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STATE OF VICTORIA *Licensing Act 1955, No. 5892*

*At the Executive Council Chamber, Melbourne, the
tenth day of January, 1956.*

PRESENT:

His Excellency the Governor of Victoria.

Sir Thomas Maltby
Mr. Whately

Mr. Cameron
Mr. Reid.

LICENSING (REFERENDUM) REGULATIONS 1956

PURSUANT to the provisions of section seven of the *Licensing Act* 1955, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby make the Regulations following (that is to say):—

PART I.—PRELIMINARY.

1. These Regulations may be cited as the "Licensing (Referendum) Regulations 1956" and are divided into Parts and Divisions as follows:—

Citation and
Division.

PART I.—Preliminary.

PART II.—Rolls and Electors.

PART III.—Conduct of Referendum.

- DIVISION 1.—Notice of Referendum and Question to be Submitted.
- DIVISION 2.—Declaration by Returning Officer.
- DIVISION 3.—Preliminary Arrangements by Returning Officer.
- DIVISION 4.—Arrangements for Taking Referendum.
- DIVISION 5.—Scrutineers.
- DIVISION 6.—Hours of Polling.
- DIVISION 7.—Voting by Persons Enrolled.
- DIVISION 8.—Voting by Unenrolled Voters.
- DIVISION 9.—Absent Voting.
- DIVISION 10.—General Provisions relating to the Polling.
- DIVISION 11.—How Votes to be Recorded, Counted, and Reported: Disposal of Ballot-papers.
- DIVISION 12.—Voting by Post.
- DIVISION 13.—Regulation of Referendum, Bribery, &c.
- DIVISION 14.—Offences.
- DIVISION 15.—Compulsory Voting.
- DIVISION 16.—Miscellaneous.

2. In these Regulations unless inconsistent with the context or subject-matter—

"Chief Electoral Officer" means the Chief Electoral Officer appointed pursuant to section 188 of *The Constitution Act Amendment Act 1928*.

"District" means an electoral district for the Legislative Assembly.

"Referendum," "poll," or "vote" means a vote of electors pursuant to the provisions of the *Licensing Act 1955*.

"Registrar" means an electoral registrar for a subdivision of an electoral district.

"Subdivision" means subdivision of an electoral district, and includes any unsubdivided electoral district.

Any reference to a form shall be a reference to a form in the Schedule hereto, or to any form to the like effect.

Any duty prescribed for a deputy returning officer for any district may be performed by the returning officer for that district, except in respect of the initialling or signing of ballot-papers where such returning officer is not the officer presiding at a polling booth.

Registrars appointed under the provisions of Part IV. of *The Constitution Act Amendment Act 1928* shall be registrars for the purposes of these Regulations.

Names of married women.

3.—No female elector shall because her surname has been changed by marriage be disqualified from voting under the name appearing on the roll.

Directions in forms part of Regulations.

4. The directions contained in the forms prescribed by these Regulations shall be of the same force as if they had been provisions contained in these Regulations.

Closing of rolls.

PART II.—ROLLS AND ELECTORS.

5.—(1) Rolls for the referendum shall close at Six o'clock in the afternoon of the day on which publication is made in the *Government Gazette*, pursuant to section three of the *Licensing Act 1955*, of the Proclamation fixing the day on which the referendum shall be held.

(2) The persons entitled to vote at the said referendum shall be ^{Who may} the persons who are the persons qualified to vote at elections for the ^{vote.} Legislative Assembly.

6.—(1) The divisional returning officer for every Commonwealth ^{Rolls for} electoral division in which any subdivision is situate shall as soon as ^{purposes of} practicable after the rolls for the referendum have closed—

- (a) certify sign and transmit to the State returning officer for the district a printed copy (marked as hereinafter provided) of the roll last printed for each subdivision thereof situate within such Commonwealth electoral division;
- (b) alter such copy so that (except as to any additional names contained in the supplemental roll hereinafter provided for) such copy will correspond with the roll as in force at Six o'clock in the afternoon of the aforesaid day of publication of the Proclamation;
- (c) ^{Supplemental} prepare certify sign and transmit to the said State ^{rolls.} returning officer a printed copy of a supplemental roll containing the names of all persons whose names pursuant to claims for enrolment or transfer received at any time up to Six o'clock in the afternoon on the aforesaid day of publication have been added to the roll last printed.

(2) Every such supplemental roll—

- (a) shall be in the form prescribed by Regulations under *The Constitution Act Amendment Acts*;
- (b) shall have the names thereon arranged in alphabetical order of the surnames, with a number prefixed to each name beginning at the first name with the number next in arithmetical progression after the last number on the roll last printed and continuing in like progression to the last name on the supplemental roll.

(3) For the purposes of the referendum the copy of such roll last printed and altered if necessary as hereinbefore provided together with the copy of such supplemental roll transmitted to the returning officer shall be the roll for the subdivision.

(4) Every registrar shall comply with any direction of a divisional returning officer given to enable such divisional returning officer to comply with the requirements of this Regulation.

(5) (a) An elector who has changed his residence to another place within the same subdivision or to another subdivision of the same district shall not be deemed by reason only of such change of residence to be dispossessed of the qualification in respect of which he is enrolled; and

(b) An elector who within three months before the polling day has changed his residence to another district may vote at the referendum for the district for which his name appears on the roll prepared for the purposes of the referendum for that last-mentioned district.

PART III.—CONDUCT OF REFERENDUM.

DIVISION 1.—NOTICE OF REFERENDUM AND QUESTION TO BE SUBMITTED.

7. On the day on which publication is made in the *Government Gazette*, pursuant to section three of the *Licensing Act* 1955, of the proclamation fixing the day on which the referendum shall be held, the Chief Electoral Officer shall notify the returning officer for each electoral district of the day so fixed and thereupon every such returning officer shall make all necessary arrangements to proceed accordingly to the taking of a vote on such day of electors within his electoral district. ^{Chief Electoral Officer to notify day of referendum.}

8. The question to be submitted to the vote of the electors ^{Returning officers to proceed to taking of vote.} shall be— ^{Question to be submitted.}

“Are you in favour of the extension of hotel trading hours on week-days until 10 o'clock in the evening?”

DIVISION 2.—DECLARATION BY RETURNING OFFICER.

Returning officer to make declaration.

9. Every returning officer required pursuant to section six of the *Licensing Act* 1955 and to these Regulations to take the vote in any district shall, before he enters upon any of the duties hereby assigned to him, make and sign before some justice a declaration to the effect following:—

I [A.B.] do solemnly declare that I will faithfully and impartially according to the best of my skill and judgment exercise and perform all the powers authorities and duties reposed in or required of me by the *Licensing Act* 1955 and the Licensing (Referendum) Regulations 1956 as returning officer for the electoral district of _____ at the Referendum to be held on Saturday the _____ day of _____ 1956; and I do further solemnly promise and declare that I will not at the said referendum attempt to ascertain, save in cases in which I am expressly authorized by law so to do, how any person shall vote or have voted; and that if in the discharge of my said duties at or concerning such referendum I learn or have the means of learning how any person shall vote or have voted at such referendum I will not by word or act or any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer or in compliance with the express provisions of the Licensing (Referendum) Regulations 1956.

DIVISION 3.—PRELIMINARY ARRANGEMENTS BY RETURNING OFFICER.

Public notice by returning officers.

10. The returning officers hereinbefore referred to shall forthwith after the fourteenth day before polling day give public notice, by advertisement in some newspaper published in the district or if none such is published within five days after such first-mentioned day then in a Melbourne daily newspaper, of the day of polling and the polling places appointed for such district.

Returning officer to appoint substitute.

11.—(1) The returning officer shall forthwith after the receipt of the notification by the Chief Electoral Officer of the day of polling appoint by writing under his hand some fit person to be substitute for such returning officer.

Duties of substitute.

(2) (a) If at any time the returning officer is unable through absence to do or suffer any act or thing relating to the poll, then such substitute shall do or suffer such act or thing.

(b) If the returning officer dies, or if by reason of his illness or any other unavoidable cause he is unable to do or suffer any acts or things relating to any such poll and notice of such inability is by himself or by the Chief Electoral Officer given to such substitute, then such substitute at any time shall as and for the returning officer do and suffer all such acts and things and subject in every such case to the like provisions as though he were the returning officer.

DIVISION 4.—ARRANGEMENTS FOR TAKING REFERENDUM.

Voting papers to be printed.

12. For the taking of the vote for any district the returning officer shall—

- (a) cause ballot-papers to be printed in accordance with Form A;
- (b) cause postal ballot-papers to be printed in accordance with Form I.

Booths to be erected or rooms hired.

13.—(1) For the taking of the vote the returning officer shall cause booths to be erected or rooms to be hired or otherwise provided and used as such booths at each polling place as occasion may require, but so that there shall be at each polling place one booth at least for every seven hundred and fifty electors entitled to vote at such polling place, and for any fractional number exceeding seven hundred and fifty or exceeding any multiple thereof to which the number of electors so entitled reaches.

When more than one booth where electors to vote.

(2) If under this Regulation there are more booths than one at any polling place there shall be affixed over the entrance of each booth in succession so many letters of the alphabet in their alphabetical order as denote the booth at which each elector according to the initial letter of his surname is to vote.

(3) No elector shall be permitted to vote in any booth save that which is so denoted by the initial letter of his surname.

No polling booth to be in any licensed premises.

(4) No polling booth shall be in any house licensed for the sale of fermented or spirituous liquors or upon the premises appertaining to such house.

14.—(1) The returning officer for every district is hereby empowered to take and use as a polling booth or polling booths, to be occupied for that purpose during the day of polling but no longer, upon giving seven days' notice of his intention to that effect, any room or rooms of competent space in any schoolhouse or building not used exclusively for religious services and which is supported wholly or in part by any public funds or by any perpetual endowment, or which has been built or is supported wholly or in part by any grant from the public revenue.

Use of school and other buildings as polling booths.

(2) He shall pay the full costs of repairing any injury or damage occasioned to the premises or the furniture thereof by the said use; and such damages in the event of the returning officer and the managers trustees or owners of the premises differing about the same shall be recovered by such managers trustees or owners before a court of petty sessions.

15.—(1) Each booth shall be so divided or arranged that there shall be in the same one or more inner compartments opening only into that part of the booth in which the ballot-box is kept.

How booths to be arranged and fitted.

(2) The returning officer or his deputy shall provide—

(a) in every such compartment pencils or pens and ink for the use of the electors; and

(b) for each booth a ballot-box having a lock and key and with a cleft or opening therein capable of receiving the ballot-papers.

16.—(1) The returning officer shall preside and take the poll at some one booth of such polling place within the district as he may see fit; and such polling place shall be deemed the principal polling place.

Returning officer to preside at one booth and appoint deputies at others.

(2) The returning officer shall by writing under his hand appoint a deputy to act for him and take the poll at each of the other booths of the several polling places, and may also in like manner appoint one or more persons to be poll clerks and assist himself and his several deputies in taking the poll as he may see fit.

Poll clerks appointed.

17. The returning officer may by writing under his hand appoint a relieving deputy or relieving deputies to act for him in place of himself and in place of any deputy taking the poll, and such relieving deputy or relieving deputies shall take the poll at the principal and at any other polling place within the district during the temporary absence of such returning officer or any such deputy appointed under the provisions of these Regulations (as the case may be), and while any such relieving deputy is so acting all the provisions of these Regulations shall so far as they are appropriate apply as if he were the person whom he is relieving.

Relieving deputy returning officers appointed to relieve others temporarily.

18. Every substitute of a returning officer, and every deputy returning officer and every relieving deputy and every poll clerk, shall before he enters upon any of the duties hereby assigned to him with regard to the poll make and sign before some justice a declaration to the effect following:—

Substitute deputy returning officer and poll clerk to make declarations.

I [A.B.] do solemnly declare that I will faithfully and impartially according to the best of my skill and judgment exercise and perform all the powers authorities and duties reposed in or required of me by the Licensing (Referendum) Regulations 1956, as substitute of the returning officer [or deputy returning officer or relieving deputy returning officer or poll clerk as the case may be] with regard to the poll to be taken in the electoral district of.....at the Referendum to be held on Saturday, the.....day of....., 1956; and I do further solemnly promise and declare that I will not at the said poll attempt to ascertain [add in the case of a substitute or of a deputy returning officer or of a relieving deputy returning officer save in the cases in which I am expressly authorized by law so to do] how any person shall vote or have voted at the said poll: and that if in the discharge of my duties at or concerning the said poll I learn or have the means of learning how any person shall vote or have voted thereat, I will not by word or act or by any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer or in compliance with the express provisions of the Licensing (Referendum) Regulations 1956.

Deputy
returning
officers to be
furnished
with copies
of rolls

19.—(1) Before the day of polling the returning officer—

and
ballot-papers.

- (a) shall deliver to each of the deputies for use at each polling booth copies of all rolls in force for the subdivision of the district in and for which the poll is to be taken thereat, certified (subject to the proviso in sub-regulation (2) of this Regulation) under his hand to be true copies; and
- (b) shall deliver to each deputy and himself retain such numbers respectively of the ballot-papers as are in his opinion sufficient for the use of the electors entitled to vote at each booth at which such returning officer and deputies respectively are to take the poll.

(2) Every returning officer and deputy shall keep an exact account of all such ballot-papers:

Provided that—

- (a) it shall not be necessary for the returning officer to certify to all rolls used at the poll; and
- (b) it shall be lawful for deputy returning officers to certify to rolls to be used in the polling booths at which they severally act and in any case in which any such rolls are not certified by the returning officer the deputy returning officer shall so certify; and
- (c) each ballot-paper shall be endorsed with the initials of the officer presiding at the polling booth before being handed to a voter.

DIVISION 5.—SCRUTINEERS.

How
scrutineers to
be appointed.

20.—(1) The president or chairman of any society association or body of persons approved for the purpose by the Chief Secretary or any person authorized in writing by such president or chairman shall be entitled to appoint in writing under his hand one person to be scrutineer at each polling booth at the taking of the vote.

(2) The name of any person so authorized in writing by any such president or chairman to appoint scrutineers for any district shall not later than seven days before polling day be notified by such president or chairman to the returning officer for such district.

(3) Every such scrutineer shall be entitled to be present in that part of the booth in which the ballot-papers are received.

Scrutineer
to make
declaration.

21. Every scrutineer before he acts as such at any polling booth shall make and sign before the returning officer or deputy (as the case may be) who takes the poll at such booth a declaration to the effect following:—

I [A.B.] (scrutineer at the poll in the electoral district of _____), do solemnly declare that I will faithfully observe all the provisions of the Licensing (Referendum) Regulations 1956 which relate to such my office of scrutineer; and I do further solemnly promise and declare that I will not as such scrutineer at the said poll attempt to ascertain how any person shall vote or have voted at the said poll; and that if in the discharge of my duties at or concerning the said poll I learn or have the means of learning how any person shall vote or have voted thereat, I will not by word or act or by any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer or in compliance with the express provisions of the Licensing (Referendum) Regulations 1956.

Returning
officer to
exhibit box
before taking
the poll.

22. Immediately before proceeding to take the poll at any booth the returning officer or deputy (as the case may be) shall exhibit for the inspection of the scrutineers and poll clerks who may be present the ballot-box open and empty; and shall forthwith thereafter close and lock the same being still empty and set and keep the same unopened upon the table at which he is to preside and in view of such persons as from time to time are present in the polling booth, and shall keep the key of the said box.

DIVISION 6.—HOURS OF POLLING.

Hours of
polling.

23.—(1) The polling shall commence on the day appointed for the same at eight o'clock in the forenoon and shall unless lawfully adjourned finally close at eight o'clock in the afternoon of the same day:

Provided that any person who at the time appointed for finally closing the poll is in any polling booth and is entitled to vote at such poll shall be permitted to vote.

Electors in polling booth at time for closing poll to vote.

(2) The polling shall be conducted in manner mentioned in these Regulations.

DIVISION 7.—VOTING BY PERSONS ENROLLED.

24.—(1) Every person whose name is on the electoral roll for any subdivision shall subject to the provisions of these Regulations be entitled to vote in such subdivision at any polling place for such subdivision:

Voting at referendum.

Provided that subject to these Regulations he shall in accordance with the provisions of these Regulations (a) with respect to voting by absent voters be permitted to vote at any other polling place in Victoria at which a polling booth is open if during the hours of polling he has not been and will not be within such subdivision under conditions which would permit of his voting at any polling place for such subdivision.

Provision for absent voters.

(2) It shall not be lawful for any person to vote more than once at the Referendum nor to record an absent vote at any adjourned poll.

(3) Every person guilty of a contravention of this Regulation shall be liable to a penalty of not more than Twenty pounds.

Penalty.

(4) Any vote given by any person contrary to the provisions of this Regulation shall be utterly void and of no effect.

Effect on votes.

(5) Every returning officer and deputy shall have power and authority to deal with any person reasonably suspected of committing or attempting to commit an offence against any of the provisions of this Regulation. (b)

Power of returning officer or deputy.

25. Every person tendering his vote at any polling place shall do so in manner following:—

How votes to be tendered.

(a) He shall state to the returning officer or deputy his surname and christian or other names and such other of the particulars required to be expressed in the said electoral roll for the subdivision as the returning officer or deputy may, for the purpose only of ascertaining upon the roll the name intended by such person, require; and

(b) he shall demand a ballot-paper.

26. When any person has so tendered his vote the returning officer or deputy shall ascertain that the name given by such person is on the said electoral roll for the subdivision for which such polling place is appointed.

Duty of returning officer or deputy on vote being tendered. "Prescribed questions."

27.—(1) The returning officer or deputy shall put to any person tendering his vote the following question:—

(i) Have you already voted in any electoral district to-day?
[in the case of an adjourned poll the day from which the poll was adjourned should also be named.]

(2) The returning officer or deputy may, if he thinks fit, and shall if required by any scrutineer or by any two persons entitled to vote at the polling place at which he presides put to any person tendering his vote the following questions:—

(ii) Are you the person whose name appears as (A.B., No.) on the electoral roll for the subdivision of the electoral district of ?

(iii) Do you now reside in the electoral district of [district aforesaid]?

(iv) (If the answer to the question numbered (iii) be in the negative)—

Did you reside in the electoral district of [the district aforesaid] at any time within the last three months?

(v) Are you a natural-born or naturalized subject of Her Majesty?

28. Every question which under the provisions of this Division any returning officer or deputy is authorized or required to put to any person tendering his vote shall be put to such person before he has received a ballot-paper but not afterwards.

Questions to be put before delivery of ballot-paper.

(a) See Regulations 48-59. (b) See Regulation 66 re Police assistance.

Refusal or omission to answer questions or not answering so as to show right to vote.

29.—(1) Every person tendering his vote to whom any of the prescribed questions are so put and who—

- (a) refuses or omits distinctly to answer the same and each part thereof; or
- (b) does not answer the question numbered (i) absolutely in the negative; or
- (c) does not answer the question numbered (ii) absolutely in the affirmative and truly state the subdivision in respect of which his present qualification arises; or
- (d) does not answer the question numbered (iii) absolutely in the affirmative; or if he answers the same in the negative does not answer the question numbered (iv) absolutely in the affirmative; or
- (e) does not answer absolutely in the affirmative the question numbered (v) so far as it applies to his claim to vote—

Prohibition from voting.

shall be and be deemed to be prohibited from voting then or afterwards at the referendum; and shall be guilty of an offence, and shall be liable to a penalty of not more than Twenty pounds. ^(a)

Penalty.

Power of returning officer or deputy.

(2) Every returning officer and deputy shall have power and authority to deal with any person reasonably suspected of committing or attempting to commit any such offence. ^(b)

Naturalized person.

(3) Any person tendering his vote who answers to the question numbered (v) that he is a naturalized subject of Her Majesty, but fails to produce his letters of naturalization on being required to do so by the returning officer or deputy shall be and be deemed to be prohibited from voting at such poll unless he makes and signs before the returning officer or deputy a declaration in accordance with Form B.

Voter required to sign book.

30.—(1) The returning officer or deputy if he thinks fit may, and if called upon to do so by any scrutineer or by any two persons entitled to vote at the polling place at which he presides shall require any person tendering his vote before he receives a ballot-paper to sign his name in a book to be kept for that purpose. ^(c)

Penalty for not making declaration or not signing name in book.

(2) Every person having tendered his vote who being required to make any declaration as aforesaid or to sign his name as aforesaid refuses or omits so to do shall be and be deemed to be prohibited from voting then or afterwards at the referendum; and shall be guilty of an offence, and shall be liable to a penalty of not more than Twenty pounds.

Duty of returning officer when voter's name appears in roll.

31. When any person has tendered his vote and the name in which he demands to vote is on the said electoral roll for the subdivision for which such person is entitled to vote the returning officer or deputy shall unless such person is prohibited from voting for some of the causes mentioned in these Regulations—

- (a) initial a ballot-paper and deliver the same to such person; and
- (b) forthwith mark upon a certified copy of such roll against the name of such person the fact of his having received such ballot-paper.

DIVISION 8.—VOTING BY UNENROLLED VOTERS.

Vote of person whose name is not on roll used at polling booth but entitled to be enrolled.

32. Notwithstanding anything in these Regulations when any person who is entitled to be enrolled on a roll for a subdivision claims to vote at the poll in that subdivision and his name has been omitted from or struck out of the roll being used at such poll owing to an error of an officer or of any person performing the duties of an officer under Division seven of Part IV. of *The Constitution Act Amendment Act 1928* or owing to a mistake of fact such person may be permitted to vote if—

- (a) in the case of a person whose name has been omitted from the roll—
 - (i) he sent or delivered to the registrar for the subdivision a duly completed claim for enrolment or transfer of enrolment (as the case requires) in respect of the subdivision and the claim was received by the registrar not later than Six o'clock in the afternoon on the day on which the rolls for the referendum closed; and

(a) See Regulation 113. (b) See Regulation 66 (2) re Police assistance.
(c) See Regulation 110 as to making a mark in case of inability to write.

- (ii) from the time of sending or delivering the said claim and until Six o'clock in the afternoon on the said day he continuously retained his right to be enrolled for the said subdivision and he did not after sending or delivering the claim and before Six o'clock in the afternoon on the said day become qualified for transfer of enrolment to another subdivision; or
- (b) in the case of a person whose name has been struck out of the roll—
 - (i) his name was not to the best of his knowledge removed from the roll for the subdivision owing to objection or transfer of enrolment or duplication of enrolment or disqualification; and
 - (ii) he had from the time of his enrolment for the subdivision until Six o'clock in the afternoon on the said day continuously retained his right to enrolment for that subdivision—

and makes a declaration in accordance with Form C before the returning officer or deputy.

33. The ballot-paper to be used by an elector voting under Regulation 32 shall be in accordance with Form D, and shall be marked, folded, and returned in accordance with the directions thereon.

34. Every person who makes a false declaration under this Division for the purpose of voting shall be liable to a penalty of not more than Twenty pounds. Penalty for false declaration.

35. Before any person makes any declaration under this Division the returning officer or deputy shall warn him that if he makes a false declaration he will be liable to such penalty. Caution.

36.—(1) Before an elector makes a declaration under this Division the returning officer or deputy shall put to him the following questions:— Prescribed questions.

- (i) Have you already voted in any electoral district to-day?
(*In the case of an adjourned poll, the day from which the poll was adjourned should also be named.*)
- (ii) Have you received a postal ballot-paper enabling you to vote at the poll for any electoral district to-day?
(*In the case of an adjourned poll, the day from which the poll was adjourned should also be named.*)

and may, if he thinks fit, and, if required by any scrutineer or by any two persons entitled to vote at the polling place at which he presides, shall put to any elector the following questions:—

- (iii) Do you now reside in the electoral district of [*the district for which the person claims to vote*]?
- (iv) (*Where the answer to the question numbered (iii) is in the negative*)—
Did you reside in the electoral district of [*the district aforesaid*] at any time within the last three months? and
- (v) Are you a natural-born or naturalized subject of Her Majesty?

(2) Every elector to whom any of the prescribed questions are put who refuses or omits to answer such questions or in answering them does not show his right to vote shall be and be deemed to be prohibited from voting then or afterwards at the poll. Refusal or omission to answer questions.

(3) The provisions of Regulation 29 (3) shall apply to a person claiming to vote under this Division. Naturalized person.

37. If the returning officer or deputy is satisfied from the answers to the questions put to the person so claiming to vote that he is entitled to vote— Allowance of vote. Ballot-papers.

- (a) such person may be allowed to vote on making a declaration in accordance with Form C before the returning officer or deputy;
- (b) the officer presiding at the polling booth shall initial a ballot-paper and deliver the same to such person;
- (c) such person shall mark and fold his ballot-paper and return it so folded to the returning officer or deputy;
- (d) the returning officer or deputy—
 - (i) shall thereupon in the presence of the voter and of such scrutineers as are present and without unfolding the ballot-paper enclose it in an

- envelope bearing the declaration of the voter and addressed to the returning officer for the district; and
- (ii) shall forthwith securely fasten the envelope and deposit it in the ballot-box.

Initiating
ballot-papers.

38. Before issuing a ballot-paper to any elector every officer presiding at a polling booth shall on the front thereof initial the ballot-paper in the space provided for the purpose.

Blind and
illiterate
persons.

39. If any person claiming to vote under the provisions of this Division satisfies the returning officer or deputy returning officer that he is blind or that his sight is so impaired or that he is otherwise so physically incapable that he is unable to make the prescribed declaration or (as the case may be) to vote without assistance or that he is unable to read or write the returning officer or deputy shall—

- (a) at the request of such person and for him and in the presence of a witness if so desired by such person fill in the form of the declaration with the required particulars as requested by such person and shall thereupon in the presence of such witness (if any) read over to such person the form of the declaration;
- (b) require such person to sign the form of the declaration—
 - (i) in his own handwriting if he is able so to do; or
 - (ii) with his mark as his personal signature if he is unable to sign his name in his own handwriting;
- (c) cause the signature of such person if made by means of a mark to be witnessed;
- (d) complete and attest the declaration; and
- (e) if such person is permitted to vote shall at the request of such person and for him and in the presence of a witness if so desired by such person mark and fold the ballot-paper for the voter; or shall at the request of such person permit some other person appointed by him to mark, fold and return the ballot-paper to the returning officer or deputy for him—

and shall thereupon proceed as if such ballot-paper so folded had been returned to him by the voter.

Deputy's
record.

40. Every deputy returning officer shall make a record of the full name of every elector who, under this Division, votes at the polling place at which such deputy presides, together with the name of the district and subdivision for which the elector claims to vote and the name of the polling place at which the vote is polled, as indicated on the form of declaration, and at the close of the poll shall sign and forward the record to the returning officer.

Transmission
of votes to
registrars.

41.—(1) Every deputy returning officer, who is authorized under the provisions of these Regulations to open the ballot-box shall forthwith—

- (a) without opening any envelopes containing votes of electors transmit such envelopes to the registrars for the respective subdivisions for which the electors claim that they are entitled to vote; and
- (b) furnish a report to the returning officer by telegraph, or by such other expeditious means as may be available, stating the total number of envelopes forwarded to such registrars.

Report.

Returning
officer to
furnish name
and address
of registrar.

(2) The returning officer for every district shall, before polling day, notify every deputy of the name and address of the registrar to whom declaration envelopes containing ballot-papers of electors shall be transmitted.

Subsequent
dealing with
ballot-papers,
&c.

42. The registrar on receipt of the envelope containing the ballot-paper as aforesaid shall without opening the envelope or allowing any other person to do so examine the declaration of the voter, and after making such inquiry as may be necessary return the envelope unopened to the returning officer and report to him whether in his opinion the person claiming to vote is or is not a person to whom paragraph (a) or (b) of Regulation 32 applies.

Note of
refusal of
claim.

43. Where the claim of any person to vote under this Division is refused the returning officer or deputy shall make a note in writing of the fact of the claim and the reasons for the refusal thereof and the returning officer or deputy and a poll clerk shall sign the note in the presence of such scrutineers as are present. Any of those scrutineers may also sign the note.

44. Every returning officer shall preserve in his custody—

Records and
Ballot-box.

- (a) a book in which he shall keep a record from time to time of the number of envelopes bearing declarations received by him from electoral registrars; and
- (b) a locked and sealed ballot-box marked "Unenrolled Voters' Ballot-box" into which he shall forthwith place all such envelopes.

45. Upon the receipt from registrars of all envelopes containing votes of electors the returning officer shall, in the presence of the scrutineers and poll clerk (if any), but of no other person, deal with the said envelopes and ballot-papers as follows:—

Procedure as
to opening
envelopes and
extracting
ballot-papers.

- (a) Open the ballot-box and produce all envelopes contained therein;
- (b) place in one parcel the unopened envelopes bearing the duly-signed and attested declarations of persons who, according to the registrars' reports, are persons to whom paragraph (a) or (b) of Regulation 32 applies, and accept for further scrutiny the ballot-papers contained therein;
- (c) place in another parcel all of the remaining unopened envelopes bearing or purporting to bear the declarations of unenrolled voters, namely—
 - (i) those envelopes in respect of which the Registrars have reported that the persons concerned are not persons to whom either of the paragraphs of the said Regulation applies; and
 - (ii) any other envelopes in respect of which the declarations thereon have not been duly signed and attested,
 fasten and seal the parcel, endorse thereon the words "Unenrolled Voters' Ballot-papers rejected at the preliminary scrutiny," and add the name of his district, his signature, and the date;
- (d) place the envelopes containing the ballot-papers which he has decided to accept for further scrutiny before him on a table in such a manner that the face only of each envelope bearing the address of the returning officer shall be visible;
- (e) without further examining the declaration of any voter, or permitting any other person to do so, withdraw from each envelope the ballot-paper contained therein, and without inspecting or unfolding such ballot-paper, or allowing any other person to do so, forthwith deposit the folded ballot-paper in a locked and sealed ballot-box for further scrutiny;
- (f) place the envelopes in a parcel endorsed with the words "Envelopes bearing unenrolled voters' declarations from which ballot-papers have been withdrawn for further scrutiny", fasten the parcel, add the name of the district, his signature, and the date; and
- (g) at the further scrutiny open the ballot-box, examine the ballot-papers contained therein, reject all informal ballot-papers, and count the votes given for and against the question.

Counting of
votes.

46. The provisions of Regulation 73 in regard to the rejection of invalid ballot-papers shall apply to ballot-papers under this Division.

Invalid
ballot-papers.

47. As soon as practicable after polling day every returning officer shall enclose all parcels of ballot-papers, envelopes, and records in a sealed packet, which shall be disposed of as hereinafter provided.

Ballot-papers
&c. to be
placed in
sealed parcels.

DIVISION 9.—ABSENT VOTING.

48. (a) The following provisions shall have effect with respect to voting by absent voters at any poll:—

Provisions
as to voting
by absent
voters.

- (1) The exercise of the right of voting at a polling place as an absent voter is dependent upon the arrangements at the polling place at which the elector claims to vote as an absent voter being such as to enable the vote to be recorded without interference with the rights of the electors enrolled for the subdivision for which the polling place is appointed.

(a) See also Regulations 24 and 68.

(2) Every person tendering his vote as an absent voter at any polling place shall—

(a) state to the returning officer or deputy—

(i) his surname and christian or other name or names;

(ii) his residence and occupation;

(iii) the district for which he is enrolled; and

(iv) to the best of his knowledge, the subdivision for which he is enrolled; and

(b) demand a ballot-paper.

Questions to voters.

49.—(1) The returning officer or deputy shall put to any person tendering his vote as an absent voter the following questions:—

(a) (i) Have you already voted in any electoral district to-day?

(ii) Have you received a postal ballot-paper enabling you to vote at the poll for any electoral district to-day?

The returning officer or deputy may if he thinks fit and shall if required by any scrutineer put to any such person the following questions or any of them:—

(b) Are you enrolled on the electoral roll for the subdivision of the electoral district of *[the district in respect of which such person claims to vote]*?

(c) Do you now reside in the electoral district of *[the district aforesaid]*?

(d) *(If the answer to question (c) is in the negative)*—Did you reside in the electoral district of *[the district aforesaid]* at any time during the last three months?

(e) Are you a natural-born or naturalized subject of Her Majesty?

Questions to be put before delivery of ballot-paper.

(2) Every question which every returning officer or deputy is authorized or required to put to any person tendering his vote shall be put to such person before he has received a ballot-paper but not afterwards.

Refusal or omission to answer questions or not answering so as to show right to vote.

(3) (a) Every person tendering his vote to whom any of the prescribed questions are so put and who—

(i) refuses or omits distinctly to answer the same and each part thereof; or

(ii) does not answer question (a) (i) or (a) (ii) absolutely in the negative or if he answers question (a) (ii) in the affirmative does not deliver up his postal ballot-paper unmarked; or

(iii) does not answer question (b) absolutely in the affirmative and state the district and to the best of his knowledge the subdivision for which he is enrolled; or

(iv) does not answer question (c) absolutely in the affirmative; or if he answers the same in the negative does not answer question (d) absolutely in the affirmative; or

(v) does not answer absolutely in the affirmative question (e) so far as applies to his claim to vote—

shall be and be deemed to be prohibited from voting then or afterwards at the referendum; and shall be guilty of an offence and shall be liable to a penalty of not more than Twenty pounds.

Power of returning officer or deputy.

(b) Every returning officer and deputy shall have power and authority to deal with any person reasonably suspected of committing or attempting to commit any such offence^(a).

Naturalized person.

(c) Any person tendering his vote who answers question (e) that he is a naturalized subject of Her Majesty, but fails to produce his letters of naturalization after being required to do so by the returning officer or deputy shall be and be deemed to be prohibited from voting at any poll unless he makes and signs before the returning officer or deputy a declaration in accordance with Form B.

Form of declaration.

(4) (a) If the returning officer or deputy is satisfied from the answers to the questions put to the person so tendering his vote that he is entitled to vote such person may be allowed to vote as an absent voter on making a declaration before the returning officer or deputy.

(b) The declaration of an absent voter shall be in accordance with Form E, and shall be on an envelope addressed to the returning officer for the district for which the elector declares that he is enrolled.

(a) See Regulation 66 (2) re Police assistance.

(c) Before any person makes any declaration for absent voting the returning officer or deputy shall warn him that if he personates any elector for the purpose of voting, or knowingly makes a false declaration, he will be guilty of an offence. Warning to voter.

50. The ballot-paper of an absent voter shall be in accordance with Form F, and shall be marked, folded, and returned in accordance with the directions printed thereon. Form of ballot-paper.

51. Before issuing an absent voter's ballot-paper every officer presiding at a polling-booth shall on the front thereof initial the ballot-paper in the space provided for the purpose. Ballot-papers to be initialed.

52. If any person claiming to vote as an absent voter satisfies the returning officer or deputy returning officer that he is blind or that his sight is so impaired, or that he is otherwise so physically incapable that he is unable to make any prescribed declaration or (as the case may be) to vote without assistance, or that he is unable to read or write, the returning officer or deputy shall— Blind, physically incapable voters.

- (a) at the request of such person and for him, and in the presence of a witness if so desired by such person, fill in the form of declaration with the required particulars as requested by such person and shall thereupon in the presence of such witness (if any) read over to such person the form of the declaration;
- (b) require such person to sign the form of the declaration—
 - (i) in his own handwriting if he is able to do so; or
 - (ii) with his mark as his personal signature if he is unable to sign his name in his own handwriting;
- (c) cause the signature of such person, if made by means of a mark, to be witnessed;
- (d) complete and attest the declaration; and
- (e) if such person is permitted to vote, at the request of such person and for him and in the presence of a witness, if so desired by such person, mark and fold the ballot-paper for the voter, or shall at the request of such person permit some other person appointed by him to mark, fold and return the ballot-paper to the returning officer or deputy for him;

and shall proceed as if such ballot-paper so folded had been returned to him by the voter.

53.—(1) Where a person votes as an absent voter he shall mark and fold his ballot-paper and return it so folded to the returning officer or deputy. Ballot-paper how to be dealt with.

(2) The returning officer or deputy—

- (a) shall thereupon in the presence of the voter and of such scrutineers as are present and without unfolding the ballot-paper enclose it in an envelope bearing the declaration of the voter and addressed to the returning officer for the district for which the voter declares that he is enrolled; and
- (b) shall forthwith securely fasten the envelope and deposit it in the ballot-box.

54. Every deputy returning officer shall make a record of the full name of each elector who has voted at his polling place as an absent voter, together with the name of the district and subdivision for which the elector declares that he is enrolled and the name of the polling place at which the vote is polled, as indicated on the form of declaration, and at the close of the poll shall forward the record duly certified to the returning officer for the district in respect of which the deputy is appointed. Deputy's record.

55.—(1) Every deputy returning officer who is authorized under the provisions of these Regulations to open the ballot-box shall forthwith without opening any envelopes containing absent votes enclose such envelopes in a separate parcel, endorse such parcel with a description of the contents thereof, sign and date such endorsement and forward such parcel together with the sealed parcels required to be transmitted by these Regulations to the returning officer for the district in respect of which the deputy returning officer is appointed. Procedure at close of poll.

(2) The returning officer shall advise the returning officers for other districts by telegraph of the number of absent votes polled for those districts within the district for which the first-mentioned returning officer acts and shall transmit to the said returning officers in separate parcels and by the first available mail the envelopes containing the absent votes so polled. Returning officer to inform returning officers of other districts and forward ballot-papers.

Returning
officer's
Record Book.

56. Every returning officer shall preserve in his custody—

Ballot-box.

(a) a book in which he shall record from time to time the number of envelopes bearing absent voters' declarations received by him from returning officers of other districts; and

(b) a locked and sealed ballot-box marked "Absent Voters' Ballot-box" into which he shall forthwith place all envelopes bearing absent voters' declarations received by him from such returning officers.

Ballot-papers
how to be
dealt with.

57. Upon the receipt by a returning officer of envelopes containing absent votes, the returning officer shall, in the presence of the scrutineers present and poll clerk (if any), but of no other person, deal with the said envelopes and ballot-papers as follows:—

(a) open the ballot-box and produce all envelopes containing absent voters' ballot-papers;

(b) place in one parcel the unopened envelopes bearing the duly signed and attested declarations of those persons who he is satisfied are enrolled for and entitled to vote in respect of his district, accept for further scrutiny the ballot-papers contained therein and place a mark opposite the name of each of such persons on a certified copy of the roll to be used by him for the purposes of the scrutiny;

(c) place in another parcel the unopened envelopes bearing the declarations of those persons who he is satisfied are not enrolled or are not entitled to vote in respect of his district, or whose declarations are not duly signed and attested, fasten and seal the parcel, endorse thereon the words "Absent voters' ballot-papers rejected at the preliminary scrutiny," and add the name of his district, his signature, and the date;

(d) place the envelopes containing the ballot-papers which he has decided to accept for further scrutiny before him on a table in such a manner that the face only of each envelope bearing the address of the returning officer shall be visible;

(e) without further examining the declaration of any voter, or permitting any other person to do so, withdraw from each envelope the ballot-paper contained therein, and without inspecting or unfolding such ballot-paper or allowing any other person to do so, forthwith deposit the folded ballot-paper in a locked and sealed ballot-box for further scrutiny;

(f) place the envelopes in a parcel endorsed with the words, "Envelopes bearing absent voters' declarations from which ballot-papers have been withdrawn for further scrutiny", fasten the parcel, add the name of the district, his signature, and the date; and

Further
scrutiny.

(g) at the further scrutiny open the ballot-box, examine the absent voters' ballot-papers contained therein, reject all informal ballot-papers, and count the votes given for and against the question.

Invalid
ballot-papers.

58. The provisions of Regulation 73 in regard to the rejection of invalid ballot-papers shall apply to absent voters' ballot-papers.

Disposal of
ballot-papers
&c.

59. As soon as practicable after polling day every returning officer shall enclose all ballot-papers, rolls, envelopes, and records relating to absent voting in a sealed packet which shall be disposed of as hereinafter provided.

DIVISION 10.—GENERAL PROVISIONS RELATING TO THE POLLING.

Persons
entitled to be
present in
polling booth.

60. The returning officer or deputy, the poll clerks, and scrutineers duly appointed, and any voters not exceeding six in number being actually engaged in voting, to be designated if necessary by the returning officer or deputy, shall alone be permitted at any one time to enter or remain in the polling booth during the taking of the poll.

Declaration
against
bribery.

61.—(1) The returning officer or deputy if he thinks fit may, and if called upon to do so by the scrutineer shall, require any person tendering his vote before he receives a ballot-paper to make a solemn declaration against bribery in the manner and form following:—

I [A.B.] do solemnly declare that I have not received or had by myself or any other person whomsoever in trust for me or for my use or benefit or for the use or benefit of any member

of my family or kindred or any friend or dependant directly or indirectly any sum of money office place of emolument gift or reward or any promise or security for, nor do I expect to receive, any money office place of emolument gift or reward, by way of consideration either expressed implied or understood for giving my vote at this referendum.

(2) Every person who tenders his vote and being required to make such declaration refuses or omits to do so—

- (a) shall be and be deemed to be prohibited from voting then or afterwards at such referendum; and
- (b) shall be guilty of an offence and shall be liable to a penalty of not more than Twenty pounds. ^(a)

(3) Every person who being required to make a declaration under this Regulation knowingly makes a false declaration shall be liable to a penalty of not more than Twenty pounds.

62.—(1) If at any polling booth any ballot-paper has been delivered to any person having tendered his vote, and if any other person afterwards tenders his vote at such booth as of the same person in whose name such first-mentioned person has received such ballot-paper, the returning officer or deputy shall put to the person so secondly tendering his vote such of the questions authorized or required by these Regulations to be put as apply to the claim of such person to vote; and shall before such person receives a ballot-paper require him to sign his name ^(b) in the book to be kept as provided in Regulation 30 for signatures of persons claiming to vote.

Duty of returning officer when a second vote is tendered for one name.

(2) Such person shall be dealt with in all respects in like manner as any other person having tendered his vote; but the ballot-paper of such person shall not be deposited in the ballot-box or allowed by the returning officer or deputy, and shall be placed in an envelope in accordance with Form G and shall be set aside by the returning officer or deputy for separate custody.

"Set aside" ballot-papers.

(3) Every person who being required to sign his name refuses or omits so to do shall be liable to a penalty of not more than Twenty pounds. ^(a)

Penalty.

63.—(1) Notwithstanding anything in these Regulations contained if at the poll any person to whom a ballot-paper has been delivered at any polling booth satisfies the returning officer or deputy that he is blind or that his sight is so impaired or that he is otherwise so physically incapable that he is unable to vote without assistance or that he is unable to read or write, such returning officer or deputy shall, at the request of such person and for him and in the presence of a witness if so desired by such person, mark the ballot-paper and fold and deposit the same in the ballot-box; or shall at the request of such person permit some other person appointed by him to mark fold and deposit the ballot-paper in the ballot-box for him.

How vote of blind disabled or uneducated voter &c. to be taken.

(2) Notwithstanding anything in these Regulations contained if at the poll any person satisfies the returning officer or deputy, before his ballot-paper is deposited in the ballot-box, that he has spoilt it by a mistake or accident he may, on giving it up, receive a new ballot-paper from the returning officer or deputy, who shall there and then cancel and retain the spoilt ballot-paper writing the word "Spoilt" thereon.

Spoilt ballot-papers.

64.—(1) During the polling no person shall—

- (a) take any ballot-paper out of the polling booth or to any place in the polling booth save to one of the compartments aforesaid or the ballot-box; or
- (b) enter any such compartment while any other person is therein; or
- (c) being in such compartment remain there for a longer time than is reasonably required for the purpose of marking his ballot-paper.

No ballot-paper to be taken out of polling booth.

(2) Every person wilfully offending against the preceding provisions of this Regulation or otherwise obstructing or unnecessarily delaying the proceedings at any such polling shall be liable to a penalty of not more than Twenty pounds.

Obstruction of proceedings an offence.

65.—(1) The following acts are on polling day, and on all days to which the polling is adjourned, hereby prohibited within thirty feet of or at the entrance of or within a polling place, namely:—

Prohibition of canvassing near polling places.

- (a) canvassing for votes; or

(a) See Regulation 113. (b) See Regulation 110 as to making a mark in case of inability to write.

- (b) soliciting the vote of any elector; or
- (c) inducing any elector not to record his vote for or against the question submitted; or
- (d) inducing any elector not to vote at the poll.

(2) Every person guilty of a contravention of any of the provisions of this Regulation shall be liable to a penalty of not more than Twenty pounds.

Powers of
returning
officer or
deputy.

(3) Every returning officer and deputy shall have power and authority to deal with any person reasonably suspected of committing or attempting to commit an offence against any of the provisions of this Regulation.^(a)

Further
powers of
returning
officer or
deputy under
these
Regulations.

66.—(1) Every returning officer and deputy shall have power and authority—

- (a) to maintain order and keep the peace at any polling held by him; and
- (b) to cause to be removed any person who obstructs the approaches to any polling booth or wilfully or unnecessarily obstructs or delays the proceedings at the polling or conducts himself in a disorderly manner or causes a disturbance at any poll.

(2) All members of the police force shall aid and assist any returning officer or deputy in the performance of his duty.^(b)

Adjournment
of polling if
interrupted by
riot or open
violence or
other
unavoidable
and serious
cause.

67. When the proceedings for taking the poll are interrupted or obstructed at any place by any riot or open violence or other unavoidable and serious cause (whether of the same character as those previously mentioned or not) the returning officer or deputy (as the case may be) shall not for such cause finally close the poll, but shall adjourn the taking of the poll at the polling place at which such interruption or obstruction has happened to the following day; and if necessary the returning officer or deputy shall further adjourn the poll until such interruption or obstruction has ceased, when the returning officer or deputy shall again proceed with the taking of the poll at the place at which the same was so interrupted or obstructed.

Adjournment
of polling
where poll
not opened.

68. If from any cause no polling has been opened at any booth of a polling place for any district on polling day, the polling at such booth shall stand adjourned to a day not later than seven clear days following the day upon which such polling was to have taken place; and the returning officer or deputy (as the case may be) shall forthwith cause public notice to be given thereof. The provisions of these Regulations^(c) with respect to voting by absent voters shall not in the case of an adjournment under this or the last preceding Regulation enable any person to vote as an absent voter on any day to which the taking of the poll or the poll is adjourned.

On
adjournment
by deputy
notice to be
given to
returning
officer and
chief electoral
officer.
Poll not to
be void for
want of or
defect in title
of officers.

69. Where any poll has by any deputy been adjourned as provided in either of the two last preceding Regulations the deputy shall forthwith give notice thereof to the returning officer, who shall forthwith report the fact to the chief electoral officer.

Nor for
omission &c.
of a formal
nature.
Governor in
Council to
take measures
to cure defect.

70.—(1) No poll or polling at the referendum shall be liable to be questioned by reason only of any defect in the title or any want of title of the person by or before whom such poll or any polling for the same has been held, if such person has been actually appointed to preside or has been acting in the office giving the right so to preside at such poll or polling.

(2) No poll shall be void in consequence only of there having been no returning officer at any time during the taking of the vote.

(3) (a) Where any accidental or unavoidable impediment misfeasance or omission has happened, the Governor in Council may by Order—

take all such measures as may be necessary for removing such impediment or rectifying such misfeasance or omission; or
declare any or all of the proceedings at or for the referendum or any polling thereat valid as to and notwithstanding such impediment misfeasance or omission.

(b) Every such Order in Council shall state specifically the nature of the impediment misfeasance or omission and shall be forthwith published in the *Government Gazette*.

(a) See Regulation 66 re Police assistance.

(b) See also Regulations 24 (5), 29 (2), 49 (3) (b), 65 (3) and 105 (2). (c) See Division 9 of Part. III.

71. If the returning officer of any district or if any person having been appointed to act as such returning officer or his substitute or deputy and undertaken so to act, is guilty of any wilful misfeasance or wilful or negligent act of commission or omission contrary to any of the provisions of these Regulations and not otherwise provided for, he shall be liable to a penalty of not more than Twenty pounds.^(a)

Penalty for neglect &c. by returning officer.

DIVISION 11.—HOW VOTES TO BE RECORDED, COUNTED, AND REPORTED:
DISPOSAL OF BALLOT-PAPERS.

72. Every person to whom a ballot-paper has been delivered shall—

How vote to be recorded.

- (a) forthwith retire alone to some unoccupied compartment of the polling booth;
- (b) there alone and without delay mark his vote on the ballot-paper in manner required by these Regulations;
- (c) forthwith fold up the ballot-paper in such manner as will conceal the vote; and
- (d) deposit it in the ballot-box in the presence of the returning officer or deputy.

73.—(1) Every elector shall record his vote by placing the number 1 in the square on the ballot-paper opposite the answer for which he desires to give his vote.

Mode of voting.

(2) Any ballot-paper which does not contain the number 1 in the square opposite one of the answers or which contains the number 1 in the square opposite each of the answers shall be informal and shall not be counted, but otherwise a ballot-paper shall not be rejected for informality.

Informal votes.

74. The procedure by the returning officer and deputy returning officers for each district to ascertain the number of votes for and against the question submitted shall be as follows:—

Procedure to ascertain number of votes.

- (a) Immediately upon the close of the poll the returning officer and every deputy at the polling booth at which each presides shall in the presence and subject to the inspection of such of the scrutineers as choose to be present and the poll clerk (if any) and of no other persons—

The counting of votes at the polling booth.

- (i) open each ballot-box at such polling booth;
- (ii) count all votes given for and against the question (other than votes of unenrolled voters and absent votes); and
- (iii) make and keep a record of the number of votes counted from each ballot-box.

- (b) Each deputy shall in respect of the polling booth at which he presides—

- (i) certify a list of the number of such votes given for and against the question, verified as well by the signature of the deputy and the poll clerk (if any) as by the signatures of such of the scrutineers as are present and consent to sign the same;

Duties of deputies.

- (ii) make out an account verified as aforesaid in which such deputy shall charge himself with the number of ballot-papers originally delivered to him specifying therein the number thereof delivered to and used by voters and the number not so delivered or left unused and the number set aside for separate custody^(b) and the number cancelled as spoilt^(c);

- (iii) make up in one parcel the ballot-papers which have been used in voting at the said polling booth during the polling; in another separate parcel the ballot-papers which have remained unused thereat; in another separate parcel the ballot-papers which have been set aside for separate custody thereat^(b) and also the ballot-papers cancelled as spoilt^(c); and in another separate parcel the certified copies of rolls supplied to the said deputy signed by him or (as the case may be) the copies of rolls certified by the said deputy^(d) and all books rolls and papers kept or used by him during the polling;

(a) See Regulation 113.

(b) See Regulation 62 (2). (c) See Regulation 63 (2). (d) See Regulation 19.

- (iv) seal up the said several parcels and permit any scrutineer who desires so to do to affix his seal to such parcels;
- (v) endorse the said parcels severally with a description of the contents thereof and with the name of the district the name of the subdivision and polling booth and the date of polling and sign his name to such endorsement; and
- (vi) transmit such list and such account and such sealed parcels to the returning officer.

Duties of
returning
officer at the
booth at
which he
presides.

- (c) The returning officer shall in respect of the polling booth at which he presides—
 - (i) make out a list of votes given for and against the question and a like account of the ballot-papers as herein required in the case of deputies duly verified by the signatures of the returning officer the poll clerk (if any) and of such of the scrutineers as are present and consent to sign the same; and
 - (ii) seal up in separate parcels in respect of the said polling booth the ballot-papers books rolls and papers used by him during the polling and endorse the same in like manner as is herein required in the case of deputies.

Further
general duties
of returning
officer to
ascertain the
result of the
voting.

75. The returning officer shall as soon as practicable—

- (i) ascertain from the list made out by himself as aforesaid and the certified lists received from the deputies the number of votes given for and against the question; and
- (ii) add the votes so given to the votes given by the allowed postal ballot-papers and by votes of unenrolled voters and absent voters returned and allowed under the provisions of Divisions 8 and 9 of this Part so as to ascertain the total number of votes given for and against the question respectively.

Adjournment
of count of
votes.

76.—(1) If on the date of the polling the count of the votes by the returning officer cannot be completed he shall adjourn such count and inform the scrutineers and the officers appointed to assist him at such count as regards the time and place when and where such count will be continued and conducted by him.

Further
adjournments.

(2) The count of the votes may from time to time be adjourned as the returning officer deems necessary until it has been duly completed; and each adjournment shall be announced by the returning officer to the scrutineers and the officers assisting him.

Before
adjournment
ballot-papers
&c. to be
sealed in
ballot-boxes.

(3) Before every adjournment of the count of the votes—

- (a) all ballot-papers and other documents connected with such count shall be placed in one or more ballot-boxes; and
- (b) the returning officer shall then in the presence of such scrutineers and officers as are present seal such ballot-box or boxes; and before recommencing the count the seal on such ballot-box or boxes shall be exhibited unbroken to such of the scrutineers and officers as are present.

Recount of
votes.

77.—(1) At any time before the result of the voting is notified by the Chief Electoral Officer in the *Government Gazette*, the Returning Officer for any electoral district in the presence of any scrutineer (if present) appointed pursuant to these Regulations may, if he thinks fit, and shall, if directed by the Chief Electoral Officer, open any sealed parcel containing ballot-papers and recount the votes contained therein.

(2) The returning officer conducting such a recount shall have the same powers as the returning officer or any deputy returning officer in an ascertainment of the number of votes polled for or against the question and may reverse any decision in relation to such ascertainment as to the allowance and admission or disallowance and rejection of any ballot-paper.

(3) The returning officer conducting such a recount may, and at the request of any scrutineer shall reserve any ballot-paper for the decision of the Chief Electoral Officer.

(4) The Chief Electoral Officer shall decide whether any ballot-paper reserved for his decision in pursuance of this Regulation is to be allowed and admitted or disallowed and rejected.

78. The returning officer shall as soon as conveniently may be after the date of the polling report to the Chief Electoral Officer the total number of votes given for and against the question respectively.

Reporting number of votes to Chief Electoral Officer.

79. (a) (1) The returning officer shall as soon as practicable after the date of the polling enclose in separate packets all the parcels transmitted to him as provided in these Regulations and those made up and sealed by himself in respect of the polling booth at which he has presided.

Separate parcels to be enclosed in packets according to class and sealed &c.

(2) He shall enclose in one separate packet all parcels of used ballot-papers except used ballot-papers herein specifically provided for; in another all parcels of unused ballot-papers including all ballot-papers which have been printed for the poll and not distributed for use to his deputies; in another all parcels of ballot-papers set aside under these Regulations^(b) and also all ballot-papers cancelled as spoilt^(c); in another all parcels containing copies of rolls books and other papers; and shall enclose in another all ballot-papers of unenrolled voters and the envelopes containing the same and in another all ballot-papers of absent voters and the envelopes containing the same.

(3) He shall seal up the several packets and endorse the same with a description of the contents thereof respectively and the name of the district and the date of the polling and sign his name to such endorsement and shall forthwith forward the packets to the Chief Electoral Officer to be by such officer safely kept at such place and for such period as the Chief Secretary directs.

(4) The said officer shall forthwith give or send to the returning officer a receipt under his hand for the said packets.

(5) Any ballot-paper, and any copy of a roll, and any book purporting to be taken from any such parcel and having written thereon respectively under the hand of the Chief Electoral Officer a certificate of the several particulars required by these Regulations to be endorsed upon such parcel and that the same was so taken from such parcel shall be evidence in any court or before any justice that the same was so taken and that the same if a ballot-paper was deposited and if a roll or book was kept or used at the poll and booth to which such endorsement and writing relate.

Ballot-papers and copies of rolls and books to be evidence.

DIVISION 12.—VOTING BY POST.

80.—(1) Any elector for any electoral district who satisfies the returning officer—

Applications for postal ballot-papers.

(a) That he resides at least five miles from the nearest polling place at which he is entitled to vote; or
(b) that he has reason to believe that on the polling day during the hours of polling he will not be within five miles of the nearest polling place at which he is entitled to vote; or
(c) that on account of ill-health or infirmity he will be prevented from voting personally at any such polling place, may before the polling day but not earlier than the thirtieth day before such polling day make application in accordance with Form H to the returning officer for such district for a postal ballot-paper enabling him to vote through the post at the referendum instead of attending personally to tender his vote thereat:

Provided that every application for a postal ballot-paper shall, where the postal ballot-paper is to be forwarded to the applicant, require that it be posted addressed to him at his place of living at the time when it would be delivered in the ordinary course of post (which place shall be specified in the application), and every postal ballot-paper posted to an applicant shall be addressed accordingly.

(2) In the case of an application on the ground that he has reason to believe that on the polling day during the hours of polling he will not be within five miles of the nearest polling place at which he is entitled to vote, the applicant shall state in his application the reason for such belief.

(3) With respect to applications for postal ballot-papers the following provisions shall have effect:—

Application to be signed in presence of authorized witness.

(a) The following directions with respect to such applications shall be substantially observed:—

(i) When so much of the form of application as precedes the places for the signatures has been filled in and otherwise completed the elector shall exhibit his form of application to an authorized witness;

(a) See Regulation 92 as to applications for and counterfoils of postal ballot-papers.
(b) See Regulations 62 (2) and 91 (A). (c) See Regulation 63 (2).

- (ii) the elector shall then in the presence of the authorized witness sign his name in his own handwriting on the form of application in the place provided for the signature of the elector; and
 - (iii) the authorized witness shall then sign his name in his own handwriting in the place provided for the signature of the authorized witness and shall add the title under which he acts as an authorized witness, his residence and the date.
- (b) An authorized witness shall not witness the signature of any elector on any application for a postal ballot-paper unless the authorized witness—
- (i) has satisfied himself as to the identity of the elector;
 - (ii) has seen the elector sign the application in the elector's own handwriting; and
 - (iii) knows that the statements contained in the application are true or has satisfied himself (whether by inquiry from the elector or otherwise) that the said statements are true.
- (c) An authorized witness shall not persuade or induce or associate himself with any person in persuading or inducing any person to make application for a postal ballot-paper.
- (d) An authorized witness shall not—
- (i) visit any elector for the purpose of witnessing the signature of such elector to his application for a postal ballot-paper; or
 - (ii) witness the signature of any elector to any such application in any place other than the ordinary residence or place of business of the authorized witness:
- Provided that if any elector desires to make application for a postal ballot-paper and is unable on account of ill health or infirmity to present himself before an authorized witness any member of the Police Force or other authorized witness when so requested by any such elector in writing may visit such elector for the purpose of witnessing his signature to such application.
- (e) Every authorized witness guilty of any contravention of or failure to observe any of the provisions of this sub-regulation shall be liable to a penalty of not more than Twenty pounds.
- (f) A list containing the names of all applicants for postal ballot-papers and the respective addresses to which they have been requested to be sent shall be posted for public inspection at the office of the returning officer of the district for which they are issued.

Authorized witness not to induce &c. persons to apply for postal ballot-papers.

Authorized witness not to visit elector to witness signature to application except on account of ill-health or infirmity.

*Proviso.

Penalty.

On application returning officer to supply postal ballot-paper.

Folding of ballot-paper.

Effect of immaterial error.

81.—(1) (a) On receiving from an elector an application for a postal ballot-paper the returning officer having ascertained that the name of the applicant is upon any roll to be used at the poll for the district specified in the application and that the applicant is not prohibited from voting, and if satisfied that the application is properly signed by the applicant and is properly witnessed and that the applicant is entitled according to the statements contained in his application to a postal ballot-paper, shall, but not earlier than the twenty-first day before the polling day, deliver to the applicant or post to him at the postal address named in the application a postal ballot-paper (with a counter-foil attached) in accordance with Form I together with an envelope addressed to such returning officer. Such envelope shall be marked "Postal Ballot-paper".

(b) If the returning officer is not satisfied that the application is properly signed by the applicant or that the application is properly witnessed or that the applicant is entitled to vote by post he shall forthwith post to the applicant a notice in accordance with Form J.

(2) Each ballot-paper before being enclosed shall be folded to the counterfoil.

82. No application for a postal ballot-paper shall if properly signed by the applicant and properly witnessed be deemed insufficient or invalid by reason only that in such application there is an omission or incorrect or insufficient description or misdescription in respect of

any of the particulars required by these Regulations to be contained therein if the returning officer is satisfied that the applicant is entitled to a postal ballot-paper:

Provided that every application for a postal ballot-paper shall, Proviso. where the postal ballot-paper is to be forwarded to the applicant, require that it be posted addressed to him at his place of living at the time when it would be delivered in the ordinary course of post (which place shall be specified in the application), and every postal ballot-paper posted to an applicant shall be addressed accordingly.

83.—(1) The returning officer shall—

- (a) initial each ballot-paper issued; and
- (b) keep and number the applications therefor in consecutive order, writing the corresponding number on the counterfoil of the ballot-paper.

Initialing of
ballot-papers.

(2) On the counterfoil the returning officer shall also write the number on the roll of the elector to whom the postal ballot-paper is issued.

84.—(1) The returning officer shall on the rolls to be used at the poll for the district to which such postal ballot-paper relates note opposite the applicant's name wherever it appears the fact that such postal ballot-paper has been issued to such applicant and the date of such issue.

Record of
issue of
voting by
postal
ballot-paper.

(2) In case there is not time to note the fact of the issue of any postal ballot-paper on every such roll on which such applicant's name appears which is to be used at the poll the returning officer shall in such manner as he thinks fit immediately notify such issue to the deputy returning officer at every polling place for such district at which a roll is to be used on which such applicant's name appears.

Notification
to presiding
officers.

85. The following directions for regulating voting by means of postal ballot-papers shall be substantially observed:—

Mode of
voting by
means of
postal
ballot-papers.

- (1) The elector shall exhibit his postal ballot-paper unmarked to an authorized witness.
- (2) The elector shall in the presence of the authorized witness but so that the witness cannot see the vote mark his vote on such postal ballot-paper.
- (3) If the elector's sight is so impaired that he is unable to vote without assistance the authorized witness at the request of the elector—
 - (a) shall mark his vote on the ballot-paper and shall (if the elector so desires) mark the same in the presence of another person; or
 - (b) shall permit some other person appointed by the elector to mark the ballot-paper for him.
- (4) The elector shall then refold the ballot-paper and fasten the same.
- (5) The elector shall then sign his name in his own handwriting on the counterfoil in the place provided for the signature of the voter.
- (6) The authorized witness shall then sign his name in his own handwriting in the place provided for the signature of the witness, and shall add the title under which he acts as an authorized witness, his residence, and the date.
- (7) The elector shall then place the ballot-paper with the counterfoil attached into the envelope addressed to the returning officer, fasten the envelope in the presence of the authorized witness, and post it.

86. The authorized witness shall—

Duty of
authorized
witness.

- (a) see that the foregoing directions are substantially complied with;
- (b) refrain from looking at the vote given by the elector except where the elector cannot vote without assistance and the elector requests his assistance;
- (c) not disclose any knowledge officially acquired by him touching the vote of the elector, save in answer to some question which he is legally bound to answer.

87.—(1) An authorized witness shall not—

- (a) visit any elector for the purpose of witnessing the signature of such elector to his postal ballot-paper;

Witnessing
signature to
postal
ballot-paper
or counterfoil.

- (b) witness the signature of any elector to his postal ballot-paper at any place other than the ordinary residence or place of business of the authorized witness; or
- (c) witness the signature of any elector to his postal ballot-paper unless the authorized witness has satisfied himself as to the identity of the elector and has seen the elector sign the counterfoil in the elector's own handwriting:

Provided that if any elector has received a postal ballot-paper and is unable on account of ill health or infirmity to present himself before an authorized witness any member of the Police Force or other authorized witness when so requested by any such elector in writing may visit such elector for the purpose of witnessing his signature to such postal ballot-paper.

Penalty.

(2) Every authorized witness guilty of any contravention of any of the provisions of this Regulation or the next preceding Regulation shall be liable to a penalty of not more than Twenty pounds.

Elector who has received postal ballot-paper not to vote personally without giving up such paper.

88.—(1) Except as provided in the next succeeding Regulation no elector to whom a postal ballot-paper for the poll has been sent shall be entitled to vote personally at such poll unless he previously gives up such postal ballot-paper unmarked to the returning officer or deputy at the polling place at which he is entitled to vote.

(2) Such officer shall immediately cancel such postal ballot-paper and retain it.

Provision when elector claims to vote although postal ballot-paper already issued.

89.—(1) If an elector to whom a postal ballot-paper appears to have been sent states that he has not received such postal ballot-paper and claims to vote personally at any polling place within the subdivision of the district to which such postal ballot-paper relates the returning officer or deputy at such booth may take from such elector a declaration in accordance with Form K. Thereupon such elector shall be entitled to vote personally at the poll and his vote shall be taken in the ordinary way.

(2) If such vote is received by the deputy returning officer he shall immediately advise the returning officer of the fact of such elector having voted personally and shall forward the declaration to the returning officer with the ballot-papers; and if any postal ballot-paper purports to have been received from the same elector such postal ballot-paper shall be rejected at the counting of the votes and the returning officer shall state thereon the reason of such rejection.

Additional question to be put on tender of vote personally.

90.—(1) The returning officer or deputy shall before any person personally tendering his vote at the poll for any district receives a ballot-paper (but not afterwards), put to such person the following question in addition to any others he may lawfully put:—

Have you received a postal ballot-paper enabling you to vote at the poll for any electoral district to-day? [*In the case of an adjourned poll the day from which the poll was adjourned should also be named in the question.*]

Refusal &c. to answer.

(2) Every person having tendered his vote when such question is put as aforesaid who refuses or omits distinctly to answer the same, and every person who answers the question in the affirmative but does not deliver up his postal ballot-paper unmarked shall be and be deemed prohibited from voting then and afterwards at the poll, and shall be guilty of an offence, and shall be liable to a penalty of not more than Twenty pounds.

Penalty for false answer.

(3) Every person who wilfully makes a false answer to such question put as aforesaid shall be guilty of an offence, and shall be liable to a penalty of not more than Twenty pounds.

Inclusion of votes through the post at close of poll.

91. When upon the close of the poll the returning officer is proceeding to ascertain the number of votes for and against the question submitted, the returning officer shall produce unopened all envelopes containing postal ballot-papers received by him through the post up to the close of the poll, and such envelopes shall be opened in the presence of the scrutineers present and poll clerk (if any) but of no other person and shall be dealt with as follows, namely:—

- (a) The returning officer shall produce all applications for postal ballot-papers.
- (b) The returning officer without unfolding each postal ballot-paper or allowing it to be inspected shall compare the signature of the voter on the counterfoil with the signature to the application and allow the scrutineers to inspect the same and the returning officer shall determine whether or not the signature on the postal ballot-paper is that of the applicant.

- (c) If the postal ballot-paper is allowed by the returning officer he shall tear off the counterfoil without seeing the vote and shall insert the folded postal ballot-paper in a ballot-box separate from that used during the polling; and when all such postal ballot-papers have been so inserted the counting of the votes recorded therein shall commence.
- (d) The provisions of Regulation 73 in regard to the rejection of invalid ballot-papers shall apply to postal ballot-papers.
- (e) Any postal ballot-paper not witnessed as required by this Division shall be disallowed by the returning officer.
- (f) The returning officer shall attach all the counterfoils together.
- (g) The list of the number of votes given for and against the question shall show separately the votes tendered personally and the votes given by postal ballot-papers.
- (h) If the returning officer disallows a postal ballot-paper then such ballot-paper shall be included in the sealed parcel of ballot-papers set aside for separate custody.

92. Notwithstanding anything in these Regulations—

- (a) all applications for postal ballot-papers and all counterfoils of postal ballot-papers received by a returning officer—
 - (i) shall not be made up or enclosed in the separate parcels or separate packets otherwise required to be sealed up in accordance with these Regulations but shall be made up and enclosed in a special packet which shall be endorsed with a description of the contents and the name of the district (which endorsement shall be signed by the returning officer) and after polling day shall be forwarded by the returning officer to the Chief Electoral Officer;
 - (ii) shall be safely kept by the Chief Electoral Officer for six months or for any such longer period as the Chief Secretary directs; and
 - (iii) after receipt thereof by the Chief Electoral Officer shall be open to public inspection at all convenient times during office hours at the office of the chief electoral officer until the expiration of any such period as aforesaid;
- (b) the Chief Electoral Officer shall forthwith give or send to the returning officer a receipt under his hand for every such special packet received by him;
- (c) any application for a postal ballot-paper and any counterfoil of a postal ballot-paper taken from any such special packet and having written thereon respectively under the hand of the Chief Electoral Officer a certificate of the several particulars required by this Regulation to be endorsed upon such packet and that the same was taken from such packet shall be evidence in any court or before any justice—
 - (i) that the same was so taken;
 - (ii) that the same, if an application, was received by the returning officer (at the poll to which such endorsement and writing relate) and that a postal ballot-paper the counterfoil of which bears the application number corresponding with the application number written on the application was issued by the returning officer to the applicant whose name appears on the application; and
 - (iii) that the same, if a counterfoil, was the counterfoil of a postal ballot-paper used at the said poll.

Applications and counterfoils to be forwarded to Chief Electoral Officer and to be open to inspection.

Preservation of applications and counterfoils.

Applications and counterfoils open to public inspection.

Chief Electoral Officer to give receipt for packet.

Applications and counterfoils to be evidence.

93. The following persons shall be deemed guilty of bribery within the provisions of Division 13 of this Part:—

- (a) Every person who directly or indirectly makes overtures to any person for the acquiring by gift or purchase or who acquires by gift or purchase from any person any postal ballot-paper; and

Certain offences to be bribery.

- (b) Every elector who directly or indirectly makes overtures to any person for the giving away or parting with the possession of or selling any postal ballot-paper or who gives away any such paper or who sells or (except as in these Regulations provided) parts with the possession of any postal ballot-paper.

Making false application an offence.

94. If in any application for a postal ballot-paper any person makes any false statement or if any person applies for a postal ballot-paper to which some other person is entitled he shall be liable to a penalty of not more than Twenty pounds.

False declaration perjury.

95. Every person who wilfully makes and subscribes any declaration for the purposes of this Division the same being untrue or false in any particular shall be liable to the penalties of perjury.

Inducing disclosure of vote by post &c. an offence.

96. Every person who—

- (a) directly or indirectly requires induces or attempts to induce any person to show by producing his postal ballot-paper how he intends to vote at the referendum; or
- (b) unless authorized by these Regulations marks any postal ballot-paper not issued to such person; or
- (c) opens any envelope addressed to a returning officer not being duly authorized so to do by such returning officer—

shall be guilty of an offence and shall be liable to a penalty of not more than Twenty pounds.

Inducing persons to vote for or against the question by bribery or intimidation.

97.—(1) Every person who requires induces or attempts to induce any person in his employment to obtain a postal ballot-paper with the intention of influencing such person by bribery or intimidation to record his vote for or against the question submitted shall be guilty of an offence and shall be liable to a penalty of not more than Twenty pounds to be recovered in a summary way before a court of petty sessions by any person who sues for the same.

(2) Bribery or intimidation shall for the purposes of this Regulation include any promise or threat either expressed implied or understood of any benefit or disadvantage to accrue directly or indirectly to such person from such first-mentioned person.

Authorized witnesses.

98. The following persons being resident in Victoria shall be authorized witnesses in and for Victoria within the meaning of this Division:—

All returning officers and electoral registrars appointed under any Act relating to elections for the Legislative Council or the Legislative Assembly; all substitute returning officers; all postmasters or postmistresses or persons in charge of post offices; all stipendiary magistrates; all justices; all commissioners for taking declarations and affidavits; all head teachers of state schools; all members of the police force; all commissioned officers of the naval, military or air forces of the Commonwealth; all clerks of petty sessions; all railway stationmasters; all councillors of and the clerk or secretary of any city, town, borough, or shire; all barristers and solicitors; and all legally qualified medical practitioners.

DIVISION 13.—REGULATION OF REFERENDUM, BRIBERY, ETC.

"At the referendum."

99. For the purposes of this Division—

"At the referendum" and "during the poll" respectively include the whole period from the day on which publication is made in the *Government Gazette* of the proclamation fixing the day on which the referendum shall be held until the day on which the Chief Electoral Officer notifies the result of the referendum in the *Government Gazette*, both days inclusive.

Who guilty of bribery.

100.—(1) The following persons shall be guilty of bribery:—

- (a) Every person who directly or indirectly by himself or by any other person on his behalf gives or lends or agrees to give or lend, or offers, promises or procures or promises or endeavours to procure, any money or valuable consideration to or for any elector or any other person on behalf of any elector in order to induce any elector to vote or refrain from voting, or knowingly does any such act as aforesaid on account of such elector having voted or refrained from voting at the referendum.

- (b) Every person who directly or indirectly by himself or by any other person on his behalf gives or procures or agrees to give or procure offers promises or promises to procure or to endeavour to procure any office place or employment to or for any elector or any other person, or who retains or dismisses any elector or other person in or from any office place or employment in order to induce such elector to vote or refrain from voting or knowingly does any such act as aforesaid on account of any elector having voted or refrained from voting at the referendum.
 - (c) Every person who directly or indirectly by himself or by any other person on his behalf makes any such gift loan offer promise procurement or agreement as aforesaid to or for any person in order to induce such person to procure the vote of any elector at the referendum.
 - (d) Every person who upon or in consequence of any such gift loan offer promise procurement or agreement procures or engages promises or endeavours to procure the vote of any elector at the referendum.
 - (e) Every person who advances or pays or causes to be advanced or paid any money to or for the use of any other person with the intent that such money or any part thereof shall be expended in bribery at the referendum, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at the referendum.
- (2) Every person so offending shall be liable to a penalty of not more than Twenty pounds and shall also be incapable of voting at the referendum. Bribery an offence.
- (3) The aforesaid provisions shall not extend or be construed to extend to any money paid for or on account of any law expenses *bona fide* incurred at or concerning the referendum. Exception.
- 101.—(1) The following persons shall also be deemed guilty of bribery:— Bribery on the part of electors.
- (a) Every elector who before or during the poll directly or indirectly by himself or by any other person on his behalf receives agrees or contracts for any money or valuable consideration office place or employment for himself or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting or for inducing any other person to vote or to refrain from voting at such poll.
 - (b) Every person who before during or after the poll directly or indirectly by himself or by any other person on his behalf receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or to refrain from voting at such poll.
- (2) Every elector or person so offending shall be liable to a penalty of not more than Twenty pounds and shall also be incapable of voting at the referendum.
102. Every person who gives or causes to be given to any elector during the poll on account of such elector having voted or being about to vote any meat drink or entertainment by way of refreshment or any money or ticket to enable such elector to obtain refreshment shall be liable to a penalty of not more than Twenty pounds; and shall also be incapable of voting at such poll. Penalty for treating.
103. Every person who directly or indirectly by himself or by any other person on his behalf makes use of or threatens to make use of any force violence or restraint, or inflicts or threatens the infliction by himself or by or through any other person of any injury damage harm or loss, or in any other manner practises intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at the referendum, or who by abduction duress or any fraudulent device or contrivance impedes prevents or otherwise interferes with the free exercise of the franchise by any elector, or Intimidation.

thereby compels or induces or prevails upon any elector either to give or refrain from giving his vote at such referendum shall be liable to a penalty of not more than Twenty pounds.

Wagers &c. on result of referendum prohibited.

104.—(1) Every person who makes any wager bet or other risk of any nature whatsoever upon the result of the referendum shall be liable to a penalty of not more than Twenty pounds.

(2) Every such wager bet on other risk shall be an illegal act.

Carrying offensive weapons at the referendum punishable.

105.—(1) Every person not being duly authorized who wears carries or has on or about his person any gun pistol sword bludgeon or other offensive weapon at the poll, shall be liable to a penalty of not less than Two nor more than Twenty pounds.

(2) Every person so offending shall be liable to be apprehended by a member of the police force either upon the view of such member or by direction of any returning officer or deputy returning officer; and when so apprehended shall be conveyed to any place of confinement until he can be brought before a justice to be dealt with according to law.

DIVISION 14.—OFFENCES.

False answers to questions &c. or double voting an offence.

106. Every person who at the referendum—

- (a) knowingly makes a false answer to any question put to him in accordance with the provisions of these Regulations or to any part of such question; or
- (b) being required to sign his name as in these Regulations provided wilfully writes as his own name the name of any other person or any name not being his own name; or
- (c) personates any elector for the purpose of voting; or
- (d) votes twice; or
- (e) knowingly deposits in the ballot-box at any polling place more ballot-papers than one,

shall be liable to a penalty of not more than Twenty pounds.

Penalty for breaking seal of or opening parcel or packet.

107. Save in compliance with the express provisions of these Regulations every person who without the lawful command of some competent court wilfully breaks the seal of or opens any sealed parcel or sealed packet of ballot-papers, certified copies of rolls books rolls and papers which have been sealed in accordance with the provisions of these Regulations, shall be liable to a penalty of not more than Twenty pounds.

Violation of secrecy by officers &c.

108.—(1) Any returning officer or the substitute of any returning officer or any deputy returning officer poll clerk or scrutineer who in the discharge of his duties under these Regulations at or concerning the poll learns or has the means of learning how any person votes or has voted at such poll, shall not by word or act or any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same, save in answer to some question which he is legally bound to answer or in compliance with the express provisions of these Regulations.

(2) Every such returning officer substitute deputy poll clerk or scrutineer who knowingly offends against the provisions of this Regulation shall be liable to a penalty of not more than Twenty pounds.

DIVISION 15.—COMPULSORY VOTING.

109. The provisions of Division 20 of Part V. of *The Constitution Act Amendment Act 1928* and the regulations made thereunder relating to compulsory voting at elections for the Legislative Assembly shall with such adaptations as are necessary apply to the taking of the vote at the referendum.

DIVISION 16.—MISCELLANEOUS.

Provision for persons unable to write.

110. Except as provided in this Regulation any person who is in effect required by or under these Regulations to sign his name and who is unable to write may make his distinguishing mark which shall save as otherwise expressly provided be attested by some other person:

Provided that where any person is required to sign as a witness or as an official or where any person is required to sign in his own handwriting he shall not sign by means of a distinguishing mark.

111. Every person who knowingly makes a false statement in any claim application or declaration under these Regulations shall save as otherwise expressly provided in these Regulations be liable to a penalty of not more than Twenty pounds

False statements or declarations.

112. Save where it is otherwise provided no person shall be liable to any penalty or forfeiture imposed by the provisions of these Regulations unless the prosecution for the offence committed is commenced against such person within the space of three months next after such offence has been committed.

Limitation of time.

113.—(1) If at the hearing of any information under Regulation 29, 61, 62 or 71, or under Division 8 or 9 of this Part it appears to the court that such information is unfounded frivolous or vexatious, the court, whether the information is dismissed or not, may order that the prosecutor shall pay to the defendant such costs together with such further sum by way of compensation as seems reasonable; and the same may be recovered in any court of petty sessions as a civil debt recoverable summarily.

Costs and compensation awarded to defendant in certain cases.

(2) One half of the amount of all fines and penalties recovered under any of the said Regulations or Divisions shall go and be applied to the use and benefit of the informant.

Appropriation of penalties.

(3) No proceeding under any of the said Regulations or Divisions shall be removed by *certiorari* into the Supreme Court.

No *certiorari* in certain cases.

114. All moneys received by any officer under the provisions of these Regulations shall be deemed to be received on account of and be paid to the consolidated revenue of Victoria.

Appropriation of moneys.

115. Subject to any additional allowances that may be authorized by the Chief Secretary, the rates of allowances for the time being governing the expenses of the conduct of elections for the Legislative Assembly, as prescribed by the Victorian Parliamentary Elections Regulations, shall with such adaptations as may be necessary apply to the taking of the vote at the referendum.

Expense rate.

116.—(1) Every returning officer shall—

- (a) keep a separate account of all moneys advanced to him and of all moneys expended by him at and about the referendum; and
- (b) not more than three months after the day of polling, send to the Auditor-General—
 - (i) a summary of the transactions shown in such separate account and relating to all moneys so advanced to him; and
 - (ii) all receipts accounts and vouchers relating to the same.

Keeping of separate account and forwarding summary thereof and receipts to Auditor-General.

(2) (a) The Auditor-General shall forthwith examine and compare the same respectively, and shall immediately after such examination and comparison sign and send to the returning officer an acquittance for so much of such moneys as has been ascertained by him to have been duly and properly expended.

Duties of Auditor-General with respect to accounts &c.

(b) For the said purposes the Auditor-General shall have all the powers conferred upon him by any Act relating to the collection and audit of the public moneys and accounts.

SCHEDULE

FORM A.

Regulation 12.

BALLOT-PAPER.

(Deputy
Returning
Officer's
Initials.)*Licensing Act 1955.*

Question:

Are you in favour of the extension of hotel trading hours on week-days until 10 o'clock in the evening?

YES

☐

NO

☐

The elector should record his vote by placing the number 1 in the square opposite the answer for which he desires to give his vote.

NOTE.—“Hotel trading hours” means the hours during which the sale or disposal of liquor to the public generally on the premises of licensed victuallers is authorized by the Licensing Acts; and “week-days” includes every day except Sunday, Good Friday and Anzac Day.

Directions to Voter.

When the voter has recorded his vote thereon, the ballot-paper must be dropped by the voter into the ballot-box.

The voter must not take this ballot-paper out of the polling booth or to any place in the polling booth save to one of the compartments provided or the ballot-box.

FORM B.

Regulations 29, 36 and 49.

Licensing (Referendum) Regulations 1956.

State of Victoria.

DECLARATION BY NATURALIZED PERSON FAILING TO PRODUCE
LETTERS OF NATURALIZATION.

I, of, do solemnly and sincerely declare that—

- (1) I am a naturalized subject of Her Majesty.
- (2) I was naturalized at in the year
- (3) I am unable to produce my Letters of Naturalization for the following reason:—

.....

.....

.....

.....

(Signed)

Signed and declared at polling booth
this day of, 19, before me—

Returning Officer or Deputy Returning Officer.

Any person who knowingly makes a false statement in any declaration shall be liable to a penalty of not more than Twenty pounds.

FORM C.

Regulations 32
and 37.

(Front of Envelope)
LICENSING (REFERENDUM) REGULATIONS 1956
STATE OF VICTORIA

UNENROLLED VOTER'S ENVELOPE

To be deposited in the ballot-box by the Deputy Returning Officer when he has enclosed
 herein the Voter's ballot-paper. (See directions on back.)

O.H.M.S.

The Returning Officer for the
 Electoral District of _____

I hereby certify that the person whose
 declaration appears on the back hereof
 { is
 or
 is not } a person to whom paragraph (a)
 or (b) of Regulation 32 of the Licensing
 (Referendum) Regulations 1956 applies.

 Registrar.

Date / / .

(Back of Envelope)
Licensing (Referendum) Regulations 1956, Regulations 32 and 37.

STATE OF VICTORIA

Form of Declaration to be used at the Polling by a person claiming to Vote under the Provisions of Regulation 32 of the Licensing (Referendum) Regulations 1956 who declares that his name has been omitted from, or struck out of, the Certified List of Voters for the polling place at which he claims to be entitled to vote, owing to an error of a Registrar, or a mistake of fact.

I, (a) _____ of (b) _____
(c) Name in full. (b) Address in full.
(c) Occupation. declare:—

That I am entitled to be enrolled on the Roll for the _____ Subdivision of the Electoral

District of _____
That after becoming qualified for enrolment for such Subdivision I sent or delivered to the Registrar for the Subdivision a duly completed claim for enrolment (or transfer of enrolment), and that my claim was received by the Registrar not later than six o'clock in the afternoon on the _____ day of _____, 1956, that is, the day on which the rolls for the referendum closed.

That from the time of sending or delivering my claim to the Registrar and until six o'clock in the afternoon on the said day, I continuously retained my right to be enrolled for the Subdivision and did not become qualified for enrolment for any other Subdivision;

That to the best of my knowledge and belief my name has been struck out of, or omitted from, the Certified Roll being used at this polling place owing to an error of a Registrar or a mistake of fact, and not as a result of an objection on the ground of non-residence or other disqualification, or in consequence of the transfer or duplication of my enrolment.

Personal Signature of Voter _____ day of _____ 19____
Signed before me the _____ day of _____ at _____ polling place. _____ Deputy Returning Officer.

NOTE.—A person making any false declaration is liable to a penalty of not more than Twenty pounds.

DIRECTIONS

1. This form of declaration must, after being filled up, be signed by the Voter with his personal signature in the presence of the Deputy Returning Officer and then be completed and attested by the Deputy Returning Officer.
2. The Deputy Returning Officer shall then initial and hand to the Voter a ballot-paper (headed, "Unenrolled Voter's Vote") for the Referendum.
3. The voter will then forthwith (i) retire alone to an unoccupied compartment of the polling booth, and there, in private, record his vote on the ballot-paper handed to him, in the manner directed thereon; (ii) fold the ballot-paper in such a manner as to conceal the vote recorded thereon, and at once return the ballot-paper so folded, to the Deputy Returning Officer.
4. The Deputy Returning Officer will see that he receives from the Voter the ballot-paper only folded and, if necessary for purposes of identification, will request the Voter to show him his name and address as recorded on the ballot-paper, and will forthwith return the ballot-paper to the Voter, and of such Scrutineers (if any) as are present, enclose the ballot-paper received from that Voter, in the envelope bearing the declaration of the Voter and addressed to the Returning Officer for the District for which the Voter claims to be entitled to vote, securely fasten the envelope, and deposit it in the ballot-box.

FORM D.

Regulation 33.

UNENROLLED VOTER'S VOTE.

BALLOT-PAPER.

(Deputy
Returning
Officer's
initials.)*Licensing Act 1955.*

Question:

Are you in favour of the extension of hotel trading hours on week-days until 10 o'clock in the evening?

YES ☐NO ☐

The elector should record his vote by placing the number 1 in the square opposite the answer for which he desires to give his vote.

NOTE.—"Hotel trading hours" means the hours during which the sale or disposal of liquor to the public generally on the premises of licensed victuallers is authorized by the Licensing Acts; and "week-days" includes every day except Sunday, Good Friday and Anzac Day.

Directions to Voter.

The ballot-paper marked and folded so as to conceal the vote must be returned to the Returning Officer (or Deputy) to be inserted by him in the envelope bearing the voter's declaration.

The voter must not take the ballot-paper out of the polling booth.

FORM E.

Regulation 49.

Licensing (Referendum) Regulations 1956.

State of Victoria.

ABSENT VOTER'S DECLARATION TO BE MADE ON POLLING DAY
BY AN ELECTOR VOTING AT A POLLING PLACE OTHER THAN A
POLLING PLACE APPOINTED FOR THE SUBDIVISION FOR
WHICH HE IS ENROLLED.

I declare that I am the person enrolled as—

Surname.	Full Christian or other names.	Residence (as appearing on Roll).	Occupation.

on the Roll for the.....Subdivision of the Electoral District ofthat I have not been and will not be to-day during the hours of polling within the subdivision for which I am enrolled under conditions which would permit of my voting at any polling place appointed for that subdivision, and that I have not voted at this or any other polling place, or by post, in connexion with the referendum being held this day; and I promise and declare that if I am permitted to vote at this polling place as an absent voter I will not again vote in connexion with this referendum.

I am aware that if I falsely personate or attempt to personate any other person for the purpose of securing a ballot-paper to which I am not entitled, or knowingly make any false declaration, I shall be guilty of an offence.

Personal signature of elector.

Signed before me the.....day of....., 19 , at
.....polling place appointed for the Electoral District of.....

Deputy Returning Officer.

Directions.

1. This form of declaration must, after being filled up, be signed by the voter with his personal signature in the presence of the Deputy Returning Officer, and then be completed and attested by the Deputy Returning Officer.

2. The Officer presiding at the polling booth shall then initial and hand to the voter a ballot-paper headed "Absent Voter's Vote."

3. The voter will then forthwith—

(i) retire alone to an unoccupied compartment of the polling booth, and there, in private, record his vote on the ballot-paper handed to him, in the manner directed thereon;

(ii) fold the ballot-paper in such a manner as to conceal the vote recorded thereon, and at once return the same so folded to the Deputy Returning Officer.

4. The Deputy Returning Officer will see that he receives from the voter the ballot-paper duly folded, and, if necessary for purposes of identification, will request the voter again to state his name, and then, without unfolding the ballot-paper, will forthwith, in the presence of the voter and of such scrutineers (if any) as are present, enclose the ballot-paper received from the voter, in the envelope bearing the declaration of the voter and addressed to the Returning Officer for the district for which the voter declares that he is enrolled, securely fasten the envelope, and deposit it in the ballot-box.

FORM F.

Regulation 50.

ABSENT VOTER'S VOTE.

BALLOT-PAPER.

(Deputy
Returning
Officer's
initials.)

Licensing Act 1955.

Question:

Are you in favour of the extension of hotel trading hours on week-days until 10 o'clock in the evening?

YES

☐

NO

☐

The elector should record his vote by placing the number 1 in the square opposite the answer for which he desires to give his vote.

NOTE.—“Hotel trading hours” means the hours during which the sale or disposal of liquor to the public generally on the premises of licensed victuallers is authorized by the Licensing Acts, and “week-days” includes every day except Sunday, Good Friday and Anzac Day.

Directions to Voter.

The ballot-paper marked and folded so as to conceal the vote must be returned to the Returning Officer (or Deputy) to be inserted by him in the envelope bearing the voter's declaration.

The voter must not take the ballot-paper out of the polling booth.

FORM G.

Licensing (Referendum) Regulations 1956.

State of Victoria.

Regulation 62 (2).

.....Electoral District.

.....Subdivision.

.....Polling Booth.

This envelope contains the ballot-paper of a person who tendered his vote as No. (Number on Roll), (Full name) on the roll for the above-mentioned Subdivision used at the Referendum held on the.....day of..... 1956 for the above-mentioned District, such person being the second person who tendered a vote in that name.

Returning Officer or Deputy Returning Officer.

FORM H.

Regulation 80.

Licensing (Referendum) Regulations 1956.

APPLICATION FOR A POSTAL BALLOT-PAPER.

To the Returning Officer for the Electoral District of (a)

I, (b)

, of

hereby apply for a postal ballot-paper.

(1) I am an elector for the (c)
above-named District.

Subdivision of the

(a) Here
insert name
of electoral
district.

(b) Here
insert
christian or
other name or
names,
surname,
residence and
occupation.

(c) Here
insert name
of
subdivision.

(2) The ground on which I apply for the postal ballot-paper is—

* (a) That I reside at least five miles from the nearest polling place at which I am entitled to vote.

* (b) That I have reason to believe that on the polling day during the hours of polling I will not be within five miles of the nearest polling place at which I am entitled to vote.

My reasons for this belief are:—

* (c) That on account of ill-health or infirmity I will be prevented from voting personally on polling day.

* Note.—The elector will strike out any two of the above grounds which do not apply to his particular case, as only one ground is necessary for the application.

(3) I request that the postal ballot-paper may be forwarded to me at my place of living at the time when the postal ballot-paper would be delivered in the ordinary course of post which will be (d) or (as the case may be) be delivered to me personally.

(d) Here state address to which postal ballot-paper is to be sent.

Signed by the elector in his own hand—

writing in my presence—

Signature of
authorized witness
(in own handwriting).

Signature of
elector
(in own handwriting).

Title under which witness acts as an
authorized witness

Residence of authorized witness

Dated at this day of 19

Caution.—Any person making a false statement in an application is liable to a penalty of not more than Twenty pounds.

Authorized Witnesses.

The following persons being resident in Victoria are authorized witnesses in and for Victoria:—

All returning officers and electoral registrars appointed under any Act relating to elections for the Legislative Council or the Legislative Assembly; all substitute returning officers; all postmasters or postmistresses or persons in charge of post offices; all stipendiary magistrates; all justices; all commissioners for taking declarations and affidavits; all head teachers of State schools; all members of the police force; all commissioned officers of the naval, military or air forces of the Commonwealth; all clerks of petty sessions; all railway stationmasters; all councillors of and the clerk or secretary of any city, town, borough, or shire; all barristers and solicitors; and all legally qualified medical practitioners.

Instructions to Elector and Authorized Witness.

(a) When so much of the form of application as precedes the places for the signatures has been filled in and otherwise completed the elector shall exhibit his form of application to an authorized witness.

(b) The elector shall then in the presence of the authorized witness sign his name in his own handwriting on the form of application in the place provided for the signature of the elector.

(c) The authorized witness shall then sign his name in his own handwriting in the place provided for the signature of the authorized witness and shall add the title under which he acts as an authorized witness, his residence and the date.

Offences and Penalties.

(a) An authorized witness shall not witness the signature of any elector on any application for a postal ballot-paper unless the authorized witness—

- (i) has satisfied himself as to the identity of the elector;
- (ii) has seen the elector sign the application in the elector's own handwriting; and
- (iii) knows that the statements contained in the application are true or has satisfied himself (whether by inquiry from the elector or otherwise) that the said statements are true.

(b) An authorized witness shall not persuade or induce or associate himself with any person in persuading or inducing any person to make application for a postal ballot-paper.

(c) An authorized witness shall not—

- (i) visit any elector for the purpose of witnessing the signature of such elector to his application for a postal ballot-paper; or
- (ii) witness the signature of any elector to any such application in any place other than the ordinary residence or place of business of the authorized witness.

Provided that if any elector desires to make application for a postal ballot-paper and is unable on account of ill-health or infirmity to present himself before an authorized witness any member of the police force or other authorized witness when so requested by any such elector in writing may visit such elector for the purpose of witnessing his signature to such application.

Any authorized witness guilty of any of these offences is liable to a penalty of not more than Twenty pounds.

FORM I.

Regulation 81 (1) (a).

POSTAL BALLOT-PAPER.

(Returning
Officer's
Initials.)*Licensing Act 1955.*

Question:

Are you in favour of the extension of hotel trading hours on week-days until 10 o'clock in the evening?

YES

☐

NO

☐

The elector should record his vote by placing the number 1 in the square opposite the answer for which he desires to give his vote.

NOTE.—“Hotel trading hours” means the hours during which the sale or disposal of liquor to the public generally on the premises of licensed victuallers is authorized by the Licensing Acts; and “week-days” includes every day except Sunday, Good Friday and Anzac Day.

(a) To be printed so that it shall be on the outside when the ballot-paper is folded and so that it may be read and torn off without the vote being seen.

(b) To be filled in by the returning officer before posting

(a) Counterfoil.

Electoral District of
Subdivision

(b) No. of Application.

Roll No.

I declare that I have not already posted a ballot-paper in respect of the present referendum, and that I am a natural-born or naturalized subject of Her Majesty.

Signature of voter

Witness

[Authorized witness to sign here and insert the title under which he acts as an authorized witness, his residence, and the date.]

Instructions to Elector.

(a) The elector shall exhibit his postal ballot-paper (unmarked) to an authorized witness.

(b) The elector shall in the presence of the authorized witness but so that the witness cannot see the vote record his vote on such ballot-paper.

(c) If the elector's sight is so impaired that he is unable to vote without assistance the authorized witness, at the request of the elector, shall mark his vote on the ballot-paper and shall (if the elector so desires) mark the same in the presence of another person, or shall (if the elector so desires) permit some other person appointed by the elector to mark the ballot-paper for him.

(d) The elector shall then re-fold the ballot-paper and fasten the same.

(e) The elector shall then sign his name in his own handwriting on the counterfoil in the place provided for the signature of the voter.

(f) The authorized witness shall then sign his name in his own handwriting in the place provided for the signature of the witness and shall add the title under which he acts as an authorized witness, his residence, and the date.

(g) The elector shall then place the ballot-paper with the counterfoil attached into the envelope addressed to the returning officer, fasten the envelope in the presence of the authorized witness, and post it.

(h) This ballot-paper cannot be counted at the referendum unless it is received by the returning officer before the closing of the poll.

Instructions to Authorized Witness.

The authorized witness shall—

(a) See that the foregoing directions are substantially complied with.

(b) Refrain from looking at the vote given by the elector except where the elector cannot vote without assistance, and the elector requests his assistance.

(c) Not disclose any knowledge officially acquired by him touching the vote of the elector, save in answer to some question which he is legally bound to answer.

An authorized witness shall not—

(a) Visit any elector for the purpose of witnessing the signature of such elector to his postal ballot-paper.

(b) Witness the signature of any elector to his postal ballot-paper at any place other than the ordinary residence or place of business of the authorized witness; or

(c) Witness the signature of any elector to his postal ballot-paper unless the authorized witness has satisfied himself as to the identity of the elector and has seen the elector sign the counterfoil in his own handwriting.

Provided that if any elector has received a postal ballot-paper and is unable on account of ill-health or infirmity to present himself before an authorized witness any member of the police force or other authorized witness when so requested by any such elector in writing may visit such elector for the purpose of witnessing his signature to such postal ballot-paper.

Every authorized witness guilty of a contravention of any of these instructions to authorized witnesses is liable to a penalty of not more than Twenty pounds.

FORM J.

Regulation 81 (1) (b).

Licensing (Referendum) Regulations 1956.

State of Victoria.

As Returning Officer for the Electoral District of.....
I desire to inform you that, on the basis of your application for a postal
ballot-paper, I am not satisfied that you are entitled to vote by post at the
Referendum to be held on the.....day of....., 1956,
because—

- * 1. The application is not signed by you.
- * 2. The application is not properly witnessed.
- * 3. Your name does not appear on the roll in respect of the place
of residence stated in your application.
- * 4. The application does not indicate the ground or grounds on which
you apply to vote by post.

Therefore, in order to vote at the Referendum—

*(if circumstances permit) you will have to attend personally at a
polling booth and tender your vote;

* (if time and circumstances permit) you may complete and return
to me a fresh form of application for a postal vote.

* NOTE.—The Returning Officer will strike out any of these statements
which is inapplicable to the particular case.

Dated at.....this.....day of.....,
1956.

.....
Returning Officer.

NOTE.—(1) The Victorian electoral law precludes an elector from voting
whilst absent from Victoria.

(2) An application for a postal vote cannot be granted unless it
reaches the Returning Officer before the polling day.

(3) Unless a completed postal ballot-paper is received through
the post before 8 p.m. on polling day, it cannot be admitted
to the count.

FORM K.

Regulation 89 (1).

Licensing (Referendum) Regulations 1956.

State of Victoria.

*Declaration of Elector to whom a Postal Ballot-paper has been issued
claiming to Vote at Polling Booth.*

I,....., residing at....., do hereby declare that my
name is included in the Roll for the.....Subdivision of the
Electoral District of....., and that I have not received
a postal ballot-paper entitling me to vote by post at the Referendum, and
that I desire to vote personally at such Referendum.

Signed and declared at
Polling Booth this day }
of in the presence of }

Returning Officer or Deputy Returning Officer.

Caution.—Any person who wilfully makes and subscribes a declaration
which is untrue or false in any particular is deemed to be guilty of wilful
and corrupt perjury, and is punishable accordingly.

And the Honorable Arthur Gordon Rylah, Her Majesty's Chief
Secretary for the State of Victoria, shall give the necessary instructions
herein accordingly.

A. MALHSTEDT,

Clerk of the Executive Council.

