

*Coal Mines Regulation (Amendment).*

shall cause the cancellation or suspension to be recorded in the register of holders of certificates.

(2) Subsection one of this section shall be deemed to have commenced on the first day of January, one thousand nine hundred and twenty-seven.

7. The enactments mentioned in the Schedule to this Act are to the extent therein indicated hereby repealed. Repeals.  
(Revision.)

SCHEDULE.

Sec. 7.

Number of Act.	Short title.	Extent of repeal.
Act No. 11, 1922	Coal Mines Regulation (Amendment) Act, 1922.	The whole.
Act No. 19, 1926	Coal Mines Regulation (Amendment) Act, 1926.	Subsection (1) of section 2, subparagraph (ii) of paragraph (a) of subsection (2) of section 2, paragraph (c) of subsection (1) of section 5, and paragraph (c) of section 8.

[CONFIDENTIAL]  
(Rough Draft for Consideration Only.)

Legislative Council

No. , 1936.

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A B I L L

To amend the Constitution (Legislative Council Elections) Act, 1932-1933, in certain respects; and for purposes connected therewith.

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Constitution Short title. (Legislative Council Elections) Amendment Act (No. 2), 1936."

(2) The Constitution (Legislative Council Elections) Act, 1932-1933, as amended by this Act, may be cited as the Constitution (Legislative Council Elections) Act, 1932-1936.

**2.** The Constitution (Legislative Council Elections) Act, 1932-1933, is amended—

Amendment  
of Act  
No. 5, 1933.

(a) (i) by inserting in subsection one of section six after the words "Clerk of the Parliaments" the words "or the officer of the Legislative Council acting in his place at the date of the issue of the writ for the election";

Sec. 6 (1).  
(Returning  
officer.)

(ii) by inserting at the end of the same subsection the following paragraph and new subsection:—

(b) In the case of the death of a returning officer or in case of sickness or other cause disabling a returning officer from acting at any election, the Governor may appoint an officer of the Legislative Council in his stead. The officer so appointed shall, for all purposes, be deemed to be the returning officer at that election.

The provisions of the Public Service Act, 1902, shall not apply to or in respect of any appointment under this paragraph.

(1A) Where at any election, whether at or after the date of the issue of the writ therefor, the Clerk of the Parliaments is not the returning officer, any reference in this Act to the Clerk of the Parliaments shall, for any purpose of or connected with the election and except as otherwise provided in this subsection, be deemed to be a reference to the returning officer.

This subsection shall not affect any provision of Division 11 of Part II of this Act.

(b) (i) by inserting at the end of subsection one of section ten the following new paragraph:—

Sec. 10 (1).  
(Substitute  
returning  
officer.)

(b) In the case of the death of a substitute returning officer or in case of sickness or other cause disabling a substitute returning officer from acting at any election the returning

returning officer may appoint some fit person in his stead. The person so appointed shall, for all purposes, be deemed to be the substitute returning officer at that election.

- (ii) by omitting from subsection three of the same section the words "at any time during such interval."
- (c) by inserting in subsection one of section seven after the words "issued by the Governor" the words "The writ may be in or to the effect of a prescribed form";

Sec. 7 (1).  
(Form of writ.)

- (d) by inserting after subsection one of section twenty-four the following new subsection:—

Sec. 24.  
New subsec. (1A).

(1A) (a) A candidate who is present at any of the proceedings referred to in paragraph (a) of subsection one of this section shall not, whilst so present, write any word, letter, figure or sign.

(b) A candidate who contravenes the provisions of paragraph (a) of this subsection shall be liable to a penalty of *five hundred* pounds to be recovered by any person who sues for the same in the Supreme Court of New South Wales.

(c) A candidate present at any such proceedings who, in the opinion of the Returning Officer, contravenes or attempts to contravene the provisions of paragraph (a) of this subsection, may be removed by or under the direction of the Returning Officer from the place at which such proceedings are being conducted.

- (e) by omitting from subsection one of section twenty-six the words "and every candidate present at such counting";

Sec. 26.  
(Preservation of secrecy of voting.)

- (f) by inserting after section twenty-six the following new section:—

New s. 26A.

26A. Any person who, either directly or indirectly, and by any means whatsoever—

Attempt to obtain information as to vote of an elector.

(a) attempts to inform himself of—

- (i) the order in which an elector has indicated on a ballot-paper his preferences

