



ANNO QUADRAGESIMO QUINTO ET QUADRAGESIMO
SEXTO

VICTORIÆ REGINÆ.

A.D. 1882.

No. 242.

An Act to amend "The Electoral Act, 1879."

[Assented to, August 30th, 1882.]

*Conditionally
repealed
6th 7 1876.*

WHEREAS it is expedient to amend "The Electoral Act, 1879," so far as regards the election of members to serve in the Legislative Council of the Province of South Australia—Be it therefore Enacted by the Governor of the said province, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows :

Preamble.

1. Section 7 of "The Electoral Act, 1879," is, and so far as regards the election of members to serve in the Legislative Council, sections 49, 50, 62, 65, and 66 are hereby repealed.

Repeal.

2. In the construction of this Act the words "Legislative Council District" shall mean any one of the four electoral districts for the election of members for the Legislative Council into which the province is divided by the "Constitution Act Further Amendment Act, 1881," or any Act now or hereafter to be passed amending the same; and the words "Returning Officer for the Legislative Council" shall mean any one of the Returning Officers to be appointed under section 14 of the said Act.

Interpretation.

3. Every District Returning Officer appointed under "The Electoral Act, 1879," shall also be a Deputy Returning Officer for that portion of the province included in the electoral district for the election of members for the Legislative Council within which the district for which he is Returning Officer is situated.

District Returning Officer to be also Deputy Returning Officer for portion of the province.

4. On

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Duty of Returning Officer for Legislative Council on receipt of writ.

4. On the receipt of any writ for the election of a member or members to serve in the Legislative Council, the duty of the Returning Officer for the Legislative Council shall be as follows—

i. He shall indorse thereon the date of its receipt:

ii. He shall forthwith forward a copy of the writ to the Deputy Returning Officers for each division in the Legislative Council district for which such writ is issued, who shall indorse on such copy the date of its receipt:

iii. He shall also cause to be printed and published a notice stating the receipt of the writ, the day and place of nomination, the date of the polling day, the names of the polling-places, and the names of the Deputy Returning Officers for each such division, and shall forward sufficient copies of such notice to the said Deputy Returning Officers, who shall forthwith cause the notices so forwarded to them to be published and circulated within their respective divisions, at such places and in such manner as they shall think necessary.

Places of nomination.

5. The places of nomination for the four electoral districts for the election of members for the Legislative Council shall be those mentioned in the Schedule hereto, and numbered respectively 1, 2, 3, and 4.

Notice to be given of candidates for Legislative Council.

6. At noon on the day of nomination the Returning Officer for the Legislative Council shall attend at the place of nomination, and there publicly produce the several nomination papers he shall have then received, and give notice of the names of the persons nominated.

Ballot-boxes to be delivered to District Returning Officers.

7. At the close of the voting each presiding officer shall, with the least delay possible, cause the ballot-boxes to be delivered to the District Returning Officers, who shall preside at and conduct the scrutiny in the manner directed by the sixty-fourth section of "The Electoral Act, 1879."

Certificate for number of votes to be forwarded to Returning Officer for Legislative Council.

8. The District Returning Officer shall, immediately after the result of the poll within his division has been ascertained, return to the Returning Officer for the Legislative Council the copy of the writ hereinbefore referred to, with a statement indorsed thereon of the number of votes polled for each candidate, and such statement shall be certified as correct by the District Returning Officer.

Returning Officer for Legislative Council to declare poll and return writ.

9. On receipt of the copies of the writ, certified as aforesaid, the Returning Officer for the Legislative Council shall forthwith ascertain the total number of votes polled for each candidate in the Legislative Council district to which the election relates, and shall, at the place of nomination, as soon as conveniently may be, publicly declare the result of the election, and shall return the name or names of the person or persons elected, by indorsement on the writ, and shall forward such writ to the Governor within the time by which the same is made returnable.

10. The

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10. The electoral rolls for the several divisions made in pursuance of "The Electoral Act, 1879," and therein declared to be portions of the electoral roll of the province, shall continue to be the electoral rolls for such divisions, and shall form portions of the electoral roll for the Legislative Council district within which such divisions are included; and all the provisions of the said Electoral Act relating to the insertion of additional names on the electoral roll of the province, and to the removal of any names from such roll, shall apply to the electoral roll for each Legislative Council district, in like manner as such provisions have heretofore been applied to the electoral roll of the province; and the procedure relating to the transfer of the name of any person from one division to any other division shall and may be exercised within the limits of the Legislative Council district in which such person resides, or into which he may have removed, in like manner as it has been heretofore exercised within the limits of the province when constituting only one district; and the persons whose names shall have been added to or transferred to the electoral rolls of any Legislative Council district shall be entitled to vote for such district.

Electoral rolls for divisions reserved.

11. For each Legislative Council district there shall be such polling-places as are in existence within the respective boundaries of such districts at the time when this Act is passed, and such other polling-places as may from time to time be lawfully appointed: Provided that nothing herein contained shall be held to limit the authority vested in the Governor by virtue of any Act now in force, or hereafter to be passed, to declare that any of such polling places shall cease to be polling-places, and to direct at which other polling-places electors are to record their votes.

Polling-places reserved.

12. Section 27 of "The Electoral Act, 1879," shall be read and construed as if the words "for the Legislative Council district within which such division is included" had been inserted in the last line but one thereof in lieu of the words "of the said province for such division"; and section 40 of "The Electoral Act, 1879," shall be read and construed as if the words "Legislative Council district" had been inserted in the tenth line thereof, in lieu of the word "province."

Amendment of sections 27 and 40 of Electoral Act, 1879.

13. Except so far as the same are inconsistent with the provisions of this Act, "The Electoral Act, 1879," and the Act No. 183 of 1880, being an Act to amend "The Electoral Act, 1879," shall be incorporated and read herewith as forming one Act.

Incorporation.

14. This Act may be cited as "The Electoral Amendment Act, 1882."

Short title.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. F. DRUMMOND JERVOIS, Governor.

SCHEDULE.

The Electoral Amendment Act.— 1882.

SCHEDULE.

Places of Nomination for Electoral Districts for Members of the Legislative Council.

No.	Name of District.	Place of Nomination.
1	Central Electoral District	Corporation Acre, City of Adelaide
2	Southern Electoral District	Strathalbyn
3	North-Eastern Electoral District	Kapunda.
4	Northern Electoral District	Port Pirie.