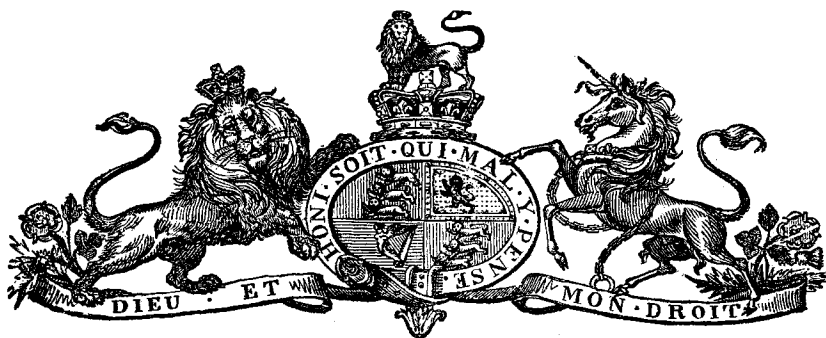


T A S M A N I A.



1862.

ANNO VICESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 14.



AN ACT to amend *The Electoral Act.*

[20 October, 1862.]

WHEREAS it is expedient to amend *The Electoral Act*: Be it therefore 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 :—

PREAMBLE  
21 Vict. No. 32.

**1** The Returning Officer of each Electoral District shall, on or before the Fourteenth day of *December* in the year 1863, and in every succeeding year, make out a List of all persons whose names appear upon any Valuation or Assessment Roll in force on the Twenty-fourth day of *November* then last past, as being the Owners or Occupiers of property of such description and value within such Electoral District as to entitle such persons to vote in respect of such Electoral District, but whose Names do not appear on the Electoral Roll in force for the District; and such List shall be deemed to form, and shall in all respects be dealt with as, part of the List of Claimants to vote under *The Electoral Act*.

Returning Officer to make out List of Claimants from Valuation and Assessment Rolls.

**2** Whenever the name of any person appears in the List of Claimants, or in the Copy of the Electoral Roll in force for any Electoral District, as claiming or being entitled to vote by virtue of being the Owner or Occupier of any property within such District, then the Returning Officer of such District shall, at the proper time, write the words "Objected to" opposite the name of every such person, unless he

Returning Officer to object to persons not appearing by Valuation Roll to be entitled.

appears by the Valuation or Assessment Rolls in force within such District to be the Owner or Occupier, as the case may be, of property of sufficient value within the District to entitle him to have his name inserted or continued in such Electoral Roll.

Returning Officers may inspect, &c. Valuation and Assessment Rolls.

**3** The Returning Officer of each Electoral District may, for the purposes of the last preceding Section, at all reasonable times, inspect and make copies and extracts of and from all the Valuation and Assessment Rolls in force within such Electoral District, without payment of any fee for so doing; anything contained in *The Property Valuation Act* to the contrary notwithstanding.

Notices of claims may be signed by any Two Electors.

**4** From and after the passing of this Act, Notices of Claims to vote, required to be delivered or transmitted to the Returning Officers under Sections 12 and 13 of *The Electoral Act*, may be signed by any two Electors whose names are on the Copy Roll for the District, stating on such Notices their place of abode and qualification, as described on such Copy Roll.

Words "objected to" and "dead" may be written upon published List of Claimants and Copy Roll.

**5** Where, by this Act and *The Electoral Act*, the Returning Officer of any Electoral District is required to add the words "objected to" or "dead" before the name of any person appearing in the List of Claimants, or in the copy of the Electoral Roll then in force in such District, it shall be sufficient if such Returning Officer cause such words to be written, in lieu of being printed, upon the List of Claimants and of the Copy Roll published by him.

Ballot Papers marked defaced, &c., to be rejected.

**6** The Returning Officer, in ascertaining the state of the Poll from the Ballot-papers taken at the several Polling Places at any Election, shall reject as invalid every Ballot-paper which is wilfully written upon, defaced, or in any way distinguished or marked otherwise than is by Law required.

Written consent of Candidate to be furnished to Returning Officer.

**7** The Electors nominating any Candidate or Candidates to the Returning Officer at any Election for any Electoral District shall furnish to the Returning Officer, together with such written Nomination as is required by *The Electoral Act*, a statement in writing under the hand of the person or persons nominated, (if in the Colony), declaring the consent of such person or persons to become a Candidate or Candidates at such Election; and the Returning Officer shall not receive or recognise any nomination of a Candidate or Candidates in the absence of such written Declaration of consent.

Resignation of Returning Officer.

**8** No person being the Returning Officer of any Electoral District shall resign his office as such after the issue of any Writ for the Election of a Member to serve in the Parliament of *Tasmania* for such District, until such Writ is executed and returned by such Returning Officer, unless the Governor otherwise directs.

Resignation of Returning Officer after issue of Writ.

**9** In case the Returning Officer of any Electoral District, after the issue of a Writ to him for the Election of a Member to serve in the Parliament of *Tasmania* for such District, dies or becomes unable to execute such Writ, or resigns with the consent of, or is removed by, the Governor, then, and in every such case, it shall be lawful for the Governor to appoint some other fit and proper person to be Returning Officer in the place and stead of the Returning Officer who so dies, becomes incapable to act, resigns, or is removed as aforesaid; and such Writ may, so far as the same may not be already executed, be executed and returned by the Returning Officer so to be appointed as aforesaid.

**10** In case any person is nominated to the Returning Officer as a Candidate for election at any Election by more than Five persons, such Returning Officer shall publish the names and residences of not more than Five of the persons who so nominated such Candidate.

Publication of names of Nominators of Candidates.

**11** Wherever the word *April* occurs in Part 2 of *The Electoral Act*, the same shall be read and deemed to mean *November*; wherever in the Second Part of the said Act the words Fourth day of *May* occur the same shall be deemed to mean the Fourteenth day of *December*; wherever the words Fifth day of *May* occur the same shall be deemed to mean the Fifteenth day of *December*; wherever the words Twenty-second day of *May* occur the same shall be deemed to mean the First day of *January*; wherever the words Twenty-sixth day of *May* occur the same shall be deemed to mean the Fifth day of *January*; wherever the words Twelfth day of *June* occur the same shall be deemed to be the Twenty-second day of *January*; wherever the words Twelfth day of *July* occur the same shall be deemed to be the Twenty-second day of *February*; wherever the words "last day of *July*" occur the same shall be deemed to be the Tenth day of *March*; wherever the words "last day of *August*" occur the same shall be deemed to be the Tenth day of *April*; and wherever the words "First day of *September*" occur the same shall be deemed to be the Eleventh day of *April*.

Words to be read in lieu of April, 4th May, 5th May, 22nd May, 26th May, 12th June, 12th July, last day of July, last day of August, 1st September, in *The Electoral Act*.

**12** The Electoral Rolls and Polling Lists of any Electoral District for the year commencing the First day of *September* in the year 1862 shall continue and be in force until the Thirty-first day of *March* in the year 1864, anything in *The Electoral Act* to the contrary notwithstanding; and no proceedings shall be had or taken for the formation of any Electoral Rolls or Polling Lists under the said Act until the First day of *November* in the year 1863.

Electoral Rolls and Polling Lists prepared in 1862 to remain in force till 31st March, 1864.

**13** The Electoral Roll, or document purporting to be the Electoral Roll, of any Electoral District, for the year commencing the First day of *September* in the year 1862, shall not be deemed to be, or be, in any manner invalidated or be questioned by reason solely that the List of Electors for such District which was prepared and revised in this current year was not copied and printed in a Book, and such Book signed and delivered to the Returning Officer of such District on or before the last day of *August* in the year 1862, as required by *The Electoral Act*, anything in the said Act to the contrary notwithstanding.

Electoral Rolls for 1862-3 not invalidated by delay in printing same.

**14** The Clerks of the Peace at *Hobart Town* and *Launceston* are hereby freed and discharged from all suits and proceedings whatsoever to which they or either of them might otherwise be liable by reason of any such delay as aforesaid in copying and printing any such List of Electors for any Electoral District in a Book, and signing and delivering such Book to the Returning Officer of such District.

Indemnity for delay.

**15** This Act and *The Electoral Act*, except in so far as the same is inconsistent with this Act, shall be read and construed together as one and the same Act.

Acts to be read together.

**16** In referring to this Act it shall be sufficient to use the expression *The Electoral Act*, No. 2.

Short Title.

