

# ELECTORAL.

12° GEO. V., No. VII.

No. 7 of 1921.

AN ACT to further amend the Electoral Act, 1907.

[Assented to 26th October, 1921.]

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

1. This Act may be cited as the *Electoral Act Amendment Act*, 1921, and shall be read as one with the Electoral Act, 1907, hereinafter referred to as the principal Act. Short title.

2. (1) Notwithstanding anything to the contrary in the principal Act contained, whenever any vacancy occurs in the Council or the Assembly by reason of any member resigning his seat for the purpose of seeking election for the Parliament of the Commonwealth of Australia, if such member tenders his resignation within twenty-one days prior to the date of the issue of the writ for the said election, and notifies in writing to the President or the Speaker his intention to seek such election, and his intention in the event of his failing to secure such election to become again Vacancy occurring by reason of resignation to contest Commonwealth election.  
Vic. No. 3119, s. 2.

a candidate for the vacancy aforesaid, then the issue of the writ for the election of a member to fill such vacancy shall be delayed until the result of such Commonwealth election shall have been first officially declared by the returning officer.

(2) If the member so resigning his seat and notifying the President or the Speaker as aforesaid—

(a) fails to secure election for the Parliament of the Commonwealth ; and

(b) is nominated as a candidate for the vacancy occurring through his own resignation as aforesaid,

the returning officer to whom the writ is directed shall forthwith, without holding a poll, publicly declare him to be duly elected, and the writ shall be so returned notwithstanding anything to the contrary contained in the principal Act.

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