

Regulations 1974 No. 14

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 twenty-first day of August, 1974.

GORDON M. BRYANT

Minister of State for the Capital Territory.

AMENDMENTS OF THE LEGISLATIVE ASSEMBLY (ELECTION) REGULATIONS†

1. Regulation 4 of the Legislative Assembly (Election) Regulations is amended by omitting the figures "71, 72," and substituting the figures and words "71 and 72, paragraph 73 (c), sections".

Provisions of Commonwealth Electoral Act that do not apply.

2. Regulation 4A of the Legislative Assembly (Election) Regulations is amended by omitting paragraph (b) and substituting the following paragraph:—

Modifications of the Commonwealth Electoral Act in its application to Legislative Assembly Elections.

"(b) Section 73 shall be read as if paragraph (a) were omitted and the following paragraph inserted in its stead:—

'(a) the person nominated consents to act if elected and declares that he is qualified to be elected;';".

3. Regulation 29 of the Legislative Assembly (Election) Regulations is amended—

Form of nomination.

(a) by omitting from sub-regulation (1) the words "six persons" and substituting the figures and word "20 persons"; and

(b) by adding at the end thereof the following sub-regulations:—

"(3) A nomination is not valid unless, at the time of the delivery of the form of nomination, the person nominated or some person on his behalf deposits with the Returning Officer the sum of \$20.

"(4) The deposit made by, or on behalf of, a candidate in accordance with sub-section (3) shall be retained until after the election and shall then be forfeited to Australia unless—

(a) the candidate is elected; or

(b) the total number of votes cast in favour of the candidate as first preferences is more than one-tenth of the average number of first preference votes polled by the successful candidates in the election."

4. Regulation 36 of the Legislative Assembly (Election) Regulations is amended by adding at the end thereof the following sub-regulation:—

Postal voting and postal ballot-papers.

*Notified in the *Australian Government Gazette* on 22 August 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; 1967, No. 8; and 1974, No. 10.

“(5) A person shall not sign a postal vote certificate as a witness to the signature of the voter unless he is a person who, in the case of an election for the House of Representatives, would be an authorized witness for the purposes of the Commonwealth Electoral Act 1918-1973.”.

Elector to have
option of being
dealt with by
Chief Electoral
Officer or by a
Court.

5. Regulation 66A of the Legislative Assembly (Election) Regulations is amended—

- (a) by omitting from sub-regulation (2) the words “One dollar” and substituting the words “Two dollars”; and
- (b) by omitting from sub-regulation (4) the words “One dollar or more than Four dollars” and substituting the words “Two dollars or more than Ten dollars”.

Proceedings
in a Court.

6. Regulation 66B of the Legislative Assembly (Election) Regulations is amended by omitting from paragraph (a) the words “One dollar” and substituting the words “Two dollars”.

Amendments
of Forms.

7. The Schedule to the Legislative Assembly (Election) Regulations is amended—

- (a) by omitting from Form 5 the words “an member” (wherever occurring) and substituting the words “a member”;
- (b) by omitting from Form 5 the words “six persons” and substituting the words “twenty persons”;
- (c) by adding at the end of Form 5 the following paragraph:—
“A nomination is not valid unless it is accompanied by a deposit of \$20. The deposit will be forfeited unless the candidate is elected or obtains first-preference votes equal to not less than one-tenth of the average number of first-preference votes polled by the successful candidates in the election.”;
- (d) by omitting from Form 6 the words “Returning Officer,” (where first occurring) and substituting the words “Returning Officer for the Division for which the applicant is enrolled”;
- (e) by omitting from Form 6 the words “Returning Officer,” (where second occurring) and substituting the words “Returning Officer for the Division of .”;
- (f) by omitting from Form 7 all words from and including “CERTIFICATE OF AUTHORIZED WITNESS” to the end of the Form and substituting the words—

“CERTIFICATE OF WITNESS

I hereby certify that the above certificate was signed by the voter in his or her own handwriting in my presence at [*here insert address of place where signature is made and witnessed*].

Signature of Witness (in own handwriting)—
Address of Witness

Date”;

- (g) by omitting from Form 12 the words “an member” and substituting the words “a member”;
- (h) by omitting from Form 16 the words “One dollar” and substituting the words “Two dollars”;
- (j) by omitting from Form 17 the words “One dollar” and substituting the words “Two dollars”; and
- (k) by omitting from Form 17 the words “Four dollars” and substituting the words “Ten dollars”.