

## Regulations 1974 No. 10

### Regulations under the *Legislative Assembly Ordinance* 1936-1974.\*

I, GORDON MUNRO BRYANT, the Minister of State for the Capital Territory, hereby make the following Regulations under the *Legislative Assembly Ordinance* 1936-1974.

Dated this seventeenth day of July, 1974.

GORDON M. BRYANT  
Minister of State for the Capital Territory.

#### AMENDMENTS OF THE ADVISORY COUNCIL ELECTION REGULATIONS†

1. Regulation 1 of the Advisory Council Election Regulations is repealed and the following regulation substituted:—

“1. These Regulations may be cited as the Legislative Assembly (Election) Regulations.”. Citation.

2. Regulation 3 of the Advisory Council Election Regulations is repealed and the following regulation substituted:—

“3. (1) In these Regulations, unless the contrary intention appears— Interpretation.

‘Commonwealth Electoral Act’ means the *Commonwealth Electoral Act* 1918-1973;

‘election’ means an election of members of the Assembly;

‘Ordinance’ means the *Legislative Assembly Ordinance* 1936-1974;

‘Returning Officer’ means—

(a) the person appointed under regulation 5 to be the Returning Officer for a Division in relation to an election; or

(b) a person appointed under regulation 6 to be an Assistant Returning Officer in relation to that election.

“ (2) A reference in these Regulations to a form by number is a reference to the form so numbered in the Schedule.”.

3. Regulation 4A of the Advisory Council Election Regulations is amended— Modifications of the Commonwealth Electoral Act in its application to Assembly elections.

(a) by omitting from paragraph (1) (e) the word “Council” and substituting the word “Assembly”;

(b) by omitting from paragraph (2) (e) the words “the Territory” and substituting the words “a Division”; and

(c) by omitting from each of paragraphs (2) (f), (2) (i) and (2) (1) the word “Council” and substituting the word “Assembly”.

\* Notified in the *Australian Government Gazette* on 17 July 1974.

† Regulations notified in the *Gazette* on 8 June 1939, as amended by Regulations 1941, No. 5; 1951, No. 2; 1953, No. 7; 1955, No. 2; 1957, No. 6; 1959, Nos. 9 and 10; 1961, Nos. 10 and 12; 1962, No. 1; 1964, No. 2; and 1967, No. 8.

4. After Regulation 4A of the Advisory Council Election Regulations the following regulation is inserted:—

Returning Officer for the Territory.

“5. (1) There shall be a Returning Officer for each Division in relation to an election.

“ (2) It is the duty of the Returning Officer to give effect to the provisions of the Ordinance and of the Commonwealth Electoral Act so far as they are applicable to the election in relation to which he has been appointed.

“ (3) The Returning Officer shall be appointed by the Chief Electoral Officer.

“ (4) A person is not eligible to be appointed under sub-regulation (3) unless he is a Returning Officer within the meaning of the Australian Capital Territory Representation Regulations.”.

5. Regulation 9 of the Advisory Council Election Regulations is repealed and the following regulation substituted:—

Polling places.

“9. In relation to an election, the polling places for a Division are the places in that Division appointed by the Chief Electoral Officer under regulation 41 of the Australian Capital Territory Representation Regulations.”.

Minister may direct holding of an election.

6. Regulation 25 of the Advisory Council Election Regulations is amended by omitting the words “the elected members of the Council” and substituting the words “members of the Assembly”.

7. Regulation 26 of the Advisory Council Election Regulations is repealed and the following regulation substituted:—

Notification of holding of election.

“26. Where a direction has been given to him under regulation 25, the Returning Officer shall publish in the *Gazette* and in a newspaper circulating in the Territory a notification stating—

(a) that the direction has been given;

(b) the dates appointed for the nomination of candidates and for the polling; and

(c) the address of the place of nomination.”.

Form of nomination.

8. Regulation 29 of the Advisory Council Election Regulations is amended by omitting from sub-regulation (2) the words “at Canberra”.

Declaration where only 9 candidates.

9. Regulation 30 of the Advisory Council Election Regulations is amended by omitting the word “eight” and substituting the figure “9”.

Poll to be taken if more than 9 candidates.

10. Regulation 31 of the Advisory Council Election Regulations is amended by omitting the word “eight” and substituting the figure “9”.

Presiding officers to be adults.

11. Regulation 32 of the Advisory Council Election Regulations is amended by omitting the words “twenty-one years” and substituting the figures and word “18 years”.

Elector to state name.

12. Regulation 44 of the Advisory Council Election Regulations is amended by omitting the words “Christian name” and substituting the words “given name”.

Duties of presiding officer.

13. Regulation 45 of the Advisory Council Election Regulations is amended by omitting from sub-paragraph (1) (b) (iii) the words “twenty-one years” and substituting the figures and word “18 years”.

14. The Schedule to the Advisory Council Election Regulations is amended— Amendments  
of Forms.
- (a) by omitting Form 4 and substituting the following Form:—

“FORM 4 Regulation 25”

AUSTRALIAN CAPITAL TERRITORY  
*Legislative Assembly (Election) Regulations*  
DIRECTION TO RETURNING OFFICER

To the Returning Officer  
for the Division of \_\_\_\_\_

I hereby direct you to cause an election to be made of 9 members of the Australian Capital Territory Legislative Assembly and I appoint the following dates for the purposes of the election:—

1. For nomination, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .
2. For taking the poll in the event of the election being contested, the day of \_\_\_\_\_ 19 \_\_\_\_ .

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ .

Minister of State for the  
Capital Territory.”;

- (b) by inserting in Form 5, after the words “Returning Officer” (where first occurring), the words “for the Division of \_\_\_\_\_”;
- (c) by omitting from Form 5 the words “entitled to vote at the Election of the elected members of the Advisory Council,” and substituting the words “entitled to vote at the election of members of the Australian Capital Territory Legislative Assembly for the Division of \_\_\_\_\_”;
- (d) by omitting from Form 6 the word “Canberra” (wherever occurring);
- (e) by inserting in Form 6, after the words “Roll of Electors”, the words “for the Division of \_\_\_\_\_”;
- (f) by omitting from Form 8 the words “ELECTION OF EIGHT MEMBERS OF THE ADVISORY COUNCIL” and substituting the words “ELECTION OF NINE MEMBERS OF THE AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY”;
- (g) by omitting from Form 8 the figures “6, 7, 8” and substituting the figures “6, 7, 8, 9”;
- (h) by omitting from Form 9 the words “ELECTION OF EIGHT MEMBERS OF THE ADVISORY COUNCIL” and substituting the words “ELECTION OF NINE MEMBERS OF THE AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY”;
- (j) by omitting from Form 9 the figures “6, 7, 8” and substituting the figures “6, 7, 8, 9”;
- (k) by omitting from Form 10 the words “Roll of Electors for the Australian Capital Territory” and substituting the words “Roll of Electors for the Division of \_\_\_\_\_”;
- (l) by omitting from Form 10 the words “Registrar for the Territory” and substituting the words “Registrar for the Division of \_\_\_\_\_”;
- (m) by omitting from Form 10 the words “election for the Territory” and substituting the words “election for the Division”;
- (n) by omitting from Form 10 the words “Returning Officer for the Territory” and substituting the words “Returning Officer”;
- (o) by omitting from paragraph (2) of Form 10A the word “Territory” and substituting the word “Division”;

- (p) by omitting from paragraph (2) of the *Directions* in Form 10A the word "Territory" and substituting the word "Division";
  - (q) by omitting from paragraph (4) of the *Directions* in Form 10A the words "for the Territory";
  - (r) by omitting from Form 13 the words "FOR THE AUSTRALIAN CAPITAL TERRITORY" and substituting the words "FOR THE DIVISION OF";
  - (s) by omitting from Form 13 the words "Returning Officer for the Australian Capital Territory" wherever they occur and substituting the words "Returning Officer for the Division of";
  - (t) by omitting from Form 13 the words "Roll for the Australian Capital Territory" and substituting the words "Roll for the Division of";
  - (u) by omitting from Form 13 the words "the said Territory" and substituting the words "that Division";
  - (v) by omitting from Forms 14, 16 and 17 the words "Returning Officer for the Australian Capital Territory" (wherever occurring) and substituting the words "Returning Officer for the Division of";
  - (w) by omitting from Form 17 the words "Roll for the Australian Capital Territory" and substituting the words "Roll for the Division of"; and
  - (x) by omitting from each of Forms 6, 15 and 17 the words "the Australian Capital Territory, for a State" and substituting the words "a Division, for a State".
- (2) The Schedule to the Advisory Council Regulations is further amended—
- (a) by omitting the words "Advisory Council Election Regulations" wherever they occur and substituting the words "Legislative Assembly (Election) Regulations";
  - (b) by omitting the words "Advisory Council" wherever they occur and substituting the words "Australian Capital Territory Legislative Assembly";
  - (c) by omitting the word "Council" wherever it occurs and substituting the word "Assembly";
  - (d) by omitting the words "elected members" or "elected member" wherever they occur and substituting the words "members" and "member" respectively;
  - (e) by omitting the word "Christian" wherever it occurs and substituting the word "given";
  - (f) by omitting the words "*Advisory Council Ordinance*" wherever they occur and substituting the words "*Legislative Assembly Ordinance*".