

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Regulations under the Advisory Council Ordinance 1930-1932.

I JAMES AITCHISON JOHNSTON HUNTER, a Member of the Executive Council, acting for the Minister of State for the Interior, in pursuance of the powers conferred by the *Advisory Council Ordinance 1930-1932*, hereby make the following Regulations.

Dated this fifteenth day of July, 1935.

J. A. J. HUNTER
for Minister of State for the Interior.

AMENDMENTS OF THE ADVISORY COUNCIL ELECTION REGULATIONS.

1. In these Regulations, any reference to a regulation shall be read as a reference to a regulation contained in the Advisory Council Election Regulations, as amended prior to the commencement of these Regulations, and any reference to a Form shall be read as a reference to a Form contained in the Schedule to those Regulations, as so amended. Interpretation.

2. Regulation 2 is amended—

- (a) by omitting the definition of "Roll";
 - (b) by inserting in the definition of "the Ordinance", after the word "includes", the words "that Ordinance as subsequently amended and"; and
 - (c) by inserting after the definition of "the Ordinance" the following definition:
"The Roll' means the Roll prepared by the Registrar in pursuance of regulation 9 of these Regulations."
- Definitions.

3. Regulation 3 is amended—

- (a) by omitting from sub-regulation (1.) the words "of paragraph (c) of section seventy-three,"; and
 - (b) by inserting after sub-regulation (2.) the following sub-regulation:—
"(2A.) In the application of section seventy-three of the Commonwealth Electoral Act to the Territory—
 - (a) any reference to the Commonwealth Electoral Officer or Divisional Returning Officer shall be read as a reference to the Returning Officer for the Territory; and
 - (b) the words 'Five pounds' shall be deemed to be substituted for the words 'Twenty-five pounds'."
- Application of Commonwealth Electoral Act.

4. Regulation 9 is repealed and the following regulation is inserted in its stead:

"9.—(1.) The Registrar shall prepare, in respect of each election, a Roll of electors, which shall be in accordance with Form 1. Roll of Electors.

(2.) The Registrar may place upon any such Roll the names of all persons—

- (a) whose names were on the Roll prepared in respect of the last preceding election, and who, to the best of his knowledge and belief, are still living in the Territory and are entitled to have their names placed on the Roll; and
- (b) who are entitled to have their names placed on the Roll in pursuance of claims for enrolment."

5. Regulation 12 is amended by inserting before the word "Every" the words "Subject to sub-section (3.) of section 5 of the Ordinance,". Qualifications for enrolment.

6. Regulation 14 is amended—

- (a) by omitting sub-regulation (1.); and
 - (b) by omitting from sub-regulation (2.) the words "of the Commonwealth or".
- Claims for enrolment.

Minister may direct elections to be held.

7. Regulation 23 is amended by omitting from sub-regulation (1.) the words "As soon as practicable after the commencement of these Regulations, the Minister shall" and inserting in their stead the words "The Minister shall, whenever necessary,".

Form and place of nomination.

8. Regulation 27 is amended by adding at the end thereof the following sub-regulation:

"(3.) The deposit made by or on behalf of a candidate shall be retained pending the election and after the election shall be returned to the candidate or to some person authorized by him in writing to receive it, if he is elected, or, if the total number of votes polled in his favour as first preferences is more than one-tenth of the average number of first preference votes polled by the successful candidates in the election; otherwise it shall be forfeited to the King."

Voting by person whose name omitted from Roll or cannot be found.

9. Regulation 50 is amended by omitting sub-paragraph (ii) of paragraph (a) of sub-section (1.) and inserting in its stead the following sub-paragraph:

"(ii) his name was on the Roll prepared in respect of the last preceding election and he is still living in the Territory and entitled to have his name placed on the Roll; or"

Informal ballot-papers.

10. Regulation 55 is amended by omitting paragraph (b) of sub-regulation (1.) and inserting in its stead the following paragraph:

"(b) it has no vote indicated on it, or it does not indicate the voter's first preference for one candidate and the order of his preference for all the remaining candidates;"

Method of filling vacancies.

11. Regulation 58 is amended—

- (a) by omitting from paragraph (d) of sub-regulation (1.) the word "unexhausted";
- (b) by omitting from paragraph (a) of sub-regulation (2.) the words "if unexhausted,";
- (c) by omitting from the proviso to sub-regulation (3.) the words "if unexhausted,";
- (d) by omitting sub-regulations (5.) and (6.); and
- (e) by omitting from sub-regulation (8.) the words "and exhausted".

Result of poll.

12. Regulation 59 is amended by omitting from paragraph (b) of sub-regulation (1.) the words "of State for Home Affairs".

Form 2.

13. Form 2 is repealed and the following Form inserted in its stead:—

"FORM 2.
(Front of Form)

Reg. 14.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.
ADVISORY COUNCIL ELECTION REGULATIONS.
CLAIM FOR ENROLMENT.

Particulars for enrolment	{	Surname.....	
		Christian names (in full).....	
		Place of living (give full address).....	
		Occupation.....	Sex.....

To the Electoral Registrar,
Territory for the Seat of Government.

- 1. I am a natural-born or naturalized subject of the King.
- 2. I have lived in Australia for six months continuously.
- 3. I now live in the Territory for the Seat of Government and have so lived for a period of one month immediately preceding the date of this claim.
- 4. I am not under twenty-one years of age.
- 5. I hereby claim enrolment on the Roll of Electors for the Territory.
- 6. I declare that to the best of my knowledge and belief the whole of the statements made in this claim are true.

Dated this.....day of.....19...

(Personal signature of claimant).

CERTIFICATE BY WITNESS.

I, the undersigned, being an elector or person qualified to be an elector of the Territory, certify that I saw the abovenamed claimant sign the foregoing claim, and that I either know the statements in the claim to be true or have satisfied myself, by inquiry of the claimant, or otherwise, that the said statements are true.

.....
(Personal signature of witness in own handwriting.)

.....
(Occupation.)

.....
(Place of living.)

* See instructions on back of Form.

INSTRUCTIONS TO CLAIMANT.

1. This Form must be used when claiming enrolment on the Roll for the Territory and it may be used for the purpose of applying for the correction of a name or particulars of enrolment appearing on that Roll.
2. The signature of the claimant on this claim must be his personal signature. If unable to sign his name in his own handwriting, he may make his mark as his signature, but the mark must be made in the presence of the person who signs as witness.
3. The claimant must see that he receives an acknowledgment of this claim in due course.

INSTRUCTIONS TO WITNESS.

1. The person witnessing this claim must be an elector or person qualified to be an elector of the Territory.
2. A person must not sign his name as witness—
 - (a) on any blank claim for enrolment;
 - (b) on any claim which has been wholly or partly filled in, unless it has been signed by the person to whom it relates; or
 - (c) on any claim unless he has seen the person whose signature he purports to witness sign it.
3. A person must not write on any claim for enrolment as his own name—
 - (a) the name of another person; or
 - (b) any name not being his own name.

This space is to be filled in by the Registrar.

Received (date):
Registered (date):
Acknowledged (date):
Initials of Registrar:

14. Form 3 is amended by the deletion of the words "Home Affairs" Form 3.
in the last line and the substitution therefor of the word "Interior."
15. Form 5 is amended— Form 5.
 - (a) by inserting at the end of paragraph (c) the word "or";
and
 - (b) by omitting the following words:—
" , or
 - (c) that I will not, between the date of the nomination
of the candidates and polling day be within the
Territory under conditions that will permit of my
voting in the Territory".
16. Form 7 is amended— Form 7.
 - (a) by omitting from paragraph (d) of the "Directions to
Elector and Authorized Witness" all the words from and
including the words "in the squares" (first occurring)
to and including the words "used by him" and inserting
in their stead the words "the number 1 in the square
opposite the name of the candidate for whom he votes
as his first preference and must place the numbers 2, 3,
4, (and so on as the case requires) in the squares opposite
the names of all the remaining candidates so as to indicate
the order of his preference for them"; and
 - (b) by adding at the end of the "Further Directions to
Authorized Witness" the following paragraph:
"An authorized witness shall not influence, or attempt
to influence, in any way, the vote of an elector voting by
post before him.
Penalty: One hundred pounds or imprisonment for six
months."
17. Form 8 is amended by omitting all the words from and including Form 8.
"In marking his vote" to and including the words "already used by
him." and inserting in their stead the following words:
"The elector should mark his vote on this ballot-paper by
placing the number 1 in the square opposite the name of the
candidate for whom he votes as his first preference and must
place the numbers 2, 3, 4, (and so on as the case requires) in
the squares opposite the names of all the remaining candidates
so as to indicate the order of his preference for them."
18. Form 9 is amended by omitting all the words from and includ- Form 9.
ing "That my name was enrolled on the Roll" up to and including
the words "in pursuance of the Ordinance" and inserting in their stead
the words "That my name was on the Roll prepared in respect of the
last preceding election of members of the Advisory Council".