

## COMMONWEALTH ELECTORAL.

### No. 106 of 1952.

## An Act to amend the *Commonwealth Electoral Act 1918-1949*.

[Assented to 18th November, 1952.]

[Date of commencement, 16th December, 1952.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title  
and citation.

1.—(1.) This Act may be cited as the *Commonwealth Electoral Act 1952*.

(2.) The *Commonwealth Electoral Act 1918-1949\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Commonwealth Electoral Act 1918-1952*.

Assistant  
Returning  
Officers.

2. Section nine of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-sections:—

“(1.) Subject to this section, a person may be appointed to be an Assistant Returning Officer—

- (a) for a portion of a Division ; or
- (b) at a place outside Australia.

“(1A.) A person appointed to be an Assistant Returning Officer for a portion of a Division may, subject to the control of the Divisional Returning Officer, perform the functions and exercise the powers of the Divisional Returning Officer (other than those relating to postal voting) in, or in relation to, that portion of the Division.

“(1B.) A person appointed to be an Assistant Returning Officer at a place outside Australia may, subject to the control of the Chief Electoral Officer, perform such functions and exercise such powers as are conferred on him by this Act.

“(1C.) An Assistant Returning Officer shall not be appointed for a portion of a Division for which less than one hundred electors are enrolled.”

Application for  
postal vote  
certificate and  
postal ballot-  
paper.

3. Section eighty-five of the Principal Act is amended—

- (a) by omitting from sub-paragraph (iii) of paragraph (c) of sub-section (2.) the word “or”;

\* Act No. 27, 1918, as amended by No. 31, 1919; No. 14, 1921; No. 14, 1922; No. 10, 1924; No. 20, 1925; No. 17, 1928; No. 2, 1929; No. 9, 1934; No. 19, 1940; No. 42, 1946; No. 17, 1948; and Nos. 10 and 47, 1949.

(b) by adding at the end of paragraph (c) of sub-section (2.) the following word and sub-paragraph :—

“; or (v) if the applicant is temporarily outside Australia—to an Assistant Returning Officer at a place outside Australia.”; and

(c) by omitting from sub-section (2A.) the words “ or Returning Officer ” and inserting in their stead the words “, Returning Officer or Assistant Returning Officer ”.

4. Section eighty-eight of the Principal Act is amended—

Issue of certificate and ballot-paper.

(a) by omitting from sub-section (1.) the words “ or Returning Officer ” (first occurring) and inserting in their stead the words “, Returning Officer or Assistant Returning Officer ”; and

(b) by omitting the proviso to sub-section (1.) and inserting in its stead the following sub-section :—

“ (1A.) Notwithstanding anything contained in the last preceding sub-section, where the application is received after six o'clock in the afternoon of the day preceding polling day, reckoned according to standard or legal time in the State or Territory in which the election is to be held, the Divisional Returning Officer, Registrar, Returning Officer or Assistant Returning Officer, as the case may be, shall not post to the elector a postal vote certificate or a postal ballot-paper.”.

5. Section eighty-nine of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section :—

Inspection of applications.

“ (2.) An application for a postal vote certificate and postal ballot paper received by—

(a) a Registrar ;

(b) the Returning Officer for the Australian Capital Territory or the Returning Officer for the Northern Territory of Australia ; or

(c) an Assistant Returning Officer at a place outside Australia,

shall, after being indorsed with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent to the Divisional Returning Officer for the Division to which it relates.”.

6. Section ninety of the Principal Act is amended by omitting the words “ or Returning Officer ” (wherever occurring) and inserting in their stead the words “, Returning Officer or Assistant Returning Officer ”.

Numbering of applications and certificates.

Authorized  
witnesses.

7. Section ninety-one B of the Principal Act is amended by omitting paragraph (b) of sub-section (1.) and inserting in its stead the following paragraph :—

“(b) where the vote is recorded outside Australia—

- (i) an officer of the naval, military or air forces of the Commonwealth or of some other part of the Queen’s dominions ;
  - (ii) a person employed in the Public Service of the Commonwealth, a Territory of the Commonwealth or a part of the Queen’s dominions ; and
  - (iii) a Justice of the Peace for, or a minister of religion or medical practitioner resident in, a Territory of the Commonwealth or a part of the Queen’s dominions.”
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