

# AUSTRALIAN CAPITAL TERRITORY.

No. 8 of 1955.

## AN ORDINANCE

### To provide for the taking of a Poll in respect of trading hours of hotels in the Territory.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government (Administration) Act 1910-1947*, as follows:—

1. This Ordinance may be cited as the *Liquor Poll Ordinance 1955*.\* Short title.

2. In this Ordinance, unless the contrary intention appears— Definitions.  
“liquor” has the same meaning as in the *Liquor Ordinance 1929-1954*;

“the Advisory Council” means the Advisory Council constituted under the *Advisory Council Ordinance 1936-1952*;

“the election” means the election of members of the Advisory Council in the year One thousand nine hundred and fifty-five;

“the poll” means the poll taken under this Ordinance.

3. The *Liquor Poll Ordinance 1947* is repealed. Repeal.

4.—(1.) The question of the trading hours during which hotels in the Territory may sell, supply and dispose of liquor shall be submitted to persons entitled to vote at a poll under this Ordinance. Taking of a poll.

(2.) The question shall be submitted at the poll by requiring each voter to state the order of his preference for—

(a) trading hours from nine o'clock a.m. to six o'clock p.m.;

(b) trading hours from ten o'clock a.m. to ten o'clock p.m.;  
and

(c) trading hours from eleven-thirty o'clock a.m. to two-thirty o'clock p.m. and from four o'clock p.m. to ten o'clock p.m.

(3.) The poll shall be taken by ballot on the same day as that appointed by the Minister as polling day for the election.

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\* Notified in the *Commonwealth Gazette* on 30th August, 1955.  
3977/55.—PRICE 3D.

Qualification  
for voting.

5. All electors who are entitled to vote at the election are the persons entitled to vote at the poll.

Ballot-paper.

6.—(1.) The form of postal ballot-paper to be used at the poll shall be in accordance with Form A in the Schedule to this Ordinance and the form of ballot-paper other than a postal ballot-paper shall be in accordance with Form B in that Schedule.

(2.) Subject to this Ordinance, a postal ballot-paper shall be issued to a person who is entitled to vote at the poll and who makes application, in accordance with Form 6 in the Schedule to the Advisory Council Election Regulations, for a postal vote certificate and postal ballot-paper for the election.

Chief Electoral  
Officer to take  
poll.

7. The Chief Electoral Officer is the Returning Officer and is charged with the duty of taking the poll in accordance with the provisions of this Ordinance.

Assistant  
Returning  
Officer.

8. The Chief Electoral Officer may appoint an Assistant Returning Officer to exercise, subject to the control of the Returning Officer, all the powers and functions of the Returning Officer.

Application of  
provisions of  
Advisory  
Council Election  
Regulations.

9. Except as otherwise provided by this Ordinance, the provisions of the Advisory Council Election Regulations relating to the arrangements for and conduct of the polling in connexion with an election of members of the Advisory Council shall apply *mutatis mutandis* in relation to the poll.

Counting of  
the votes.

10.—(1.) The Returning Officer shall open all ballot-boxes and shall—

(a) count the first preference votes given in respect of each question on all unrejected ballot-papers; and

(b) place in a separate parcel all the ballot-papers which have been rejected as informal.

(2.) If an absolute majority of first preference votes has been given in favour of any question, that question shall be deemed to have been affirmed, and the Returning Officer shall not proceed further with the scrutiny and counting of the votes.

(3.) If an absolute majority of first preference votes has not been given in favour of any question, the Returning Officer shall proceed with the scrutiny and shall exclude the question in respect of which the fewest first preference votes have been cast and shall count each ballot-paper counted to that question to the question next in the order of the voter's preference.

(4.) The question in respect of which an absolute majority of votes has been given shall be deemed to have been affirmed.

(5.) If on any count an equal number of votes has been given in favour of two or more questions, and one of them has to be excluded, the Returning Officer shall decide which question shall be excluded; and if in the final count an equal number of votes has been given in favour of the two remaining questions, the Returning Officer shall decide by his casting vote which question shall be affirmed and which shall be excluded; but, except as provided in this sub-section, he shall not vote at the polling.

(6.) In this section—

“an absolute majority of votes” means a greater number than one-half of the whole number of ballot-papers other than informal ballot-papers;

“question” means each proposition in respect of trading hours of hotels submitted at the poll.

**11.** The Returning Officer shall, as soon as practicable, after the taking of the poll— Declaration of poll.

- (a) make out and sign a statement setting out the result of the poll;
- (b) forward that statement to the Minister; and
- (c) publish a copy of that statement in the *Gazette*.

## THE SCHEDULE.

FORM A.

Section 6.

AUSTRALIAN CAPITAL TERRITORY.

*Liquor Poll Ordinance 1955.*

POSTAL BALLOT-PAPER.

The voter must not mark his vote on this ballot-paper until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

*Directions.*—Mark your vote by placing the numbers “1”, “2” and “3” in the squares immediately below the respective trading hours so as to indicate your order of preference for them. Then fold the ballot-paper, enclose it in the envelope addressed to the Returning Officer and fasten the envelope.

THE ORDER OF MY PREFERENCE FOR TRADING HOURS OF HOTELS IS AS FOLLOWS:—

Nine o'clock a.m. to six o'clock p.m.	Ten o'clock a.m. to ten o'clock p.m.	From eleven-thirty o'clock a.m. to two-thirty o'clock p.m. and from four o'clock p.m. to ten o'clock p.m.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 6.

FORM B.  
 AUSTRALIAN CAPITAL TERRITORY.  
*Liquor Poll Ordinance 1955.*

BALLOT-PAPER.

*Directions.*—Mark your vote by placing the numbers “1”, “2” and “3” in the squares immediately below the respective trading hours so as to indicate your order of preference for them.

THE ORDER OF MY PREFERENCE FOR TRADING HOURS OF HOTELS IS AS FOLLOWS:—

Nine o'clock a.m. to six o'clock p.m.	Ten o'clock a.m. to ten o'clock p.m.	From eleven-thirty o'clock a.m. to two-thirty o'clock p.m. and from four o'clock p.m. to ten o'clock p.m.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated this thirtieth day of August, 1955.

W. J. SLIM  
 Governor-General.

By His Excellency's Command,

W. S. KENT HUGHES  
 Minister of State for the Interior.

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