

1 GEO. V. No. 3, 1910. *Electoral Districts Act.*

in the primary schools during school hours in selected Bible lessons from a separate reading book to be provided for the purpose; but such instruction shall not include any teaching in the distinctive tenets or doctrine of any religious society or denomination.

Moreover, any minister of religion shall, in accordance with regulations in that behalf, be entitled during school hours to give to the children in attendance at a primary school who are members of the religious society or denomination of which he is a minister religious instruction during one hour of such school day or school days as the committee or other governing body of such school are able to appoint:

Provided always that, notwithstanding anything in this section contained, any parent or guardian shall be entitled to withdraw his child who is in attendance at a primary school from all religious instruction in such school if such parent or guardian notifies to the head teacher that he wishes so to do.

ELECTORAL DISTRICTS.

An Act to Make Provision for the Better Representation of the People of Queensland in Parliament.

1 Geo. V.
No. 3.
THE
ELECTORAL
DISTRICTS ACT
OF 1910.

[ASSENTED TO 25TH OCTOBER, 1910.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Electoral Districts Act of 1910.*" Short title.

2. From and after the passing of this Act, except for the purpose of the representation in this Parliament of existing Electoral Districts and the filling up any vacancy arising in the representation of any Electoral District during the existence of this Parliament, "*The Electoral Districts Act of 1887*" and "*The Electoral Districts Act of 1892*"* shall be repealed. Repeal of 51 Vic. No. 10 and 56 Vic. No. 9.

3. (1.) The Legislative Assembly of Queensland shall consist of seventy-two members. Number of members of Assembly.

* 51 Vic. No. 10, *supra*, page 683; and 56 Vic. No. 9, *supra*, page 4570.

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(2.) The State of Queensland shall, in manner provided by this Act, be divided into seventy-two Electoral Districts, each returning one member.

Appointment of Commissioners.

4. As soon as may be after the passing of this Act, three Electoral Commissioners (herein referred to as "the Commissioners") shall be appointed by the Governor in Council by commission under his hand and seal.

Each Commissioner shall receive such salary and allowances as the Governor in Council thinks fit.

If before the division of the State into Electoral Districts is finally made as herein provided any Commissioner dies, or for any cause becomes incapable of acting, another Commissioner shall in like manner be appointed in his room.

Duty of Commissioners.

5. It shall be the duty of the Commissioners to divide the State of Queensland into Electoral Districts in manner provided by this Act.

Quota.

6. For the purposes of such division, a quota of electors shall be ascertained as follows:—

The total number of electors whose names appear upon the several electoral rolls of the State on the first day of January, one thousand nine hundred and eleven, shall be divided by seventy-two, and the quotient shall be the quota of electors.

Matters to be considered.

7. In making the division, consideration shall be given by the Commissioners to—

- (a) Community or diversity of interest;
- (b) Means of communication;
- (c) Physical features;
- (d) The area of proposed Districts which do not comprise any part of a city or town;

and subject thereto the quota of electors shall be the basis for the division of the State into Electoral Districts, and the Commissioners may adopt a margin of allowance to be used whenever necessary, but in no case shall such quota be departed from to a greater extent than one-fifth more or one-fifth less.

Notice of proposed division.

8. On or before the thirty-first day of March, one thousand nine hundred and eleven, the Commissioners shall cause to be publicly exposed in some conspicuous place, at all court-houses, and principal railway stations, within

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each proposed Electoral District, a map whereon shall be delineated—

- (a) The boundaries of the proposed District and of the several Districts contiguous thereto; and
- (b) The number of electors in the proposed District concerned and in the several Districts contiguous thereto.

9. Objections or suggestions in writing with respect to such proposed division may be lodged with the Commissioners not later than the thirtieth day of April, one thousand nine hundred and eleven, and the Commissioners shall consider all objections and suggestions so lodged before finally making their division. Objections, &c.

10. The Commissioners shall, on or before the thirtieth day of June, one thousand nine hundred and eleven—

- (i.) Make and forward to the Home Secretary a report of their division, specifying—
 - (a) The quota of electors; and
 - (b) The names of each Electoral District; and
 - (c) The boundaries of each Electoral District; and
 - (d) The number of electors therein; and
- (ii.) Forward a map signed by them, with the names and boundaries of each Electoral District delineated thereon; and Map.
- (iii.) Compile from the then existing Electoral Rolls of the now existing Electoral Districts, and forward to the Home Secretary Electoral Rolls of electors entitled to vote in the several new Electoral Districts: Rolls.

Such Rolls are hereinafter referred to as the provisional Rolls.

11. Thereupon the names and boundaries of the said Electoral Districts shall forthwith be proclaimed by the Governor in Council in the *Gazette*. Proclamation of division.

The said Electoral Districts shall be the Electoral Districts of the State of Queensland from and after the end of this present Parliament, subject, however, to any adjustment of boundaries as hereinafter provided, and shall each return one member to the Legislative Assembly.

12. (1.) The provisional Rolls shall be published in such manner and to such extent as the Minister directs. Provisional Rolls.

(2.) If by reason of the dissolution of this present Parliament a general election becomes necessary at any time before the provisional Rolls can be revised as herein-after provided, then the provisional Rolls shall be used as the Electoral Rolls for the new Electoral Districts at such election, and shall be conclusive evidence of the right of the persons named therein as electors to vote.

(3.) In every other case the provisional Rolls shall be revised at the Registration Courts, and new Electoral Rolls compiled as next hereinafter provided.

Governor in Council to appoint days for holding Registration Courts.

13. (1.) The Governor in Council shall appoint and notify by Order in Council a day or days, in the year one thousand nine hundred and eleven, for holding Registration Courts for each of the new Districts other than the day or days appointed for the sitting of the Annual Registration Court in that year :

Provided that, if any such Court is not held at the time so appointed, the Governor in Council may approve of the proceedings of any such Court held at any time thereafter, and thereupon the proceedings of such Court shall be as valid as if the Court had been held at the appointed time.

Places where they shall be held.

(2.) Such Courts shall be held for the new Districts at the places appointed for holding Registration Courts under "*The Elections Acts, 1885 to 1908,*"* or any Act amending or in substitution for those Acts (such Acts or Act being hereinafter referred to as the Elections Act), and at additional places (if any) so appointed.

Provisional Rolls, &c., to be produced.

(3.) The Electoral Registrar shall, at the opening of such Court, produce to the Court—

- (a) The provisional Roll for every new District and electoral division in respect of which such Court has jurisdiction; and all rolls and lists compiled under the Elections Act which, or any part of which, may have reference to any such new District or division; and
- (b) A copy of all papers containing the names of persons objected to on any such provisional Roll; and
- (c) All claims in his possession which have been theretofore sent in or made under that Act, and which may relate to any such new District

* 40 Vic. No. 13; 50 Vic. No. 3; 56 Vic. No. 7; 61 Vic. No. 26; 62 Vic. No. 14, printed as consolidated, *supra*, page 7493; 5 Edw. VII. No. 1, *supra*, page 8700; and 8 Edw. VII. No. 5, *supra*, page 9236.

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or division, and which have not been dealt with by any Court; and

- (d) All documents in his possession which may assist the Court in the revision of any such provisional Roll.

(4.) The Court shall thereupon revise every such provisional Roll. From the rolls, lists, and other papers aforesaid, and otherwise as hereinafter prescribed, the Court shall make out Special Lists of all persons qualified to vote for every new District or electoral division in respect whereof the Court has jurisdiction, and in so doing shall be guided by the provisions of the Elections Act relating to the proceedings to be taken by the Court for revising the Annual Lists, so far as the same are applicable, and the following provisions:—

Lists to be made up therefrom under certain conditions.

- (i.) The name of every person appearing on the provisional Roll and on such rolls and lists which ought to be retained on the new Electoral Roll shall be inserted in the Special List for the new District in which such person resides, unless the statement of the situation of his residence is not specified or is insufficiently specified, in which case the Court shall proceed to inquire by such evidence as it thinks fit, or upon its own knowledge, into the situation of such residence, and shall insert the name of such person in the Special List for the new District in which it appears that he resides:

For this purpose the Court may refer to any claim made under the Elections Act, and its contents shall be taken to be *prima facie* correct;

- (ii.) Any person qualified to vote for any new District may claim to have his name inserted in the Special List for that District or the proper division of that District, whether his name appears in any list before the Court or not, and may appear either personally or by agent before the Court, and on proof on oath of his qualification to the satisfaction of the Court his name and qualification shall be so inserted;
- (iii.) No name shall be inserted in any Special List of any person who is proved to the satisfaction of the Court to be dead;

- (iv.) If the Court is unable to ascertain in what new District or division any person resides, the Electoral Registrar shall forthwith send by post to the usual or last known place of abode of such person a notice informing him of the fact, and also of the provisions of the next following paragraph of this section ;
- (v.) If the Court is satisfied that any person is not qualified to vote for any new District in respect of which the Court has jurisdiction, but is nevertheless qualified to vote for another new District, the Court shall cause particulars of the name and qualification of such person to be transmitted to the Principal Electoral Registrar, to be by him inserted in the Roll for that new District.

Lists to be sent to Principal Electoral Registrar, and Rolls compiled.

(5.) Forthwith, after the making out of the Special Lists as aforesaid for the several new Districts and divisions, the several Electoral Registrars shall forward the same to the Principal Electoral Registrar, who shall forthwith proceed to compile from such Lists Electoral Rolls for the several new Districts in manner prescribed by the Elections Act.

Electoral Registrars to aid Principal Electoral Registrar.

(6.) Each Electoral Registrar shall, as and when directed so to do by the Principal Electoral Registrar, make out and transmit to him all such separate lists of electors within the cognisance of such Electoral Registrar as, in the opinion of the Principal Electoral Registrar, are necessary or expedient to enable him, when compiling the Rolls, to incorporate the names of electors in the proper Rolls.

Rolls when to come into use.

(7.) Save as provided in the last preceding section, the Rolls so compiled shall be the Rolls of electors entitled to vote in the several new Districts at the general election held next after the constitution of such new Districts. The Rolls so compiled shall be deemed to be the Annual Rolls for such new Districts within the meaning of the Elections Act, but may nevertheless be added to by additional Electoral Rolls as prescribed by law.

Annual Revision Courts to be held as usual.

14. The Registration Courts held under the last preceding section shall not take the place of the Registration Courts for revising the Annual Lists prescribed by the Elections Act to be held in the year one thousand nine hundred and eleven :

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Provided that the Principal Electoral Registrar shall not cause to be printed any of the Annual Rolls for the now existing Electoral Districts prepared at such Courts or any Additional Rolls thereto prepared as prescribed by law, unless by reason of a vacancy or vacancies in the Legislative Assembly it becomes necessary to print and publish the Roll or Rolls of any such District or Districts for the purpose of an election or elections therein.

15. Whenever at any time the number of electors appearing upon the Electoral Roll of any District is, as the case may be, so much above or so much below the prescribed quota of electors, after taking into consideration the margin of allowance herein referred to, that, in the opinion of the Governor in Council, it has become necessary to reduce or increase, as the case may be, the number of such electors so as to approximate the same to the said quota, the Governor in Council may appoint three Electoral Commissioners in manner aforesaid for the purposes of this section. Thereupon the following provisions shall apply:—

Adjustment
of boundaries
of Districts
on change of
population.

- (i.) The Commissioners shall, within the prescribed time, alter the boundaries of the Electoral District aforesaid and of such other Electoral Districts as appear to be necessary to effect a proper adjustment, and within the prescribed time give public notice of the proposed adjustment and of the number of electors in each such Electoral District after adjustment;
- (ii.) Objections or suggestions in writing with respect to such proposed adjustment may be lodged with the Commissioners within the prescribed time, and the Commissioners shall consider all objections and suggestions so lodged before finally making their adjustment;
- (iii.) The Commissioners shall, within the prescribed time,—
 - (a) Make and forward to the Home Secretary a report of their adjustment, specifying the new boundaries of each Electoral District affected and the number of electors therein after adjustment; and
 - (b) Forward a map signed by them, with the names and boundaries of each such Electoral District delineated thereon;

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- (iv.) Thereupon the new boundaries of the said Electoral Districts shall forthwith be proclaimed by the Governor in Council in the *Gazette*, and shall for all purposes be the boundaries of such Districts until any further adjustment of the boundaries of any of them is made under this Act;
- (v.) The Principal Electoral Registrar shall, within the prescribed time, compile from the existing Electoral Rolls of the Electoral Districts affected by the adjustment Electoral Rolls of electors entitled to vote in the several Electoral Districts after the adjustment:
- And the Rolls so compiled shall be the Rolls for such Districts respectively under and for the purposes of the Elections Act;
- (vi.) The respective times for doing any act or thing for the aforesaid purposes shall be appointed by the Governor in Council by notification in the *Gazette*.

EVIDENCE.

1 Geo. V.
No. 26.
THE OFFICIAL
INQUIRIES
EVIDENCE
ACT OF 1910.

An Act to Make Better Provision for the Taking of Evidence at Official Inquiries.

[ASSENTED TO 7TH JANUARY, 1911.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as "*The Official Inquiries Evidence Act of 1910.*"

Interpretation.

2. In this Act the term "Commission" means and includes any person or persons appointed by or under the authority of His Majesty or the Governor in Council to make any inquiry with respect to any matter.

Power to send for witnesses and documents.

3. The President or Chairman of a Commission, whether appointed by the instrument creating the Commission or otherwise, or the sole Commissioner, as the case may be, may, by writing under his hand, summon any person to attend the Commission at a time and place named