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AUSTRALIAN CAPITAL TERRITORY.

Regulations under the Advisory Council Ordinance 1936-1938.

I HATTIL SPENCER FOLL, Minister of State for the Interior, in
pursuance of the powers conferred by the *Advisory Council
Ordinance 1936-1938*, hereby make the following Regulations.

Dated this sixth day of June, 1939.

H. S. FOLL
Minister of State for the Interior.

ADVISORY COUNCIL ELECTION REGULATIONS.

1. These Regulations may be cited as the *Advisory Council Election* Short title.
Regulations.

2. The *Advisory Council Election Regulations* made under the *Advisory Council Ordinance 1930*, as amended from time to time, are Repeal.
repealed.

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

“Election” means an election of the three elected members of
the Council;

“Elector” means any person whose name appears on the Roll;

“Registrar” means the officer appointed by the Chief Electoral
Officer under these Regulations to be the Registrar for the
purposes of these Regulations;

“the Chief Electoral Officer” means the Chief Electoral Officer
for the Commonwealth;

“the Commonwealth Electoral Act” means the *Commonwealth
Electoral Act 1918-1934*, as amended from time to time;

“the Council” means the Advisory Council constituted under
the *Advisory Council Ordinance 1936-1938*;

“the Ordinance” means the *Advisory Council Ordinance 1936-
1938*, and includes that Ordinance as subsequently amended
and any Regulations made thereunder;

“the Roll” means the Roll of electors for the Territory kept
by the Registrar in pursuance of these Regulations.

(2.) Any reference to a form shall be read as a reference to a form
in the Schedule.

4.—(1.) The provisions of sections thirty-three to thirty-five Application of
Commonwealth
Electoral Act.
(inclusive), of sections sixty-four, sixty-seven, seventy-six, ninety-one A,
one hundred and thirteen, one hundred and twenty-one A and one
hundred and thirty-six A, of sub-section (2.) of section one hundred and
forty-two, and of Parts VIII., IX. and XVI. of the *Commonwealth
Electoral Act* shall not apply to an election.

509.—PRICE 1s. 3d.

(2.) In the application of any provision or part of the Commonwealth Electoral Act to an election—

- (a) a reference to a poll shall be read as a reference to the taking of the votes of the electors for the purposes of an election;
- (b) a ballot-paper used for the purposes of an election shall only be rejected as informal for the reasons specified in these Regulations;
- (c) a reference to scrutineers or to a scrutineer shall be read as a reference to scrutineers or to a scrutineer appointed in pursuance of these Regulations, as the case requires;
- (d) a reference to electoral matter or to electoral papers shall be read as a reference to corresponding matter or papers in relation to the Roll or to an election;
- (e) a reference to a ballot-paper, ballot-box, or other thing shall be read as a reference to a ballot-paper, ballot-box, or corresponding thing in relation to an election;
- (f) a reference to a subdivision shall be read as a reference to the Territory; and
- (g) any reference to "this Act" shall be read as a reference to the provisions and Parts of the Commonwealth Electoral Act which are applicable to an election.

(3.) 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".

(4.) In the application of section one hundred and twenty-eight A of the Commonwealth Electoral Act to the Territory, any reference to the Divisional Returning Officer shall be read as a reference to the Returning Officer for the Territory.

(5.) In the application of Part XII. of the Commonwealth Electoral Act (other than section ninety-one A) to an election under these Regulations—

- (a) any reference in that Part to a State shall be read as a reference to the Territory, and any reference to a Divisional Returning Officer or a Returning Officer, excepting the reference in sub-section (1.) of section ninety-one B of the Commonwealth Electoral Act, shall be read as a reference to the Returning Officer;
- (b) any reference to an election shall be read as a reference to the election to be held in pursuance of the Ordinance;
- (c) any reference to a postal ballot-paper for a Senate election or a postal ballot-paper for a House of Representatives election shall be read as a reference to a postal ballot-paper for the election; and
- (d) any reference to a Certified List of Voters shall be read as a reference to the Certified Copy of the Roll.

5. The Chief Electoral Officer shall be the Returning Officer for the Territory and shall be charged with the duty of giving effect to the provisions of the Ordinance in so far as it relates to the election, and the Commonwealth Electoral Act in so far as it is applicable to such election. Returning Officer for the Territory.

6. An Assistant Returning Officer may be appointed by the Chief Electoral Officer to exercise within the Territory, subject to the control of the Returning Officer, all the powers of the Returning Officer. Assistant Returning Officer.

7. The Returning Officer may appoint an Electoral Registrar to keep the Roll for the Territory, who shall be subject to the directions of the Returning Officer. Electoral Registrar.

8. The Registrar shall keep forms of claim for enrolment and such other forms as are prescribed, and shall without fee supply them to the public and assist the public in their proper use. Registrar to supply forms.

9. The Returning Officer may by notice in the *Gazette* appoint such polling places within the Territory as are necessary. Polling places.

10.—(1.) The Registrar shall keep a Roll of electors for the Territory which shall be in accordance with Form 1 and shall set out the surname, christian names, place of living, occupation (if any) and sex of each elector. Roll of Electors.

(2.) The Roll shall close for the purpose of an election at six o'clock in the afternoon of the day upon which the Minister issues a direction to the Returning Officer pursuant to regulation 25 of these Regulations for the holding of the election.

11.—(1.) The Roll kept by the Registrar shall be open for public inspection without fee, at the office of the Registrar at all convenient times during his ordinary office hours. Copies of Roll.

(2.) Printed copies of the Roll may be purchased from the Registrar at the price of one shilling per copy.

12. All officers in the service of the Commonwealth or of the Territory, all police, and all occupiers of habitations shall upon application furnish to the Registrar or to any officer acting under his direction all such information as he requires in connexion with the preparation of the Roll. Information to be supplied for purposes of Roll.

13. Subject to sub-section (3.) of section 5 of the Ordinance, every person not under twenty-one years of age, whether male or female, married or unmarried— Persons entitled to enrolment.

(a) who is a natural-born or naturalized subject of the King;

(b) who has lived in Australia for six months continuously; and

(c) who lives in the Territory and has so lived for a period of one month immediately preceding the date of his claim for enrolment in pursuance of these Regulations,

shall be entitled to enrolment.

14. All persons whose names are on the Roll shall, subject to the Ordinance and the Commonwealth Electoral Act, be entitled to vote at the election, but no person shall be entitled to vote more than once at the election. Enrolled persons entitled to vote.

Claims for enrolment.

15.—(1.) Names may be added to the Roll pursuant to claims for enrolment, which shall be in accordance with Form 2 and shall be signed by the claimant with his personal signature and attested by an elector or a person qualified to be an elector who shall sign his name as witness in his own handwriting.

(2.) An elector may apply for the alteration or correction of the entry in the Roll of his name or particulars of enrolment in accordance with Form 2, or in such other form signed by the applicant as the Registrar approves.

Failure to enrol.

16.—(1.) Every person who is entitled to enrolment and whose name is not on the Roll shall fill in and sign in accordance with the directions printed thereon a claim for enrolment in accordance with Form 2 and shall send or deliver the claim to the Registrar.

(2.) Any person who is entitled to enrolment and whose name is not on the Roll at any time after the expiration of twenty-one days from the date upon which he became so entitled shall, unless he proves that his non-enrolment is not in consequence of his failure to send or deliver to the Registrar a claim for enrolment in accordance with Form 2 duly filled in and signed in accordance with the directions printed thereon, be guilty of an offence.

Penalty: For a first offence, Ten shillings, and for any subsequent offence, Two pounds.

(3.) Any elector who changes his place of living from one address to another address in the Territory and who, at any time after the expiration of twenty-one days from the date of making the change, has failed to notify the Registrar of his new address shall be guilty of an offence.

Penalty: For a first offence, Ten shillings, and for any subsequent offence, Two pounds.

Procedure in case of offence.

17.—(1.) The Registrar shall, if satisfied that a qualified person has failed to comply with the requirements of regulation 16 of these Regulations, notify him of his failure in accordance with Form 13 and inform him that he may reply by Declaration in accordance with Form 15 setting out any facts relevant to the matter and that he has the option of having the matter dealt with either by the Returning Officer or by a Court of Summary Jurisdiction.

(2.) Any person to whom a notification has been sent pursuant to the last preceding sub-regulation, who desires the matter to be dealt with by the Returning Officer and who is prepared to abide by the decision of that officer, may notify the Registrar in accordance with Form 14.

(3.) Upon the receipt from a person who has failed to comply with the requirements of regulation 16 of these Regulations of a notification consenting to the matter being dealt with by the Returning Officer and undertaking to abide by the decision of that Officer, the Registrar shall consider the statements contained in the Declaration (if any) furnished by the person, make such further inquiry as he deems necessary, and, unless he decides to withdraw the case, submit the notification and declaration (if any) to the Returning Officer.

(4.) The Returning Officer shall, upon the submission of a notification and Declaration (if any) in pursuance of the last preceding sub-regulation, consider all the facts and, if satisfied that the person

concerned has contravened the provisions of regulation 16 of these Regulations, may make an order imposing upon that person a penalty not exceeding Ten shillings for a first offence and not exceeding Two pounds for any subsequent offence, and notify the Registrar thereof and the time allowed for payment.

(5.) The Registrar, upon receipt of advice from the Returning Officer that a penalty has been imposed upon any person for a contravention of regulation 16 of these Regulations, shall notify that person in accordance with Form 16.

(6.) Where any person to whom a notification in accordance with Form 16 has been sent fails, within the time allowed for payment, to pay to the Registrar the amount of the penalty imposed upon him by the Returning Officer, his consent to have the matter dealt with by the Returning Officer shall be deemed to be of no effect and that officer may revoke the order made by him.

(7.) Where any person to whom a notification pursuant to sub-regulation (1.) of this regulation has been sent fails, within the time allowed, to reply thereto, or does not, within that time, consent to the matter being dealt with by the Returning Officer, or if he has so consented and having failed, within the time allowed for payment, to pay a penalty imposed upon him by the Returning Officer his consent is deemed to be of no effect and the order of the Returning Officer is revoked, the Registrar shall, if he is satisfied that the person has contravened the provisions of regulation 16 of these Regulations, cause proceedings to be instituted against him in a Court of Summary Jurisdiction.

(8.) In any case where proceedings in respect of an offence against regulation 16 of these Regulations are instituted in a Court of Summary Jurisdiction the Registrar shall cause any Declaration received in pursuance of this regulation from the person concerned to be brought to the notice of the Court, and the Court shall, at the hearing of the case, consider the Declaration (whether the defendant is present or not) as if the matters therein set out has been given in evidence before it.

18. Upon receipt of a claim for enrolment or application for correction of particulars of an existing enrolment, the Registrar shall note thereon the date of its receipt by him, and if the claim or application is in order and he is satisfied that the claimant is entitled to be enrolled or that the particulars of his enrolment should be corrected, as the case requires, the Registrar shall forthwith enter on the Roll kept by him the name of the claimant and the particulars relating to him or correct the particulars of his enrolment, as the case requires, and shall notify the claimant accordingly in accordance with Form 3.

Additions and alterations to Roll.

19.—(1.) The Registrar, on receipt of a claim, shall, if he is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim, forthwith—

Decision on claim for enrolment to be notified.

- (a) refer the claim, with such observations as he thinks proper, to the Returning Officer for his decision; and
- (b) send to the claimant a notification that the claim has been so referred.

(2.) After the Returning Officer has made such inquiry as is necessary to enable him to decide the claim, he shall forthwith return the claim to the Registrar, and notify the Registrar of his decision, and, if he decides to reject the claim, the reason for such decision.

(3.) If the Returning Officer decides that the claimant is entitled to enrolment pursuant to the claim, the Registrar shall forthwith enrol the claimant, and send to him a notification that he has been so enrolled.

(4.) If the Returning Officer decides that the claimant is not entitled to enrolment pursuant to the claim, the Registrar shall forthwith send to the claimant a notification that his claim has been rejected, specifying the reason for the decision.

Notification to claimant for enrolment to amend.

20. The Registrar, upon receipt of a claim which is not in order by reason of some formal defect only, may send to the claimant a notification indicating the nature of the defect, and, as the case requires—

- (a) return the claim to him for completion or correction; or
- (b) furnish him with a fresh form of claim for completion.

Closing of Roll for an election.

21. Notwithstanding anything contained in these Regulations—

- (a) claims for enrolment which are received by the Registrar after six o'clock in the afternoon of the day of the close of the Roll for an election shall not be registered until after the election; and
- (b) except by direction of the Returning Officer no name shall be removed from the Roll during the period commencing at six o'clock in the afternoon of the day of the close of the Roll for an election and ending on the day of that election.

Failure of Registrar to enrol.

22. If a Registrar receives a claim for enrolment and without just excuse fails to do everything necessary on his part to be done to secure the enrolment of the claimant in pursuance of the claim, he shall be guilty of an offence.

Penalty: Ten pounds.

Registrar may alter Roll.

23.—(1.) In addition to other powers of alteration conferred by these Regulations, a Registrar may alter the Roll kept by him by—

- (a) correcting any mistake or omission in the particulars of the enrolment of an elector;
- (b) altering, on the written application of an elector, the original name, address, occupation or other particulars of the elector on the Roll;
- (c) removing the name of any deceased elector;
- (d) striking out the superfluous entry where the name of the same elector appears more than once on the Roll;
- (e) reinstating any name removed by mistake as the name of a deceased elector;
- (f) reinstating by direction of the Returning Officer any other name removed by mistake; and
- (g) removing a name from the Roll by direction of the Returning Officer where the Returning Officer is satisfied that the elector has ceased to be qualified for enrolment on the Roll.

(2.) No alteration pursuant to this regulation shall without the authority of the Returning Officer be made at any time during the period commencing at six o'clock in the afternoon of the day of the close of the Roll for an election and ending on the day of that election.

24. Every alteration of a Roll shall be made in such a manner that the original entry shall not be obliterated, and the reason for each alteration and the date thereof shall be set against the alteration, together with the initials of the Registrar. Manner of making alterations.

25.—(1.) The Minister shall, whenever necessary, direct the Returning Officer to cause election to be made of the elected members of the Council, and shall appoint the dates for the nomination of candidates and for the polling. Minister may direct holding of an election.

(2.) The direction under this regulation for the holding of an election may be in accordance with Form 4.

26. Upon receipt of a direction under the last preceding regulation, the Returning Officer shall publish in the *Gazette* and in a newspaper circulated in the Territory a notification of the issue of the direction, and of the dates fixed for the nomination and the polling. Notification of holding of election.

27.—(1.) Nomination day shall not be less than five days, nor more than ten days, after the date of the issue of the direction for the holding of an election. Nomination day.

(2.) The hour of nomination shall be Twelve o'clock noon on nomination day.

28. Polling day shall not be less than seven days, nor more than fourteen d.ys, after nomination day. Polling day.

29.—(1.) The form of nomination may be in accordance with Form 5, and shall— Form of nomination.

(a) name the candidate, his place of residence, and occupation; and

(b) be signed by not less than six persons entitled to vote at the election.

(2.) The place of nomination shall be the office of the Returning Officer at Canberra.

(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.

30. If three candidates only are nominated the Returning Officer shall declare those candidates elected. Declaration where three candidates only.

31. If more than three candidates are nominated, the Returning Officer shall immediately make all necessary arrangements for taking the poll, and in particular shall— Poll to be taken if more than three candidates.

(a) appoint a presiding officer to preside at each polling place, and all necessary assistant presiding officers and poll clerks;

(b) provide and furnish proper polling booths and ballot-boxes; and

(c) provide ballot-papers and all necessary certified copies of the Roll.

Presiding officers to be adults.

32. No person under the age of twenty-one years shall be appointed to be a presiding officer or assistant presiding officer.

Polling booths.

33. Polling booths shall have separate voting compartments, constructed so as to screen the voters from observation while they are marking their ballot-papers, and each voting compartment shall be furnished with a pencil for the use of voters.

Ballot-boxes.

34.—(1.) Each polling booth shall be provided with the necessary ballot-boxes.

(2.) Each ballot-box shall have a cleft in the cover through which the ballot-papers may be deposited in the ballot-box, and shall be provided with means for securely closing the cleft. The ballot-box shall also be capable of being securely fastened by means of a lock.

Presiding officer to have certified copy of Roll.

35. The certified copy of the Roll to be used by a presiding officer at a polling place shall be a copy of the Roll certified by the Returning Officer, and shall before the hour of commencing the poll be delivered to the presiding officer for his guidance during the polling.

Postal voting and postal ballot-papers.

36.—(1.) The form of application for a postal vote certificate and a postal ballot-paper shall be in accordance with Form 6.

(2.) The form of postal vote certificate shall be in accordance with Form 7.

(3.) The form of postal ballot-paper shall be in accordance with Form 8.

Ballot-papers.

37. Ballot-papers other than postal ballot-papers to be used in an election may be in accordance with Form 9.

Candidates names on ballot-papers.

38. In printing the ballot-papers—

(a) the names of all candidates duly nominated shall be printed in alphabetical order according to their surnames;

(b) if there are two or more candidates of the same surname, their names shall be printed according to the alphabetical order of their Christian names, or, if their Christian names are the same, then according to the alphabetical order of their residences, which shall in such case be arranged and stated on the ballot-paper; and

(c) where similarity in the names of two or more candidates is likely to cause confusion, the names of such candidates may be arranged with such description or addition as will distinguish them one from another.

Ballot-papers to be initialed.

39. No ballot-paper shall be delivered to any voter without being first initialed by the proper officer in the space provided for the purpose, and an exact account shall be kept of all initialed ballot-papers.

Scrutineers.

40.—(1.) Scrutineers may be appointed by candidates to represent them at polling places during the polling, but so that not more than one scrutineer shall be allowed to each candidate at each polling booth.

(2.) Appointments of scrutineers shall be made by notice in writing or by telegram addressed to the Returning Officer or presiding officer, and such notice or telegram shall be signed by the candidate, and shall give the name and address of the scrutineer.

41.—(1.) A scrutineer shall not—

- (a) interfere with or attempt to influence any elector within the polling booth; or
- (b) communicate with any person in the polling booth except so far as is necessary in the discharge of his functions.

Offences by scrutineers.

Penalty: Five pounds.

(2.) A scrutineer shall not be prevented from entering or leaving a polling booth during the polling, and during his absence a relieving scrutineer may act in his place, but so that only one scrutineer for each candidate shall be entitled to be present in the polling booth or subdivision of the polling booth at any one time.

(3.) A scrutineer who commits any breach of this regulation, or who misconducts himself, or who fails to obey the lawful directions of the presiding officer, may be removed from the polling booth by any constable or person authorized by the presiding officer to remove him.

42. A candidate shall not in any way take part in the conduct of an election, and a person, other than the presiding officer, assistant presiding officers, poll clerks, and scrutineers, and the electors voting and about to vote, shall not be permitted to enter or remain in the polling booth during the polling except by permission of the presiding officer.

Conduct of election.

43. The polling shall be conducted as follows:—

- (a) Before any vote is taken the presiding officer shall exhibit the ballot-box empty, and shall then securely fasten its cover;
- (b) The poll shall open at eight o'clock in the morning, and shall not close until all electors present in the polling booth at eight o'clock in the evening, and desiring to vote, have voted;
- (c) The doors of the polling booth shall be closed at eight o'clock in the evening, and no person shall be admitted after that hour to the polling booth for the purpose of voting; and
- (d) At the close of the poll the presiding officer shall, in the presence of an assistant presiding officer or a poll clerk and of any scrutineers who may be in attendance, publicly close, fasten, seal and take charge of the ballot-box, and with the least possible delay forward it for the purposes of scrutiny, and it shall on no account be opened except as allowed by these Regulations.

Conduct of poll.

44. Every person claiming to vote at any polling booth shall state his Christian name and surname, and, if so desired by the presiding officer, for the purpose of identifying the name under which the vote is claimed, any other particulars necessary to be stated in the Roll.

Elector to state Christian name and surname.

45.—(1.) The presiding officer—

- (a) shall put to every person claiming to vote the following questions:—

Duties of presiding officer.

- (i) Have you already voted either here or elsewhere at this election? and

(b) may, and, at the request of any scrutineer, shall also put all or any of the following questions:—

- (ii) Are you the person whose name appears as (here state name under which the person claims to vote) on the certified copy of the Roll?
- (iii) Are you of the full age of twenty-one years?
- (iv) Are you a natural-born or naturalized subject of the King?
- (v) Are you qualified to vote?

(2.) If any person claiming to vote to whom any of the foregoing questions are put—

- (a) refuses to answer fully any question so put to him;
- (b) does not answer the question numbered (i) absolutely in the negative, when put to him; or
- (c) does not answer the questions numbered (ii), (iii), (iv) and (v) absolutely in the affirmative, when put to him,

his claim to vote shall be rejected.

(3.) The voter's answer to any question put to him by the presiding officer under the authority of this regulation shall be conclusive, and the matter shall not be further inquired into during the polling.

Challenge to elector's right to vote.

46.—(1.) The presiding officer or a poll clerk shall at the polling hand to each person claiming to vote a ballot-paper duly initialed by the presiding officer—

- (a) if the name under which he claims to vote is on the certified copy of the Roll and his right to vote is not challenged; or
- (b) if the name under which he claims to vote is on the certified copy of the Roll and his right to vote is challenged, and his answers to the prescribed questions show that he is entitled to vote.

(2.) The presiding officer, at the request of a scrutineer, shall note any objection by the scrutineer to the right of any person to vote, and shall keep a record thereof.

(3.) If the presiding officer puts to any person all or any of the prescribed questions, his right to vote shall be deemed to have been challenged.

Marking Roll after elector votes.

47. Immediately upon handing the ballot-paper to the person claiming to vote, the presiding officer or a poll clerk shall place a mark against the person's name on the certified copy of the Roll if his name is on that certified copy.

Voting by elector.

48. Except as otherwise provided in these regulations the voter upon receipt of the ballot-paper shall without delay—

- (a) retire alone to some unoccupied compartment of the booth, and there, in private, mark his vote on the ballot-paper in the prescribed manner;
- (b) fold the ballot-paper so as to conceal his vote and to show clearly the initials of the presiding officer, and exhibit it so folded to the presiding officer, and then forthwith openly, and without unfolding it, deposit it in the ballot-box; and
- (c) quit the booth.

49.—(1.) If any voter satisfies the presiding officer that his sight is so impaired or that he is so physically incapacitated that he is unable to vote without assistance, the presiding officer shall permit a person appointed by the voter to enter an unoccupied compartment of the booth with the voter, and mark, fold, and deposit the voter's ballot-paper for him.

Assistance in voting where voter under a disability.

(2.) If any such voter fails to appoint a person in pursuance of the last preceding sub-regulation, or if any voter satisfies the presiding officer that he is so illiterate that he is unable to vote without assistance, the presiding officer, in the presence of such scrutineers as are present, or, if there be no scrutineers present, then in the presence of—

- (a) the poll clerk; or;
- (b) if the voter so desires, in the presence of a person appointed by such voter, instead of the poll clerk,

shall mark, fold, and deposit his ballot-paper for him.

50. If any voter before depositing his ballot-paper in the ballot-box satisfies the presiding officer that he has spoiled the ballot-paper by mistake or accident, he may, on giving it up, receive a new ballot-paper from the presiding officer, who shall there and then cancel the spoiled ballot-paper, write the word "spoilt" across the face thereof, place it in an endorsed envelope and forward it to the Returning Officer after the polling.

Spoilt ballot-paper.

51. A voter shall mark his vote on his ballot-paper in the manner indicated on the ballot-paper.

Marking of ballot-paper by voter.

52.—(1.) Notwithstanding anything contained in these Regulations, when any person who is entitled to be enrolled on the Roll claims to vote at an election, and his name has been omitted from the certified copy of the Roll owing to an error of an officer or a mistake of fact or when any person who is enrolled on the Roll claims to vote at an election and his name cannot be found by the presiding officer on the certified copy of the Roll, he may, subject to these Regulations, be permitted to vote if—

Claim to vote.

- (a) in the case of a person whose name has been omitted from the certified copy of the Roll—
 - (i) he sent or delivered to the Registrar a duly completed claim for enrolment, and the claim was received by the Registrar before six o'clock in the afternoon of the day on which the Minister issued a direction under regulation 25 of these Regulations; or
 - (ii) his name was on the Roll at the last preceding election and he has continuously retained the right to enrolment; or
- (b) in the case of a person whose name is on the Roll, but cannot be found by the presiding officer, he claims that his name appears or should appear on the Roll,

and makes a declaration in accordance with Form 10 before the presiding officer at the polling place.

(2.) The ballot-paper to be used by a person voting in pursuance of this regulation shall be in accordance with Form 9, and the presiding officer shall endorse on the back of any such ballot-paper, before handing it to the voter, the word and figures "Regulation 52".

(3.) Where a voter claims to vote under the provisions of this regulation, he shall mark and fold his ballot-paper in the manner prescribed in these Regulations and return it so folded to the presiding officer.

(4.) The presiding officer shall thereupon, in the presence of the voter and of such scrutineers as are present, and without unfolding the ballot-paper, enclose it in an envelope bearing the declaration of the voter and addressed to the Returning Officer, and shall forthwith securely fasten the envelope and deposit it in the ballot-box.

(5.) The Returning Officer, on receipt of the envelope containing the ballot-paper as aforesaid, shall, before opening the envelope or allowing any other person to do so, examine the declaration of the voter, and, if it is in order and he is satisfied, after making such inquiry as may be necessary, that the voter is a person to whom paragraph (a) or (b) of sub-regulation (1.) of this regulation applies, shall deal with the ballot-paper in the manner prescribed in the *Electoral and Referendum Regulations* in connexion with the scrutiny of absent voters' ballot-papers, and forthwith direct that such correction (if any) as is necessary be made in the Roll by the Registrar, and the correction shall be made accordingly.

(6.) Where the claim of any person to vote under this regulation is refused the presiding officer shall make a note in writing of the fact of the claim and the reasons for the refusal thereof, and the presiding officer and a poll clerk shall sign the note in the presence of such scrutineers as are present. Any of those scrutineers may also sign the note.

Scrutiny to ascertain result of poll.

53.—(1.) The result of the polling shall be ascertained by scrutiny.

(2.) Each candidate may by notice in writing or by telegram addressed to the Returning Officer appoint one scrutineer to represent him at the scrutiny at each place at which the scrutiny is being conducted, and such notice or telegram shall be signed by the candidate and shall give the name and address of the scrutineer.

Conduct of scrutiny.

54. The scrutiny shall be conducted as follows:—

- (a) It shall commence as soon as practicable after the closing of the poll;
- (b) Such scrutineers as have been duly appointed pursuant to the last preceding regulation, and any persons approved by the officer conducting the scrutiny, may be present; and
- (c) All the proceedings at the scrutiny shall be open to the inspection of the scrutineers.

Scrutiny of postal ballot-papers.

55. The provisions of the *Electoral and Referendum Regulations* relating to the scrutiny of postal ballot-papers used in a Senate election shall apply as far as they are applicable to the scrutiny of postal ballot-papers used in the election, and of ballot-papers issued under regulation 52.

Objection to ballot-paper.

56.—(1.) If a scrutineer objects to a ballot-paper as being informal, the officer conducting the scrutiny shall mark the ballot-paper "admitted" or "rejected", according to his decision to admit or reject the ballot-paper.

(2.) Nothing in this regulation shall prevent the officer conducting the scrutiny from rejecting any ballot-paper as being informal although it is not objected to.

57.—(1.) A ballot-paper shall be informal if—

Informal vote

- (a) it is not authenticated by the initials of the proper officer, or by an official mark as prescribed by these Regulations;
- (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;
- (c) it has upon it any mark or writing (not authorized by these Regulations to be put upon it) by which, in the opinion of the Returning Officer, the voter can be identified:

Provided that paragraph (c) shall not apply to any mark or writing placed upon the ballot-paper by an officer, notwithstanding that the placing of the mark or writing upon the ballot-paper is a contravention of these Regulations;

- (d) in the case of a postal vote it is not contained in the envelope bearing the postal vote certificate; and
- (e) in the case of a vote cast in pursuance of regulation 52, it is not contained in the envelope bearing the voter's declaration.

(2.) A ballot-paper shall not be informal for any reason other than the reasons specified in this regulation, but shall be given effect to according to the voter's intention so far as his intention is clear.

58. Except as authorized by these Regulations, an officer shall not place upon any ballot-paper any mark or writing which would enable any person to identify the voter by whom it is used.

No mark of identification to be on ballot-paper

Penalty: Ten pounds.

59. The scrutiny of ballot-papers shall, subject to the provisions of these Regulations, be conducted in the following manner:—

Scrutiny of ballot-papers

The Returning Officer shall, in the presence of a presiding officer or poll clerk and of such authorized scrutineers as may attend and of any other persons approved by the Returning Officer—

- (a) open all ballot-boxes received from all polling places, and the postal ballot-box;
- (b) reject all informal ballot-papers and arrange the un-rejected ballot-papers under the names of the respective candidates by placing in a separate parcel all those on which a first preference is indicated for the same candidate;
- (c) count the first preference votes given for each candidate on all unrejected ballot-papers; and
- (d) place in a separate parcel all the ballot-papers which have been rejected as informal.

60.—(1.) The first vacancy shall be filled in the following manner:—

Candidates declared elected.

- (a) The candidate who has received the largest number of first preference votes shall, if that number constitutes an absolute majority of votes, be elected;
- (b) If no candidate has received an absolute majority of first preference votes, a second count shall be made by the Returning Officer;

- (c) On the second count, the candidate who has received the fewest first preference votes shall be excluded, and each ballot-paper counted to him shall be counted to the candidate next in the order of the voter's preference;
- (d) If a candidate then has an absolute majority of votes he shall be elected, but if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes and counting each of his ballot-papers to the continuing candidate next in order of the voter's preference shall be repeated by the Returning Officer until one candidate has received an absolute majority of votes;
- (e) The candidate who has received an absolute majority of votes shall be elected.

(2.) The second vacancy shall be filled in the following manner:—

- (a) The Returning Officer shall re-arrange all the ballot-papers under the names of the respective candidates in accordance with the first preference indicated thereon, except that each ballot-paper on which a first preference for the elected candidate is indicated, shall be placed in the parcel of the candidate next in order of the voter's preference.
- (b) The Returning Officer shall then count the ballot-papers in the parcel of each candidate and ascertain the total number of votes given for each candidate.
- (c) If a candidate then has an absolute majority of votes he shall be elected, but if no candidate then has an absolute majority of votes, the scrutiny shall proceed as provided in paragraphs (b), (c) and (d) of the last preceding sub-regulation until one candidate has received an absolute majority of votes:

Provided that, in the application of paragraphs (b) and (c) of the last preceding sub-regulation, any reference to first preference votes shall be read as a reference to all the votes counted to a candidate in pursuance of this sub-regulation.

- (d) The candidate who has received an absolute majority of votes shall be elected.

(3.) The third vacancy shall be filled in the manner provided in the last preceding sub-regulation as regards the filling of the second vacancy:

Provided that a ballot-paper on which a first preference for any elected candidate is marked shall be placed in the parcel of the continuing candidate next in order of the voter's preference.

(4.) If on any count two or more candidates have an equal number of votes, and one of them has to be excluded, the Returning Officer shall decide which shall be excluded; and if, in the final count for filling any vacancy, two candidates have an equal number of votes, the Returning Officer shall decide by his casting vote which shall be elected; but, except as provided in this sub-regulation, he shall not vote at the election.

(5.) In this regulation “an absolute majority of votes” means a greater number than one-half of the whole number of ballot-papers other than informal ballot-papers. The casting vote of the Returning Officer, given in pursuance of the last preceding sub-regulation, shall be included in reckoning an absolute majority of votes.

61.—(1.) The Returning Officer shall, as soon as conveniently may be after the result of the election has been ascertained— Declaration of poll.

- (a) make out and sign a statement setting out the number of first preference votes counted for each candidate and the number of informal ballot-papers and, if any further count was made in order to determine the result of the election, the particulars of each such count;
- (b) forward to the Minister a copy of the statement referred to in the last preceding paragraph;
- (c) at the place of nomination publicly declare the result of the election and the names of the candidates elected; and
- (d) insert a notification in the *Gazette* setting out the names of the candidates elected.

62.—(1.) The Returning Officer and every Assistant Returning Officer, presiding officer, substitute presiding officer, poll clerk, and scrutineer shall make and subscribe an undertaking in accordance with **Form 11.** Undertaking by Returning Officer and other officers.

(2.) An omission by any officer or scrutineer to sign or subscribe the undertaking required by this regulation shall not be a ground for setting aside any election.

63. The official mark for the authentication of ballot-papers shall be a watermark in the paper thereof consisting of a representation of a shield having therein the letters “C.A.” intertwined. Authentication of ballot-papers.

64. The notice of withdrawal by a candidate of his consent to nomination may be in accordance with **Form 12**, and shall be signed by the candidate in the presence of the officer with whom the nomination was lodged or of a Justice of the Peace. Withdrawal of candidate.

65. The Returning Officer shall preserve all the ballot-papers until the next succeeding election, when they shall be destroyed. Preservation of ballot-papers.

66.—(1.) A vacancy occurring in the office of an elected member of the Council shall, where the number of candidates at the last preceding election of members of the Council (in this regulation referred to as ‘the last election’) was greater than three, and at least one of the candidates not elected at that election is available for appointment, be filled by the appointment of a person in accordance with this regulation. Method of filling vacancies.

(2.) Where only one person who was a candidate at the last election, but was not elected, is available for appointment, the Minister shall appoint that person to the vacancy.

(3.) Where two or more persons who were candidates at the last election, but were not elected, are available for appointment, the Minister shall appoint a person determined in the following manner:—

- (a) The Returning Officer shall re-arrange all the ballot-papers under the names of the respective candidates in accordance with the first preference indicated thereon, except

that each ballot-paper on which a first preference for any elected candidate or a candidate not available for appointment is indicated, shall be placed in the parcel of the candidate next in order of the voter's preference.

- (b) The Returning Officer shall then count the ballot-papers in the parcel of each candidate and ascertain the total number of votes given for each candidate.
- (c) If a candidate then has an absolute majority of votes the Returning Officer shall transmit the name of that candidate to the Minister and the Minister shall appoint that person to the vacancy, but if no candidate then has an absolute majority of votes the scrutiny shall proceed as provided in paragraphs (b), (c) and (d) of sub-regulation (1.) of regulation 60 of these Regulations until one candidate has received an absolute majority of votes:

Provided that, in the application of paragraphs (b) and (c) of that sub-regulation, any reference to first preference votes shall be read as a reference to all the votes counted to a candidate in pursuance of this sub-regulation.

- (d) The Returning Officer shall transmit to the Minister the name of the candidate who has received an absolute majority of votes and the Minister shall appoint that person to the vacancy.

(4.) For the purposes of this regulation, a person who was a candidate at the last election but was not elected and has not been subsequently appointed as a member of the Council shall be deemed to be available for appointment if—

- (a) he is qualified for election as a member of the Council; and
 (b) the Returning Officer is satisfied that he is available for appointment and will act if appointed to the vacancy.

Forms.

67. Strict compliance with the forms in the Schedule shall not be required, and substantial compliance shall suffice for the purposes of these Regulations.

THE SCHEDULE.

FORM 1.

Regulation 10.

AUSTRALIAN CAPITAL TERRITORY.
Advisory Council Election Regulations.

ROLL OF ELECTORS.

No., Name in Full, Place of Living, Occupation, and Sex of each Elector.

(Here follow Names, &c.)

Footnote.—M. signifies Males, F. signifies Female.

FORM 2—*continued.**Instructions to Witness.*

- (a) The person witnessing this claim must be an elector or a person qualified to be an elector of the Territory.
- (b) A person must not sign his name as witness—
- (i) on any blank claim for enrolment;
 - (ii) on any claim which has been wholly or partly filled up unless it has been signed by the person intended to sign it; or
 - (iii) on any claim unless he saw the person, whose signature he purports to witness, sign it.
- (c) A person must not write on any claim for enrolment as his own name—
- (i) the name of another person; or
 - (ii) 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

FORM 3.

[*Front of Form.*]

Regulation 18.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

ACKNOWLEDGMENT OF RECEIPT OF CLAIM FOR ENROLMENT.

To the elector whose name appears on back hereof.

Your claim for enrolment dated _____ has been received
communication _____
and pursuant thereto your enrolment for the Australian Capital Territory
has been effected or adjusted as required.

Points for elector to remember—

1. You should retain this card as evidence of your enrolment.
 2. Voting at Advisory Council Elections is compulsory.
 3. Correct enrolment on the Roll of Electors for the Territory is compulsory, therefore, if you change your place of living from one address to another address in the Territory you should within 21 days of making the change notify the Electoral Registrar of your new address. For this purpose you may use the Form "Claim for Enrolment" obtainable at any Post Office in the Territory.
- Failure to comply with the provisions of paragraph 2 or 3 above will render you liable to a penalty not exceeding £2.

Electoral Registrar for the Australian
Capital Territory, Chief Electoral
Office, City, Canberra.

Date

NOTE.—An elector who is only temporarily absent from his place of living, although the period of such absence may exceed 21 days, is not thereby deemed to have changed his place of living for the purpose of change of address on the roll.

[*Back of Form.*]

O.H.M.S.

Commonwealth Electoral Paper only.

Post free.

To

M

If not delivered within 7 days return to the Registrar for the Australian Capital Territory, Chief Electoral Office, City, Canberra, A.C.T.

AUSTRALIAN CAPITAL TERRITORY.
Advisory Council Election Regulations.

Number
Postal Vote Certificate and Postal Ballot-paper issued.
.....19
Initials of the Returning Officer }

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND A POSTAL BALLOT-PAPER.

This application should be made and sent, before polling-day, to the Returning Officer, Canberra.

An application shall not be deemed to have been duly made, and a Postal Vote Certificate or Postal Ballot-paper shall not be issued in respect of it, unless the application reaches the Returning Officer before six o'clock in the afternoon of the day immediately preceding polling day.

In order that a Postal Ballot-paper may be admitted to the scrutiny the envelope in which it is contained must be received, prior to the close of the Poll, by the Returning Officer.

To the Returning Officer, Canberra.

(a) Here insert Christian names, surname, place of living, and occupation as appearing on the Roll.

(a) I, hereby apply for a Postal Vote Certificate and a Postal Ballot-paper to enable me to vote by post at the Election of elected members of the Advisory Council. I declare—

- (1) That I am an elector enrolled on the Roll of Electors.
- (2) That the ground on which I apply to vote by post is—
 - (a) that I will not throughout the hours of polling on polling day be within the Territory;
 - (b) that I will not throughout the hours of polling on polling day be within five miles by the nearest practicable route of any polling booth open in the Territory;
 - (c) that I am seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth in the Territory to vote; or
 - (d) that I will, by approaching maternity, be precluded from attending at any polling booth in the Territory to vote.

NOTE.—The elector will strike out any of the above grounds which do not apply to his or her particular case.

- (3) That my place of living at the time when the Postal Vote Certificate and the Postal Ballot-paper would be delivered in the ordinary course of post, will be as follows:—

An Elector shall not make, and a person shall not induce an Elector to make, any false statement in an application for a Postal Vote Certificate and a Postal Ballot-paper, or in the declaration contained in such application.

Penalty: Fifty pounds, or imprisonment for one month.

Signed by the elector in his own hand—	}	Signature of Elector
writing in my presence—		
Signature of } Witness* }		
(In his own handwriting.)		(In his own handwriting.)

Address of witness

Dated at the day of 19

* The witness must be an elector of the Territory or of the Commonwealth.

FORM 7.

Regulation 36.

AUSTRALIAN CAPITAL TERRITORY.
Advisory Council Election Regulations.
POSTAL VOTE CERTIFICATE.

I hereby certify that _____ of _____
is entitled (subject to the provisions of the *Advisory Council Election Regulations*) to vote by post in respect of the Election of the elected members of the *Advisory Council* to be held on the _____ day of _____ 19 _____.

Date _____ / _____ / 19 _____
Returning Officer

Signature of Elector

(In his own handwriting.)

Signed by the Elector (in his own handwriting) in my presence—
Signature of Authorized Witness—

(In his own handwriting.)

Title under which Witness acts as Authorized Witness—

Address of Authorized Witness—

Date _____ / _____ / 19 _____

Authorized Witnesses.—The following persons are authorized witnesses, namely—

[Here insert the list of persons who are prescribed to be authorized witnesses.]

No person who is a candidate at the election shall be an Authorized Witness at the election.

FORM 8.

[Front of Form.]

Regulation 36.

AUSTRALIAN CAPITAL TERRITORY.
Advisory Council Election Regulations.
ELECTION OF THREE MEMBERS OF THE ADVISORY COUNCIL.
POSTAL BALLOT-PAPER.

The Elector should carefully read the directions for his guidance printed on this ballot-paper, and in particular note that he must not mark his vote thereon until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

CANDIDATES.

NOTE.—Unless the Elector's vote is marked on this Ballot-paper on or before Polling Day, namely the _____ day of _____ 19 _____, and is received by the Returning Officer, at or before eight o'clock in the evening of that day, it will not be admitted to the scrutiny.

[See other side.]

FORM 8—continued.

[Back of Form.]

*Directions to Elector and Authorized Witness.*

(a) The elector shall exhibit his unmarked postal ballot-paper and his postal vote certificate to the authorized witness.

(b) The elector shall then and there, in the presence of the authorized witness, sign his name in his own handwriting on the postal vote certificate, in the place provided for the signature of the voter.

(c) The authorized witness shall then and there sign his name in his own handwriting on the postal vote certificate in the place provided for the signature of the authorized witness, and shall add the title under which he acts as an authorized witness and the date.

(d) The elector shall then and there, in the presence of the authorized witness, but so that the authorized witness cannot see the vote, mark his vote on this ballot-paper by placing the number 1 in the square opposite his 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 shall fold the ballot-paper so that the vote cannot be seen, and hand it so folded to the authorized witness.

(e) The authorized witness shall then and there place the ballot paper in the envelope addressed to the Returning Officer, fasten the envelope and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Returning Officer.

(f) If the elector's sight is so impaired that he cannot vote without assistance, a person appointed by the elector shall mark the elector's vote on the ballot-paper in the presence of the authorized witness, and shall then and there fold the ballot-paper so that the vote cannot be seen, place the ballot-paper in the envelope addressed to the Returning Officer, fasten the envelope, and hand it to the voter, who shall forthwith post or deliver it, or cause it to be posted or delivered, to the Returning Officer. Provided that if no person is appointed by the elector, the authorized witness, if so requested by the elector, shall take the action required by this paragraph to be taken by a person appointed by the elector.

Further Directions to Authorized Witness.

The authorized witness shall not, unless the elector's sight is so impaired that he cannot vote without assistance, and no person is appointed by the elector to mark his vote for him, look at or make himself acquainted with the vote given by the elector, and, except as provided in paragraph (f) of the preceding Directions, shall not suffer or permit any person (other than the elector) to see or become acquainted with the elector's vote, or to assist the elector to vote, or to interfere in any way with the elector in relation to his vote.

Every authorized witness shall—

- (a) comply with the preceding Directions in so far as they are to be complied with on his part;
- (b) see that the preceding directions are complied with by every elector voting by post before him, and by every person present when the elector votes; and
- (c) refrain from disclosing any knowledge of the vote of any elector voting by post before him.

Penalty: One hundred pounds, or imprisonment for three months.

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.

Duty of Persons Present when an Elector Votes by Post.

Any person present when an elector is before an authorized witness for the purpose of voting by post shall—

- (a) obey all directions of the authorized witness; and
- (b) except as provided in paragraph (f) of the above Directions—
 - (i) refrain from making any communication whatever to the elector in relation to his vote;

FORM 8—*continued.*

- (ii) refrain from assisting the elector or in any manner interfering with him in relation to his vote;
- (iii) refrain from looking at the elector's vote or from doing anything whereby he might become acquainted with the elector's vote.

Penalty: One hundred pounds, or imprisonment for three months.

Penalty for Unlawfully marking Ballot-paper.

No person other than—

- (a) an elector to whom a postal ballot-paper has been issued; or
- (b) a person appointed by the elector or an authorized witness, acting in pursuance of paragraph (f) of the Directions to Elector and Authorized Witness, assisting an elector whose sight is so impaired that he cannot vote without assistance,

shall mark a vote upon a postal ballot-paper.

Penalty: One hundred pounds, or imprisonment for six months.

FORM 9.

Regulation 37.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

ELECTION OF THREE MEMBERS OF THE ADVISORY COUNCIL.

Ballot-paper.

DIRECTIONS.—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.

CANDIDATES.

- | | |
|--------------------------|-------------------------------|
| <input type="checkbox"/> | Brown, Charles William Henry. |
| <input type="checkbox"/> | Brown, Samuel Wilson. |
| <input type="checkbox"/> | King, Henry. |
| <input type="checkbox"/> | Lovell, Edward Thomas. |
| <input type="checkbox"/> | Quick, Richard James. |
| <input type="checkbox"/> | Russell, Percy John. |

FORM 10.

Regulation 52.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

FORM OF DECLARATION TO BE USED AT THE POLLING BY A PERSON CLAIMING TO VOTE UNDER THE PROVISIONS OF REGULATION 52 OF THE ADVISORY COUNCIL ELECTION REGULATIONS WHO DECLARES THAT HIS NAME HAS BEEN OMITTED FROM THE CERTIFIED COPY OF THE ROLL, OWING TO AN ERROR OF AN OFFICER OR A MISTAKE OF FACT.

I [here insert name in full of person claiming to vote] of [here insert full address and occupation] declare—

- One of these paragraphs, as the case requires, must be struck out.
1. That I am entitled to be enrolled on the Roll of Electors for the Australian Capital Territory;
 2. That after becoming qualified for enrolment I sent or delivered to the Registrar for the Territory a duly completed claim for enrolment, and that my claim was received by the Registrar before 6 o'clock in the afternoon of the [here insert date of issue of the Direction to cause the Poll to be taken];
 2. That my name was on the Roll at the last preceding election and that I have continuously retained the right to enrolment; and
 3. That to the best of my knowledge and belief my name has been omitted from the Certified Copy of the Roll owing to an error of an officer or a mistake of fact.

Personal Signature of Voter—

Signed before me the day of 19 at
polling place.

Presiding Officer.

NOTE.—A person making any untrue statement in this declaration is liable to a penalty of Twenty pounds.

Directions.

1. This form of declaration must, after being filled up, be signed by the Voter with his personal signature in the presence of the Presiding Officer and then be completed and attested by the Presiding Officer.
2. The Presiding Officer shall then (subject to the provisions of regulation 52 of the *Advisory Council Election Regulations*) initial and hand to the voter one ballot-paper for the election for the Territory held on the date upon which this declaration is made.
3. The voter will then forthwith—
 - (i) retire alone to an unoccupied compartment of the polling booth and there, in private, mark his vote on the ballot-paper handed to him, in the manner directed thereon;
 - (ii) fold the ballot-paper in such a manner as to conceal the vote marked thereon, and at once return the ballot-paper, so folded, to the Presiding Officer before whom he made his declaration.
4. The Presiding Officer will see that he receives from the Voter the ballot-paper duly folded, and, if necessary for purposes of identification, will request the Voter to again state his name, and then, without unfolding the ballot-paper, will forthwith, in the presence of the Voter and of such Scrutineer or Scrutineers (if any) as are present, enclose the ballot-paper received from that Voter, in the envelope bearing the declaration of the Voter and addressed to the Returning Officer for the Territory securely fasten the envelope, and deposit it in the ballot-box.

FORM 11.

Regulation 62.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

UNDERTAKING TO BE MADE BY OFFICERS AND SCRUTINEERS.

I, [*here insert name, address and occupation*] do hereby promise and undertake that I will faithfully perform the duties of [*here insert name of office held by the person signing undertaking*] to the best of my understanding and ability, and that I will not directly or indirectly attempt to influence the vote of any elector, or, except by recording my vote as allowed by law, the result of any election, and that I will not disclose any knowledge officially acquired by me touching the vote of any elector, except in reply to a question which I am legally bound to answer.

Dated the _____ day of _____ Signature-- 19 ____
 Witness to signature-- _____

FORM 12.

Regulation 64.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

FORM OF WITHDRAWAL BY CANDIDATE OF CONSENT TO NOMINATION.

To the Returning Officer--

I, [*here insert Christian names, surname, place of residence and occupation*] do hereby withdraw my consent to nomination as an elected member of the Advisory Council.

Dated the _____ day of _____ 19 ____
 (*Personal signature of Candidate.*)

Dated at [*here insert place*] the _____ day of _____ 19 ____

Witness--

NOTE.—To be signed in the presence of the Officer with whom the nomination was lodged or of a Justice of the Peace.

FORM 13.

Regulation 47.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

NOTIFICATION TO A PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH THE REQUIREMENTS OF REGULATION 16 [*here insert number of sub-regulation*] OF THE ADVISORY COUNCIL ELECTION REGULATIONS.

To

You are hereby notified that it would appear that on the _____ day of _____ 19 ____, at _____ in the Australian Capital Territory [*here insert nature of contravention alleged*]; and I do therefore allege that you have contravened the provisions of regulation 16 [*here insert number of sub-regulation*] of the *Advisory Council Election Regulations*.

A contravention of the regulation mentioned is punishable under the *Advisory Council Election Regulations* by a penalty not exceeding Ten shillings for a first offence and not exceeding Two pounds for any subsequent offence.

You have the option of having the alleged contravention dealt with by the Returning Officer for the Territory (thus avoiding costs of Court) or by a Court of Summary Jurisdiction.

FORM 13—*continued.*

If you desire to have the matter dealt with by the Returning Officer, you must fill in and sign in the presence of a witness, the form of consent at the foot of this notification and send or deliver it to me so as to reach me not later than the _____ day of _____ 19 _____.

If you desire to answer the allegation you may send or deliver to me not later than the lastmentioned date a declaration in the form printed on the back hereof setting out any facts relevant to the matter.

If your answer be accepted as a satisfactory reply to the allegation no further action will be taken, but otherwise, provided you have so consented, the matter will be dealt with by the Returning Officer, and advice of his determination sent you, or, if you have not so consented, proceedings may be instituted against you in a Court of Summary Jurisdiction.

Dated this _____ day of _____, 19 _____,
Electoral Registrar for the Australian Capital Territory,
Chief Electoral Office, City, Canberra.

FORM 14.

Regulation 17.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

CONSENT OF PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH THE REQUIREMENTS OF REGULATION 16 [*here insert number of sub-regulation*] OF THE ADVISORY COUNCIL ELECTION REGULATIONS TO THE MATTER BEING DEALT WITH BY THE RETURNING OFFICER FOR THE TERRITORY.

To the Electoral Registrar for
the Australian Capital Territory
Chief Electoral Office,
City, Canberra.

I, _____ of _____ having received from you a notification alleging that I have contravened the provisions of regulation 16 [*here insert number of sub-regulation*] of the *Advisory Council Election Regulations*, hereby consent to have the matter dealt with by the Returning Officer for the Territory, and I undertake to abide by his determination thereon and to pay the amount of the penalty (if any) that he may impose.

Personal signature

Date / /19

Signature of witness

FORM 15.

Regulation 17.

AUSTRALIAN CAPITAL TERRITORY.

Advisory Council Election Regulations.

DECLARATION OF PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH THE REQUIREMENTS OF REGULATION 16 [*here insert number of sub-regulation*] OF THE ADVISORY COUNCIL ELECTION REGULATIONS.

I, _____ of _____ do hereby declare [*here insert matter declared to*].

Personal signature of declarant

Date / /19

Signature of witness

Address of witness

NOTE.—Any person who makes an untrue statement in an Electoral paper is guilty of an offence and is liable to a penalty not exceeding Twenty pounds.

FORM 16.

Regulation 17.

AUSTRALIAN CAPITAL TERRITORY.

*Advisory Council Election Regulations.*NOTIFICATION OF PENALTY IMPOSED BY RETURNING OFFICER FOR CONTRAVENTION OF REGULATION 16 [*here insert number of sub-regulation*] OF THE ADVISORY COUNCIL ELECTION REGULATIONS.

To

You are informed that, pursuant to your notification of consent dated the day of 19 , the Returning Officer for the Territory has dealt with the matter of your contravention of regulation 16 [*here insert number of sub-regulation*] of the *Advisory Council Election Regulations* and that he has imposed upon you a penalty of [*here insert amount of penalty*].

You are hereby required to pay the said amount to me not later than the day of 19 .

The amount may be paid to me at the Chief Electoral Office, City, Canberra, in cash or may be remitted to me by postal note or money order. Upon payment, an official receipt will be handed to you or forthwith sent to you by post.

Unless you comply with the requirements of this notification within the time allowed, your consent to have the matter of your contravention dealt with by the Returning Officer will be deemed to be of no effect and the order of the Returning Officer revoked, and in lieu thereof proceedings may be instituted against you in a Court of Summary Jurisdiction.

Electoral Registrar for the Australian Capital Territory,
Chief Electoral Office, City, Canberra.

Date / /19

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.