22.** BETWEEN the first and fifteenth days of February in each year the Electoral Registrar for every District shall examine the Electoral Rolls then in force for the Province and District respectively, and after inquiry of the residents in the District, and the inspection of the lists of ratepayers of any local authority furnished as aforesaid, lists of lessees and licensees of Crown lands, and any other documents accessible to him, shall place the word "dead" against the name of every person named in any such roll whom he has reason to believe to be dead, the word "left" against the name of every person whose qualification is residence whom he has reason to believe to have left the District, and the word "disqualified" against the name of every person whom he has reason to believe to have no qualification or to be disqualified.

Dead.

Left.

Disqualified.

Notices to be sent  
to persons proposed  
to be omitted.

He shall thereupon forthwith send by post a notice, addressed to every such person at his usual or last known place of abode, informing him that it is intended to omit his name from the Electoral Roll or Rolls unless his qualification is proved on oath to the satisfaction of the next Registration Court to be still subsisting and

such notice shall state the place, and day where and when the said Court will be held.

23. THE Electoral Registrar shall also make out a correct list of the names of all persons against whom he so places the word "dead," "left," or "disqualified," showing the word so placed against each name, and shall expose a copy of such list to public view at his office, and at such post office or other place or places as the Minister may direct, and such list shall remain so exposed until the holding of the Registration Court for revising the annual lists.

List of persons proposed to be omitted by Electoral Registrar to be published.

There shall be prefixed to such list a notice in the following form, or to the like effect:—

NOTICE.—The name of any person included in this list, whose qualification is not proved on oath to the satisfaction of the Registration Court to be held at [the Court House or other place] at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ next at \_\_\_\_\_ o'clock in the forenoon, to be still subsisting, will be omitted from the Electoral Roll.

24. WHEN the Electoral Registrar has reason to believe that any person named in a roll, whose qualification is residence, has changed his residence, but has not left the Electoral District, he shall write against the name of such person the words "changed residence," and in such case he shall send by post to such person, at his usual or last known place of abode, a notice informing him that the statement of his place of residence is intended to be altered in the roll, and in case the Electoral Registrar has reason to believe that such person has gone to reside in another district, he shall forthwith report the fact to the Electoral Registrar of that district.

Or the statement of whose residence is to be altered.

25. THE Electoral Registrar of every Electoral District shall, on or before the 21st day of February in every year, make out a list of all persons qualified, or claiming to be qualified, in the Electoral District to vote for a member to serve in the Legislative Council, and another list of all persons qualified in the said district to vote for a member to serve in the Legislative Assembly.

Registrar to prepare Electoral Lists.

The Registrar shall include and insert in the first of such lists :

- (a.) The name of every person in the Electoral Roll then in force for the Province in respect of a qualification situate or arising in such district.
- (b.) The name of every person who claims in manner aforesaid to be registered, and whose claim is received by the Registrar on or before the 15th day of February in any year, and who appears by the claim to be so qualified to be registered.

For Province.

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For District.

(c.) The name of every male person who appears by the Lists of Ratepayers so transmitted to him as aforesaid to be so qualified to be registered.

And in the second of the said lists the Registrar shall include

(d.) The name of every person in the Electoral Roll then in force for the Electoral District.

(e.) The name of every person who claims in manner aforesaid to be registered, and whose claim is received by the Registrar on or before the 15th day of February in any year, and who appears by the claim to be so qualified to be registered.

(f.) The name of every person who appears by the said Ratepayers' Lists to be qualified to vote in the Electoral District.

If from the claim received by the Registrar from any person it appears that he is entitled to have his name inserted on both or either of the said Lists, the Registrar shall insert such name accordingly.

If it appears by the claim that the person claiming is not entitled to have his name inserted on the said lists, or either of them, the Registrar shall omit his name from both or either of the said lists, as the case may require.

**26.** SUCH lists shall be alphabetical, and shall be in the following form:—

Form of Annual List.

LEGISLATIVE [COUNCIL OF ASSEMBLY.]

ANNUAL ELECTORAL LIST.

List of persons appearing to be qualified to Vote at the Election of Members of the Legislative [Council or Assembly] for the Electoral District of

Dated this                      day of                      18

A.B.,

Electoral Registrar.

No.	Surname and Christian Name.	Age, if known.	Place of Abode.	Occupation.	Particulars of Qualification.	Date when claim (if any) received by Registrar.
1	Adam, James	21	Hay St. W., Perth	Bootmaker	£10, Householder	20th Nov., 1893
2	Barker, John	32	Murray St., Perth	Gunsmith	Voter for Municipality of Perth	
3	Cameron, Alexander	45	Blackboy Hill, Wanneroo	Farmer	Voter for Perth Road Board	
4	Drew, David...	50	East Perth	Labourer	Residence ...	10th Nov., 1893

And such lists shall be the Annual Electoral Lists for such district.

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27. NO person's name shall appear more than once on either of the said lists, and the Registrar shall write the word "dead," the word "left," the word "disqualified," as the case may require, against every name of a person who is believed to be dead, or to have left the district, or to have no qualification, or to be disqualified, and the words "changed residence from this district," or "changed residence within this district," as the case may be, against the name of every person who is believed, or reported as aforesaid, to have so changed his residence.

Voter's name to appear only once. Lists to be marked by Registrar.

28. THE said Annual Electoral Lists or copies of the same shall lie open for public inspection at the office of the Electoral Registrar, and at such other place or places as the Minister may direct, from the 24th day of February to the 6th day of March, inclusive.

Lists to be exposed.

### OBJECTIONS.

29. ANY person named in any Electoral Roll for the time being in force in any Province or District objecting to any other person as not entitled to have his name retained on any Electoral List for such District, may, on or before the seventh day of March in every year, give or transmit by post to the Electoral Registrar, a notice in writing according to the following form:—

Objections to names on List.

To the Electoral Registrar for the District of

I hereby give you notice that I object to the name of C.D. being retained on the Legislative [Council or Assembly] Electoral List for the Electoral District of \_\_\_\_\_, on the following grounds, viz.—

Notice to Registrar.

Dated

(Signed) A.B.

Such notice shall be accompanied by the sum of 5s. sterling for each objection, which sum shall be returned or otherwise dealt with as hereinafter provided.

The objector shall also, within the time limited as above, give or transmit by post to the person objected to, at his address as inserted in the list, a notice in writing according to the following form:—

To C.D.

I hereby give you notice that I object to your name being retained on the Legislative [Council or Assembly] Electoral List for the Electoral District of \_\_\_\_\_, on the following grounds, viz.: and that you are required to appear either in person or by agent at the Revision Court to be held at \_\_\_\_\_, on \_\_\_\_\_, and prove your qualification orally by the oath of yourself or some other competent witness, and if you fail to do so your name may be expunged from the Electoral List.

Notice to person objected to.

Dated the

day of

18

(Signed) A.B.

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Notice to person  
whose name is absent  
from list.

**30.** THE Electoral Registrar shall, within the time prescribed by this Act for the sending of notices of objection, send to every person whose name is so absent from the List or Lists of Ratepayers as aforesaid, or who appears to have become disqualified as an owner or an occupier of rateable land within the district of the requisite value or annual value, a notice in writing according to the following form:—

Electoral District of  
To C.D.

I hereby give you notice that your name does not appear on the Lists of Ratepayers within the Electoral District of [or that you appear to have become disqualified as an owner (or occupier, as the case may be) of rateable land of the requisite value or annual value within the electoral district of ], and that you must appear either in person or by agent at the Revision Court to be held on , at , and prove your qualification orally by the oath of yourself or of some other competent witness, and that if you fail to do so your name will be expunged from the Legislative [Council or Assembly] Electoral List for this District.

A.B., Electoral Registrar.

Claims.  
Public notice of  
objection.

**31.** THE Electoral Registrar shall include the names of all persons on the above-mentioned annual lists who are so objected to or whose claims are objected to by the Registrar under the provisions of Section 21 of this Act, in a paper or papers, according to the following form:—

LEGISLATIVE [COUNCIL or ASSEMBLY.]

OBJECTIONS.

The following persons have been objected to as not being entitled to have their names retained on the Legislative [Council or Assembly] Electoral List for the Electoral District of

Dated the                      day of                      18 .

A.B.  
Electoral Registrar.

Christian Name and Surname.	Residence.	Qualification.	Situation of Property in respect of which Qualification arises.

He shall cause a copy of such paper or papers to be kept affixed on the outer door of his office, and at such other place or places as the Minister may direct, during ten days at the least, beginning on the tenth day of March then instant. He shall also keep a copy of every such paper, and allow it to be perused and copied by any person without payment of any fee at all reasonable hours every day (except Sundays) until the day appointed for holding the Annual Registration Court for the District.

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### REVISION OF LISTS.

**32.** A REGISTRATION Court for revising the Annual Lists shall be held in every year for every Electoral District, at some time between the first and thirtieth days of April, inclusive, at the place appointed by the Governor-in-Council, as hereinbefore provided.

Registration Court to be held.

A notice of the place and time of holding such Court shall be inserted by the Electoral Registrar in the nearest local newspaper, and otherwise made public, at least twenty-eight days previous to the holding of the Court.

Notice of holding.

If within two hours after the time appointed for holding the Court, or after the time to which the Court is adjourned as hereinafter mentioned, the Court shall not be duly constituted, the Electoral Registrar may from time to time adjourn the Court to a future day. He shall forthwith give public notice of every such adjournment by advertising the same in the nearest newspaper, or otherwise.

Adjournment by Registrar.

The Court may adjourn from time to time, and an adjourned Court, whether adjourned by the Registrar or the Court itself, if held on or before thirtieth day of April in any year, shall be deemed to be duly held at the time appointed for holding the same.

By Court.

Provided that if the Court is not held at the time appointed, the Governor-in-Council may approve of and ratify the proceedings of the Court, if it is held at any time within one month after the time so appointed, and the lists revised by a Court so held shall be deemed to be as valid as if the Court had been held at the appointed time.

Governor may ratify proceedings of Court.

**33.** THE Electoral Registrar, or if he is unavoidably absent then some person appointed by him for the purpose or acting in his behalf, shall at the opening of the Court produce all the lists compiled by him, together with the rolls marked as hereinbefore provided, and also a copy of the papers containing the names of persons objected to as aforesaid, and any lists of ratepayers so transmitted to him as aforesaid, and all communications received from persons to whom notices have been sent by him, as hereinbefore prescribed, and the Court shall proceed to revise such lists, and in so doing shall be guided by this Act, and the following directions and provisions:—

Proceedings thereat.

- (1.) The Court shall inquire into every case in which the Electoral Registrar has placed against the name of any person the word "dead," "left," or "disqualified," and the Chairman shall expunge from the list or lists the name of every such person whose qualification is

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not proved on oath to the satisfaction of the Court to be still subsisting.

- (2.) The Court shall also inquire into and adjudicate upon all objections duly made under this Act; and if any such objection is substantial and proved to their satisfaction, or if the person objected to does not appear in person or by agent, and prove his qualification orally by the oath of himself or some witness competent to depose to the facts from his own knowledge, the Court shall expunge from the list or lists the name of the person objected to.
- (3.) The Court may and shall correct any mistake or supply any omission which appears to have been made in the lists in respect of the Christian name or surname, or address or abode of any person included therein, or the nature or local description of his qualification.
- (4.) The Court may enter on the list or lists the name of any person who has duly transmitted, within the time aforesaid, to the Electoral Registrar a claim in the form or to the effect prescribed by this Act, if the name of such person has been omitted by the Registrar, and if the Court is satisfied that such person was at the time he made his claim entitled to have his name inserted on such list or lists.
- (5.) The Court may call for and inspect any claim made by any person whose name appears on any list, and if from such claim it appears that the person claiming was not at the time he made his claim entitled to have his name inserted on such list or lists the Court may expunge his name therefrom, although no objection has been made to such claim.
- (6.) No person's name shall be inserted by the Court in any list or lists, nor shall any name be expunged therefrom, except as hereinbefore provided.
- (7.) The Chairman shall, in open Court, write his initials against every name struck out or inserted, and against any part of any list in which any mistake is corrected, and shall sign his name to every page of the lists so revised, and no alteration in a list shall be valid unless so initialled.
- (8.) When a person whose name appears on a list, or roll, has ceased to hold the qualification stated in the list or roll, but has another qualification entitling him to have his name entered on the list or roll, he may

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attend at the Court and prove such other qualification, or make and send to the Electoral Registrar a claim in the form hereinbefore prescribed for making claims, and every such claim shall be produced to the Court. The Court shall correct the statement of the qualification of any such elector accordingly.

**34.** NO person shall be entitled to have his name entered more than once upon any Electoral List or lists, roll or rolls for the same Electoral District or Electoral Province, notwithstanding that he may be possessed of more than one qualification within the district or province; and whenever it appears to the Court that any person is named more than once in an Electoral List or roll for the same district or province he may state under which qualification he desires to remain on the list or roll, but if he fails to state his preference, then the Court shall retain that entry of his name which on a comparison of the rolls for the district or province appears to have been last made.

No person to have his name more than once on list.

**35.** THE Court shall have the same powers as any two Justices in Petty Sessions to summon and examine witnesses, and to compel the production of any books or documents relating to any matter necessary for revising any list, in the same manner and by like process as any Justice by any law now or hereafter to be in force is or shall be authorised or empowered to do in cases of summary convictions or orders. And every person to whom any summons is so issued shall be entitled and subject to the same rights and liabilities in all respects as if the summons had been issued on behalf of a prosecutor, complainant, or defendant in a case of summary conviction.

Power to summon witnesses.

### COMPILATION OF ROLLS.

**36.** THE Electoral Registrar shall, on or before the fifth day of May, in each year, deliver the Electoral List for the Legislative Assembly, revised as aforesaid, to the Returning Officer of the Electoral District, and shall also at the same time deliver the Electoral List for the Legislative Council, in like manner revised, to the Returning Officer of the Electoral Province of which such District forms part; and such last named Returning Officer, after having received the lists of the electors for the whole of such Electoral Province, shall forthwith cause a general alphabetical roll of the electors of the whole Electoral Province, numbered in regular arithmetical order, and duly certified by him to be compiled and fairly printed or copied, with as little delay as possible. The Returning Officer of the District shall forthwith cause a like alphabetical roll of the electors of the District, numbered and

Electoral Roll, how compiled.

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certified as aforesaid, to be compiled and printed, or copied. A sufficient number of copies of such rolls shall be printed or copied, and if a roll is printed, twenty copies shall be sent forthwith to the Minister.

Form of.

Such Rolls shall be called the "Annual Electoral Rolls," and shall be in the following form:—

LEGISLATIVE [COUNCIL or ASSEMBLY.]

THE ELECTORAL [PROVINCE OR DISTRICT] OF

Annual Electoral Roll of persons qualified to Vote for the Election of Members of the Legislative [Council or Assembly] during the year commencing the first day of June, 18 , for the Electoral [Province or District of ], for which I am Returning Officer.

Dated this                      day of                      189 .

(Signed) A.B.,  
Returning Officer for .

No.	Surname and Christian Name.	Age, if known	Place of abode.	Occupation.	Particulars of Qualification.	Date when claim (if any) was received by Registrar.
1	Adam, James	21	Hay St. W., Perth	Bootmaker	£10 Householder	20th Nov., 1893
2	Barker, John	32	Murray St., Perth	Gunsmith	Voter for Municipality of Perth	
3	Cameron, Alexander	45	Blackboy Hill, Wanneroo	Farmer	Voter for Perth Road Board	10th Nov., 1893
4	Drew, David...	50	East Perth	Labourer	Residence ...	

### Costs.

Costs in certain cases.

**37.** IF in any case it appears to a Registration Court that any person has made or attempted to sustain any groundless or frivolous and vexatious claim or objection, the Court may order the payment by such person of the costs, or of any part of the costs incurred by such person in resisting such claim or objection, but no professional costs shall be awarded by a Registration Court. And in every such case the Court shall make an order in writing, specifying the sum to be paid, and by and to whom and when and where the same shall be paid, and in any such case the sum of five shillings deposited with any objection may be ordered to be applied in payment of such costs; but if any objection made is sustained or no order for costs is made, the sum of five shillings so deposited shall be returned to the objector.

Costs may be recovered.

**38.** IF the costs ordered to be paid by any objector exceed the amount deposited by him, and if any further sum of money so

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ordered to be paid by any person is not paid according to the terms of the order, the same may be recovered by distress and sale of the goods and chattels of the person so making default.

#### ROLL.

**39.** THE annual Legislative Council Roll, compiled as aforesaid, shall be the Roll of Electors entitled to vote in the Electoral Province at all elections of members to the Council held between the first day of June, inclusive, in the year in which the Roll was, or ought to have been compiled, and the thirty-first day of May, inclusive, in the next year, and the Annual Legislative Assembly Roll, compiled as aforesaid, shall be the Roll of electors entitled to vote in the said District at all elections of members to the Assembly held between the same days; and the said Rolls respectively shall, except as by this section is provided, be during that period conclusive evidence of the title of every person therein named to vote. Duration of Rolls.

Provided as follows:—

- (1.) Any person whose name is on a Roll at the time of an election, and who is then subject to any of the disqualifications mentioned or enumerated in Parts I. and II. of "The Constitution Act Amendment Act, 1893," shall be disqualified from voting. Disqualifications from voting.
- (2.) No person whose name is entered on a Legislative Assembly Roll in respect of the qualification of residence shall be entitled to vote in respect of that qualification at any election for such district, unless at some time within nine months before the election he has been actually and *bonâ fide* resident therein for a period of one month.
- (3.) No Returning Officer shall be entitled to vote at any election, except to give a casting vote as Returning Officer.

**40.** IF in any year the roll or rolls for an Electoral District or Electoral Province is or are not regularly made out, or is or are not perfected, the roll or rolls for the preceding year shall wholly or in part, as the case may require, be used as the roll or rolls for another year. Old rolls to continue till new rolls complete.

**41.** THE Returning Officer for every Electoral Province or District shall deliver a copy of the roll or rolls for such province or district to all persons applying for the same on payment of a reasonable price for each copy. Returning Officer to give copies of rolls.

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Provision against formal objections.

42. NO Electoral Roll shall be invalidated by reason only that it has been compiled either wholly or in part from any list or lists which has or have not been exposed, posted up, printed, kept, or published in the place or manner; or for the time herein required, for such purposes respectively, nor for any defect therein in form only.

First General Election under this Act.

43. IN order to facilitate or expedite the first General Elections under this Act of members to serve in the Legislative Council or Legislative Assembly, the Governor-in-Council may make such arrangements, appoint such persons, and fix such dates and periods as may to him seem under the circumstances to be expedient or required for the doing of any matter or thing necessary to be done under this Act, notifying the same in the *Government Gazette*. The provisions of this Act affected by such notice shall be deemed to be varied accordingly, for the purpose of the said elections.

#### CONDUCT OF ELECTIONS.

Same person may be Returning Officer for several Provinces and Districts.

44. THE same person may be appointed Returning Officer or Deputy Returning Officer for any one or more Electoral Province or Provinces, and also for any one or more Electoral District or Districts, and sections thirty-two and thirty-three of the Principal Act are hereby amended accordingly.

Polling places.

45. THE Governor-in-Council may from time to time appoint places for taking the poll for any Electoral Province or District, and every place so appointed shall be notified in the *Government Gazette*.

Provided that no such appointment shall be valid unless such notification is so published three clear days before the day of nomination for the election.

Several polling-booths at the same polling place.

46. WHEN a larger number of electors is likely to vote at a polling place than can conveniently vote in the same polling-booth, the Returning Officer may appoint two or more polling-booths at that polling place, and shall in such case appoint presiding officers to take the poll at the polling-booths at which he does not himself preside.

All the provisions of the principal Act or this Act, relating to presiding officers, shall apply to presiding officers, presiding at such polling-booths.

Poll Clerks.

47. THE Returning Officer, and each Presiding Officer with the approval of the Returning Officer, may appoint one or more persons to be a poll clerk or poll clerks to assist him in taking the poll.

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In case any Returning Officer or other Presiding Officer is prevented from attendance by illness or other sufficient cause, 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 the Principal Act or this Act to be done by his principal, but at his polling place only.

Substitute may be appointed by Returning Officer.

If by reason of the absence of the Presiding Officer the poll is not taken at any polling place, the election shall not be therefore void, but it shall be lawful for the Returning Officer to appoint another day not later than thirty days from the day named in the writ for taking the poll at such polling place, of which appointment due notice shall be publicly given, and the poll shall be taken accordingly and be deemed to have been taken on the day first appointed.

Absence of Returning Officer or Presiding Officer or substitute not to invalidate election.

**48.** NOTHING in this Act contained shall limit or affect the right of any elector (except as hereinafter in this section mentioned) to vote in accordance with the provisions of section fifty-two of the Principal Act.

Provided nevertheless that no elector whose name is on an electoral roll for an Electoral District in respect of a residence qualification shall be entitled to vote under the provisions of the said section, and, if he does so vote, his vote shall be rejected by the Returning Officer, and the ballot paper shall not be deposited in the ballot box.

**49.** THE Presiding Officer may, if he thinks fit, and shall, if required by any candidate or scrutineer, put to any person claiming to be an elector, before a ballot paper is delivered to him and not afterwards, the following questions or either of them, that is to say:—

Questions to voters.

First.—Are you the same person whose name appears as (A.B. number) in the roll in force for this Electoral [Province or District]?

Second.—Have you already voted either here or elsewhere at the present election for this Electoral [Province or District]?

Third.—Are you disqualified from voting?

And if such person claims to be an elector and to vote in respect of the qualification of residence, the following additional questions, that is to say:—

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Fourth.—Have you been within the last nine months *bona fide* resident for a period of one month within this Electoral District?

Fifth.—Where was your residence?

Consequence of answers.

50. NO person required to answer the questions hereinbefore prescribed or any of them shall be permitted to vote until he has answered the same in writing signed by him to the satisfaction of the presiding officer, and in such a manner as to show that he is entitled to vote, nor unless he answers the first and fourth of such questions in the affirmative.

Any person required to answer the fifth of such questions shall do so with particularity, and in such a manner as to clearly indicate the locality of his residence.

The enactments contained in this and the preceding section are substituted for the provisions of section fifty-four of the Principal Act.

Declaration against bribery.

51. THE presiding officer may, if he thinks fit, and shall, if called upon so to do by any candidate or scrutineer, require any person claiming to vote to make a solemn declaration against bribery in the form following:—

I [A.B.] do solemnly declare that I have not received or had by myself or any person whatsoever in trust for me, or for my use and benefit, or for the use and benefit of any member of my family or kindred, or any friend or dependent directly or indirectly, any sum or sums of money, office, place of emolument, gift, or reward, or any promise or security for any money, office, employment, gift, or reward by way of consideration, either expressed, implied, or understood, for giving my vote at this election.

And any person refusing to take the said declaration shall not be entitled to vote.

No other question of declaration necessary.

52. NO elector shall at any election be required to answer any questions or to take any oath, affirmation, or declaration, except as herein provided. And no person claiming to vote at any election shall be excluded from voting thereat except by reason of its appearing to the presiding officer upon putting the questions hereinbefore prescribed, or any of them, that he is not the person whose name appears on the roll or that he has previously voted at the same election, or that he is otherwise not entitled to vote under this Act, or except by reason of such person refusing to answer any of such questions, or to make such declaration.

Ballot papers to be given to electors.

53. WHEN an elector has satisfied the presiding officer that he is entitled to vote at the election, the presiding officer shall deliver to him a ballot paper.

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54. IF an elector having received a ballot paper from the presiding officer attempts to leave the booth or polling place without depositing the ballot paper in the ballot box in the manner herein provided, or to take the paper out of the booth or polling place, he shall be guilty of a misdemeanor shall be liable to the penalties prescribed by Section 67 of the Principal Act.

Ballot papers not to be taken out of polling places.

The presiding officer shall direct any person who is reasonably suspected of committing an offence against this section to be summarily apprehended and taken before a Justice to be dealt with according to law.

55. AN elector may vote for any number of candidates not exceeding the number of members then to be elected.

How elector may vote.

56. ALL expenses which a Returning Officer necessarily incurs in and about an election shall be defrayed out of such moneys as shall be appropriated by Parliament for that purpose.

Expenses.

57. NO election shall be liable to be questioned by reason of any defect in the title, or any want of title, of any person by or before whom such election is held, if such person really acted at such election, nor by the omission of any Returning, Presiding, or other Officer to make any declaration required of him under the provisions of the Principal Act or this Act, nor by reason of any formal error or defect in any declaration or other instrument or in any publication made under this Act or intended to be so made, nor by reason of any such publication being out of time.

Election not to be questioned.

### OTHER OFFENCES.

58. EVERY person who intrudes into any booth or polling place other than the presiding officer, poll clerk, candidates, scrutineers, and electors actually voting, shall be guilty of a misdemeanour.

Intrusion into polling booths.

59. EVERY person who interrupts, obstructs, or disturbs the proceedings at an election shall be guilty of a misdemeanour.

Obstructing elections.

60. EVERY Electoral Registrar who is guilty of any wilful misfeasance or wilful or negligent act of commission or omission contrary to any of the provisions of this Act, shall for every such offence be liable to a penalty not exceeding Fifty pounds, to be recovered on summary conviction.

Penalty for neglect of Electoral Registrar.

61. EVERY Police or Resident Magistrate, Clerk of Petty Sessions, or officer or member of the police force, who, during the time

Penalty for undue influence by public officers.

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time he continues in such office, by word, message, writing, or in any other manner endeavours to persuade any elector to give, or dissuade any elector from giving, his vote for any candidate, or endeavours to persuade or induce any elector to refrain from voting at any election, shall forfeit the sum of One hundred pounds, to be recovered by any person who shall sue for the same without collusion within six months after the commission of the offence.

Penalty for neglect  
by Returning Officer,  
&c.

**62.** (1.) EVERY Returning Officer who, after having accepted office as such, wilfully neglects, or refuses to perform any of the duties which by the provisions of this or the Principal Act he is required to perform, shall for every such offence forfeit and pay a sum not exceeding Two hundred pounds.

(2.) Every justice, presiding officer, clerk of any local authority, registrar, assistant, or district registrar of births, deaths, and marriages, or other officer or person who wilfully neglects or refuses to perform any of the duties which by the provisions of this or the Principal Act he is required to perform, shall for every such offence forfeit and pay any sum not exceeding Fifty pounds.

Governor may  
mitigate or remit  
penalty.

(3.) Such penalties may be recovered, with full cost of suit, by the first person who shall sue for the same, without collusion, within six months after the commission of the offence. Provided that the Governor in Council may mitigate or wholly remit any such penalty or forfeiture.

Stuffing ballot-boxes.

**63.** EVERY presiding officer or other person who places, or is privy to the placing, in a ballot box a ballot paper which has not been lawfully handed to and marked by an elector, shall be guilty of felony, and shall be liable on conviction to be kept in penal servitude for any period not exceeding seven years and not less than two years, or to be imprisoned for any term not exceeding two years with or without hard labour. Proof that a greater number of ballot papers is found in a ballot box, or is returned by a presiding officer as having been received at a polling place, than the number of electors who voted at such polling place, shall be *prima facie* evidence that the presiding officer at such polling place was guilty of an offence against this section.

Persons wilfully  
misleading Electoral  
Registrar, &c., liable  
to penalty.

**64.** EVERY person who wilfully misleads any Electoral Registrar in the compilation or preparation of any list, or who wilfully inserts or causes to be inserted therein any false or fictitious name or qualification, shall on summary conviction of any such offence be liable to a penalty not exceeding Twenty pounds, or to be imprisoned for any period not exceeding three months.

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65. EVERY person who—

- (1.) Wilfully makes a false answer to any of the questions hereinbefore authorised, or
- (2.) Wilfully makes a false declaration when required to make a declaration under this Act, or
- (3.) Wilfully makes any false statement in any claim to be inserted in an Electoral List, or
- (4.) Wilfully makes any false statement, orally or in writing, in any Registration Court, in anywise affecting or relating to the qualification of himself or any other person,

False answers punishable as misdemeanour.

shall be deemed guilty of a misdemeanour, and on conviction thereof shall suffer the penalties of wilful and corrupt perjury.

66. (1.) EVERY Returning Officer, presiding officer, poll clerk, or scrutineer who attempts to ascertain or discover, or directly or indirectly aids in ascertaining or discovering, the person for whom any vote is given, or who having in the exercise of his office obtained knowledge of the person for whom any elector has voted, discloses such knowledge unless in answer to some question put in the course of proceedings before some competent court or other tribunal; and

Penalty for attempting to discover person for whom elector votes; or disclosing knowledge of such person obtained in exercise of office.

(2.) Every Returning Officer, presiding officer, poll clerk, or scrutineer who places upon any ballot paper any mark or writing not authorised by this or the Principal Act, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment for any term not exceeding two years, with or without hard labour.

### MISCELLANEOUS.

67. THE Minister may from time to time appoint such officers or persons as may to him appear necessary for the purpose of assisting any Electoral Registrar in the performance of any duties imposed upon him by this Act, or for the purpose of inquiring into the qualification of any person whose name appears on any roll or list, or who claims to be registered as an elector, and also for the purpose of making objections, under the provisions of this Act, to the names of any persons appearing on such roll or list; and any person appointed by the Minister, for the purposes aforesaid, shall, notwithstanding anything contained in this Act to the contrary, be deemed duly qualified to make such objections.

Minister may appoint persons to assist Registrar.

## 57° VICTORIÆ, No. 15.

### *The Electoral Act, 1893.*

Remuneration of  
Returning and  
Presiding Officers.

68. THE Returning, Deputy Returning, and Presiding Officers for any Electoral Provinces or Districts, and any other persons appointed by the Minister for the purposes of this Act, may respectively be paid such salaries or allowances as the Governor in Council may from time to time direct to be paid to each of such officers or persons.

Remuneration of  
Registrars.

69. THE Electoral Registrars shall be respectively paid by salary only, to be from time to time fixed, in each case, by the Governor in Council. In fixing such salaries, regard shall be had to the population of the district for which any such Registrar may be acting, but the amount of the salary of any Registrar shall not be in any wise affected by the number of persons whose names appear upon any list prepared by him. Provided that if any Electoral Registrar is in receipt of any pension, superannuation, or retiring allowance from the Crown, such pension, superannuation, or retiring allowance shall not merge in, or be affected by, the salary paid to such Electoral Registrar as such.

Remuneration of  
Municipal and Road  
Board clerks for pre-  
paration of Rate-  
payers' Lists.

70. EVERY Clerk of a local authority shall be entitled to be paid in each year for the performance by him of duties imposed by this Act, such salary or allowance as may in each case be from time to time fixed by the Governor in Council. In fixing such salary or allowance, regard shall be had to the population of the municipality or district of such clerk; but such salary shall not be in any wise affected by the number of persons whose names appear upon any list prepared by him.

On non-payment of  
penalty, &c., Justice  
may imprison.

71. IN every case of the adjudication of a fine or pecuniary penalty or amends under this or the Principal Act, and of the non-payment of such fine or pecuniary penalty or amends, any Justice may commit the offender or person making default in payment to any gaol in the said Colony for any term not exceeding twelve months, the imprisonment to cease on payment of the sum due and the costs of such proceedings as may have been taken for the recovery thereof.

Appeal

72. THERE shall be an appeal from any conviction or order by or of any Special Magistrate or Justices for any offence against this or the Principal Act, and from any order dismissing any information or complaint under this or the Principal Act, and from any other order or adjudication whatsoever by any Special Magistrate or Justices under this Act, and the proceedings in such appeal shall be conducted and regulated in manner prescribed by Part IX. of "The Police Act, 1892."

## 57° VICTORIÆ, No. 15.

*The Electoral Act, 1893.*

73. THE Special Magistrate or Justices imposing any penalty under this Act may direct the whole or any part thereof to be applied in or towards payment of the costs of the proceedings, or in or towards rewarding the person upon whose information or at whose suit such penalty has been recovered; and, subject to such direction, all penalties shall be paid to the Colonial Treasurer, for the public uses of the Colony.

Application of penalties.

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

W. C. F. ROBINSON, Governor.