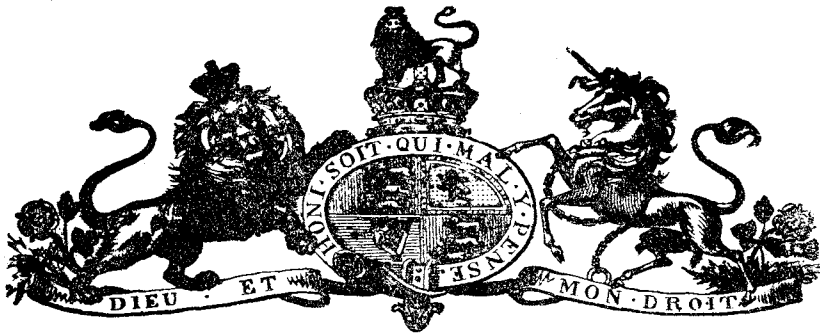


T A S M A N I A

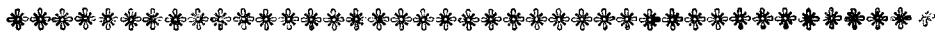


1884.

ANNO QUADRAGESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 32.



AN ACT to further amend *The Electoral Act*. A.D. 1884.  
[24 November, 1884.]

**BE** it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

**1** Whereas the Parliament of Tasmania has in this present Session passed an Act amending *The Constitution Act*: And whereas the said first-mentioned Act cannot have any force or authority until the Governor shall signify Her Majesty's Assent thereto : Be it therefore enacted, that this Act shall come into force and take effect on the day on which the Governor signifies Her Majesty's Assent to the said first-mentioned Act. Commencement of Act.

**2** Every person claiming to be entitled to vote at the election of a Member to serve in the House of Assembly in respect of an income, salary, or wages qualification shall, notwithstanding anything to the contrary contained in *The Electoral Act*, deliver or transmit, on or before the Twenty-fourth day of *November* in every year to the Returning Officer of the District in which he resides, the Notice of his claim to vote, and shall verify such Notice by a Certificate in the form in the Schedule (1.) or to the like effect ; and the said Returning Officer is hereby expressly required, if the name of any such person appears on the copy of the Roll then in force for the District, to add the words "objected to" before the name of every such person on the margin of the said Copy Roll who shall not on or before the Twenty-fourth day of *November* preceding have delivered or transmitted to such Returning Officer the Notice of his claim to vote in respect of such qualification in manner directed by this Act. Persons qualified to vote in respect of income, salary, or wages, to make their claims annually and verify the same.

*Electoral Act Amendment.*

A.D. 1884.

Procedure when  
Certificate not  
given.

**3** The said Returning Officer is hereby expressly required to add the words "No Certificate" on the margin of the List of Claimants before the name of every such person who shall omit to deliver or transmit such Certificate as aforesaid; and the Court of Revision shall expunge the name of every such person from such List, unless it is shown to the satisfaction of the Court that such Certificate was so delivered or transmitted.

Penalty for  
giving false  
Certificate.

19 Vict. No. 8.

**4** If any person wilfully gives a false Certificate under this Act he shall be liable to a penalty not exceeding Fifty Pounds, to be recovered in a summary way before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*; and any person who deems himself aggrieved by any summary conviction under this Act may appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

19 Vict. No. 11.

Deposit of money  
to be made by  
candidates.  
21 Vict. No. 32.

**5** At the time of the nomination to the Returning Officer of any person or persons as a candidate or candidates for any election for any Electoral District, there shall be paid to the Returning Officer by or on behalf of every person nominated the sum of Twenty-five Pounds to be dealt with as hereinafter provided; and no person by or for whom or on whose behalf such payment shall not have been so made shall be or be deemed to be a candidate at any election.

Appropriation of  
moneys paid  
under preceding  
Section.

**6** Where a poll shall take place at any election the Returning Officer shall apply the moneys so paid to him as aforesaid by all such candidates as shall not afterwards have received at the same election a number of votes equal at least to One-fourth part of the votes received by the successful candidate, if only One, or by such One of the successful candidates, if there shall be more than One, as shall have received the smallest number of votes, in and towards defraying the necessary expenses (whether incurred before or after such payment) of all such acts and things relating to such election as he may reasonably and properly do or provide, and the balance of such moneys, if any, shall be paid into the Consolidated Revenue Fund. And after every election the Returning Officer shall repay to each of the candidates who shall have been returned without a poll, or who shall so have received a number of votes equal at least to such fourth part, whether declared elected or not, all moneys so paid by or for him or them respectively.

Separate accounts  
to be kept of such  
moneys, and copy  
sent to Colonial  
Auditor.

**7** Every Returning Officer shall keep a separate account for each election held by him of all moneys received and expended or repaid by him at and about such election; and shall, not less than Three nor more than Six months after the declaration of the poll at such election, forward to the Colonial Auditor a copy of such account certified under his hand, together with all receipts, accounts, and vouchers relating to the same; and the said Auditor shall forthwith examine and compare the same respectively, and shall immediately after such examination and comparison make and sign a report of the result thereof respectively in such form as the Governor in Council from time to time directs, and shall sign an acquittance for so much of such moneys as shall be ascertained by the said Auditor to have been duly and properly expended; and for the said purposes the Colonial Auditor shall have all the powers conferred upon him by *The Audit Act*.

22 Vict. No. 6.

*Electoral Act Amendment.*

**8** The Writ for the Election of any Member to serve in the Parliament of *Tasmania* for any District shall be issued by the Governor, directed to the Returning Officer of such District, and shall be returnable within Thirty days from the date thereof.

A.D. 1884.

Governor to issue Writs for Elections.

Every such Writ shall specify the following particulars:—

(1.) The period within which Candidates may be nominated for election at such Election.

(2.) Some Polling-place to be the principal Polling-place for the purposes of such Election.

(3.) The day for taking the Poll at the different Polling-places in the event of the Election being contested.

(4.) The day on which the Writ is made returnable by the Governor. Provided that in the case of any vacancy arising in the Legislative Council or the House of Assembly, the Writ shall be issued within Seven clear days after the happening of such vacancy.

**9** The commencement of the period within which Candidates may be nominated for election at any Election shall not be less than Three clear days, nor more than Six clear days after the Writs shall have been issued for such election; and the duration of such period shall not be less than Three clear days, nor more than Eight clear days, from the commencement of such period, and shall expire at Four o'clock in the afternoon of the last day named in the Writ for such purpose.

Period for nomination.

**10** The day for taking the Poll at the different Polling-places in the event of any Election being contested shall not be less than Four clear days, nor more than Eight clear days, from the last day of the period of Nomination.

Day for taking Poll.

**11** The Chief Secretary shall, so soon as may be practicable after the issue of any Writ, give public notice by advertisement in the *Gazette*, and at least One newspaper published in *Hobart* and One newspaper published in *Launceston*, of the period for Nomination and the day for taking the Poll named in such Writ.

Notice by advertisement to be given of period for nomination and for taking the Poll.

**12** When and so often as the House of Assembly of *Tasmania* shall cease to continue, or shall be dissolved by the Governor, the Writs for the Election of the Members of the House of Assembly shall be issued with as much expedition as the same can be done; and every Writ issued as aforesaid shall be forthwith forwarded by the Chief Secretary to the Returning Officer of the District in respect of which such Writ is issued, and such Writ shall be made returnable to the Governor within the period of Fifty days after the House of Assembly ceased to continue or was dissolved, anything contained in any Act to the contrary notwithstanding.

When House of Assembly dissolved, new Writs to be returnable within 50 days.

**13** Not more than Ninety days shall elapse between the dissolution of the House of Assembly and the next meeting of the Parliament of *Tasmania*.

Period between dissolution and meeting of Parliament.

**14** The Returning Officer of each District shall endorse on the Writ the day on which he received it, and shall also forthwith, on receipt of such Writ, give public notice of the period of Nomination and day for taking the Poll named in such Writ, and such notice shall be in the form in the Schedule (2), and shall be published by advertisement in the *Gazette*, and, as regards the Northern Districts, by advertisement

Returning Officer to give notice of nomination and Poll.

*Electoral Act Amendment.*

A.D. 1884.

once in a newspaper published in *Hobart* and not less than twice nor more than three times in a newspaper published in *Launceston*, and, as regards the Southern Districts, once in a newspaper published in *Launceston* and not less than twice nor more than three times in a newspaper published in *Hobart*.

Mode of nomination.

**15** Any two or more Electors of any District may at any time during the period of Nomination for any Election for such District named in the Writ, by writing under their hands in the form of the Schedule (3), stating the particulars mentioned in the said Schedule, nominate to the Returning Officer any person or any number of persons named and described in such writing, not exceeding the number of Members then to be elected, as a Candidate or Candidates at such Election, and there shall be written at the foot of such Nomination a statement under the hand of the person or persons nominated, in the form of the Schedule (3), declaring the consent of such person or persons to become a Candidate or Candidates at such Election, and such Nomination, together with the consent written thereon, shall be delivered to the Returning Officer; and no other persons than those so nominated and consenting as aforesaid shall be eligible to be elected at such Election.

Provided that in the event of any person so nominated being absent from the Colony at the time of such nomination no such written consent shall be necessary: Provided also that the said form in the Schedule (3) may be in writing or printed, or partly written or partly printed, but shall be signed by the persons nominating and consenting respectively.

When Assembly dissolved, Poll for all contested districts to be taken on the same day.

**16** When the House of Assembly of the Parliament of *Tasmania* shall cease to continue, or shall be dissolved by the Governor, the Poll for the Assembly Districts shall, as to all the said Districts in respect of which the Election is contested, be taken on the same day.

Repeal.

**17** Sections 54, 55, 57, and 62 of "The Electoral Act," and Section Seven of "The Electoral Act, No. 2," are hereby repealed.

Acts to be read together.

**18** *The Electoral Act*, and every Act altering or amending the same, save so far as the same may be altered by this Act, and this Act, shall be read and construed together as one Act.

Short title.

**19** This Act may be cited as "The Electoral Act, No. 6."

## SCHEDULE.

(1.)

## CERTIFICATE.

I, \_\_\_\_\_, residing at \_\_\_\_\_, in the Electoral District of \_\_\_\_\_, hereby certify that I am of the age of \_\_\_\_\_ Twenty-one years, in receipt of income [or salary or wages as the case may be] at the rate of Sixty Pounds sterling a year, and that I have received income [or salary or wages as the case may be] equal to Thirty Pounds sterling during the period of Six months next before the First day of *November* instant: And I further certify that I have resided in *Tasmania* for the period of Twelve months next before the said First day of *November* instant.

Dated this

day of *November*, 18

[Signed.]

Witness—

*Electoral Act Amendment.*

(2.)

A.D. 1884.

ELECTORAL DISTRICT OF

I HEREBY give notice, that I have received a Writ under the hand of His Excellency the Governor, dated the \_\_\_\_\_ day of \_\_\_\_\_ instant (*or ultimo*), for the Election of (a) fit and proper person (s) to serve as the (*or a*) Member for the Electoral District of \_\_\_\_\_ in the House of Assembly (*or Legislative Council*) of Tasmania.

The period within which Candidates may be nominated for election at such Election will be from the \_\_\_\_\_ day of \_\_\_\_\_ instant (*or next*) to the \_\_\_\_\_ day of \_\_\_\_\_ inclusive, up to 4 o'clock P.M. of the last-named day.

Written Nominations of Candidates, such Nominations to be accompanied by the written consent of such Candidates to be nominated, will be received by me, at \_\_\_\_\_, up to \_\_\_\_\_

In the event of such Election being contested, a Poll will be taken on the \_\_\_\_\_ day of \_\_\_\_\_ instant (*or next*), from 9 A.M. to 4 P.M., at the Polling-places named hereunder:—

---



---



---

Dated

*Returning Officer for the Electoral District of*

---

(3.)

The \_\_\_\_\_ day of \_\_\_\_\_ 18

WE, the undersigned Electors of the Electoral District of \_\_\_\_\_, do hereby nominate (*stating Christian and Surname*), of \_\_\_\_\_ (*state occupation*), as a fit and proper person to represent the said District in the Legislative Council (*or House of Assembly*).

*(Here are to follow the Signatures in the following form.)*

<i>Surname and Christian Name of Electors as described in the Roll.</i>	<i>Place of Abode as described in the Roll.</i>	<i>Nature of Qualification as described in the Roll.</i>

I, the above-named \_\_\_\_\_, consent to become a Candidate at the Election for the said District of \_\_\_\_\_

