



ANNO QUADRAGESIMO SEXTO ET QUADRAGESIMO
SEPTIMO

VICTORIÆ REGINÆ.

A.D. 1883.

No. 280.

An Act to amend "The Electoral Act, 1879."

[Assented to, August 20th, 1883.]

WHEREAS it is desirable to afford greater facilities for the exercise of the electoral franchise by persons residing in outlying portions of electoral districts—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble.

1. This Act may be cited as the "Electoral Act Further Amendment Act, 1883."

Short title.

2. Whenever, in the opinion of the Governor, any one or more portions of any electoral district are so remote from the chief polling-place of such district as to make it impracticable for the returning officer of the district to conduct the elections in the manner provided by "The Electoral Act, 1879," it shall be lawful for the Governor, by Proclamation, to appoint one or more assistant returning officers for such electoral district who shall, at such outlying portions of the district, and within the limits prescribed by such Proclamation, perform, subject to the provisions of this Act, the same duties and exercise the same powers as if they were the returning officers of the said district; and such assistant returning officers, when so appointed, shall also be assistant deputy returning officers for the corresponding electoral division, and shall, before they enter on the performance of their duties, make the declaration required to be made by section 10 of "The Electoral Act, 1879."

Governor may appoint assistant returning officers for outlying portions of electoral districts.

3. Upon

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Such officer to be furnished with books for supplementary rolls.

3. Upon the appointment of any assistant returning officer, he shall be furnished with books according to the respective forms numbers 1 and 2 in the First Schedule of "The Electoral Act, 1879," and the lists of voters inscribed therein shall be called Supplementary Rolls of Electors for the district in question.

His duties in general.

4. With regard to the preparation of such supplementary electoral rolls, the registration of claims, and the entry of claimants on the said rolls, the granting of certificates, the revision of the said rolls, the correction of errors and supplying of omissions on the said rolls, the insertion of additional names thereon and the removal of names therefrom, the transfer of names from one division or district to another division or district, and the conduct of elections, such assistant returning officer shall, subject to the provisions of this Act, within such outlying portion of the district have, exercise, and enjoy the same powers and rights, and perform the same duties, and be subject to the same liabilities and penalties as if such outlying portion of the district were an electoral district, and he were the returning officer thereof.

Supplementary rolls to be exhibited in outlying portions of district.

5. The provisions of the Act, No. 183 of 1880, requiring every returning officer to cause copies of the rolls of the electoral district or division to which they refer to be exhibited in such electoral district or division in each year shall be deemed to have been complied with, so far as regards any such outlying portion of the district, by the exhibition at proper places therein of such supplementary rolls, whether written or printed, or partly written, or partly printed, and the assistant returning officer shall keep such rolls in his office within the said outlying portion of the district, and shall permit any person to peruse them at all reasonable hours without fee, and shall furnish copies to any persons desiring the same for the sum of Two Shillings and Sixpence each copy.

Provisions of Electoral Acts to apply to outlying portion of district.

6. The provisions of "The Electoral Act, 1879," and of any Acts extending or amending the same as to the publication of a notice calling public attention to the fact that fresh electoral rolls are about to be formed, and as to the delivery of forms, and as to the appointment and duty of collectors, and as to the duties and powers of each returning officer on receipt of returns, and as to the compilation of fresh rolls and the printing thereof every fifth year after the month of February, 1881, shall apply to any such outlying portion of the district, and the assistant returning officer shall perform therein with regard to such matters all the duties of returning officer.

Returning officer to telegraph writ, &c., to assistant returning officer, who is to give public notice of the same.

7. The returning officer for any electoral district for which an assistant returning officer is appointed, on the receipt of any writ for the election of any member to the House of Assembly, or of any copy of a writ for the election of any member to the Legislative Council, shall immediately telegraph the same to the assistant returning officer of such outlying portion of the district, and give him

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him notice by telegraph of the day of nomination, and of the polling day; and the assistant returning officer shall, in the manner required by "The Electoral Act, 1879," "The Electoral Amendment Act, 1882," and any Acts extending or amending the same, give public notice of the writ, the day of nomination, the day of polling, and the names of the polling-places within such outlying portion of the district.

8. Any candidate for election may forward his nomination papers to the assistant returning officer, who shall forthwith telegraph the contents thereof to the returning officer of the district, or, in case of election to the Legislative Council, to the returning officer of the Legislative Council district to which such election relates.

Assistant returning officer to telegraph to returning officer nominations received in outlying portions of district.—*Vide* sec. 48, Act 141, 1879.

9. When the returning officer for the district has received the telegram from the assistant returning officer stating whether any, and if any, what nominations have been received in such outlying portion of the district the returning officer shall immediately telegraph to the assistant returning officer all the nominations for such election, including any that may have been made in such outlying portion of the district, and in case of elections to the Legislative Council, the returning officer for the Legislative Council district to which the election relates shall immediately telegraph to the assistant returning officer all the nominations for such election, including any that may have been made in such outlying district.

Returning officer to telegraph whole of nominations to assistant returning officer.

10. Upon the receipt of such list of nominations the assistant returning officer, if an election is necessary, shall appoint such persons and do and cause to be done such acts and things as are required by "The Electoral Act, 1879," and any Acts extending or amending the same, for the purpose of taking the poll in accordance with those Acts in the outlying portion of the district.

Assistant returning officer to appoint substitutes.

11. Each candidate may, by letter or telegram addressed to the assistant returning officer, nominate a scrutineer to attend the scrutiny in such outlying portion of the district, and such letter or telegram shall give the name and the address of the person so appointed.

Candidates may appoint scrutineers.

12. When the assistant returning officer shall have received all the ballot-boxes from the several polling-places within such outlying portion of the district, he shall conduct the scrutiny for such outlying portion of the district in accordance with the said Acts, and such scrutineers as desire to be present shall be present and shall sign the record of the votes, and such assistant returning officer shall, in the presence of such scrutineers as desire to be present, telegraph the result to the returning officer.

Assistant returning officer to conduct scrutiny.

13. The returning officer shall forthwith ascertain the total number of votes, including the numbers so received by telegraph that

Returning officer to count votes and telegraph result to assistant.

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that have been polled for each candidate, and shall make his return accordingly and shall telegraph the final result to the assistant returning officer, who shall give public notice of the same.

Provision for interruption of telegraph.

14. In case telegraphic communication is interrupted between such outlying portion of the district and the office of the returning officer of the district, it shall be lawful for the Governor or for the Speaker, as the case may be, from time to time at discretion to extend the time appointed for the nomination, or for the polling, or for the return of the writ, or for any of the proceedings connected with such election: Provided that any such extension of time be duly notified in the *Government Gazette*.

Extension of hours of voting.

15. Section '58 of the Electoral Act, 1879, is hereby amended by the substitution of the words "six o'clock in the evening" in lieu of the words "five o'clock in the afternoon," in the second sub-division of such section.

Act to be construed with Electoral Acts.

16. This Act, so far as is consistent with the tenor thereof, shall be incorporated and construed as one with "The Electoral Act, 1879," and an Act of the forty-third and forty-fourth years of Her present Majesty, being No. 183 of 1880, intituled "An Act to amend the Electoral Act 1879," and "The Electoral Amendment Act, 1882."

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WILLIAM C. F. ROBINSON, Governor.