



SUPPLEMENT

TO THE

VICTORIA

GOVERNMENT GAZETTE

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[1901.

*Marine Act 1890.*REGULATIONS RELATING TO THE PREPARATION OF ROLLS OF
ELECTORS AND THE CONDUCT OF ELECTIONS.*At the Executive Council Chamber, Melbourne, the ninth day of September, 1901.*

PRESENT :

His Excellency the Lieutenant-Governor of the State of Victoria.

Mr. Peacock
Sir Samuel Gillott

Mr. Gurr.

WHEREAS by Section 39 of the *Marine Act 1890*, it is enacted that the Governor in Council may at any time and from time to time make and when made alter or repeal regulations for providing for the mode in which the various rolls are to be prepared under the said Act of persons qualified to vote at the election of a member or members of the Marine Board by that Act constituted and incorporated and for regulating generally the mode manner and time of Election of the said Marine Board.

And whereas the Governor in Council did on the 29th day of October, 1888, make such regulations as aforesaid and also did on the 14th day of September, 1893, make a regulation in amendment thereof.

And whereas it is expedient to repeal such regulations as published in the *Government Gazette* on the 31st day of October, 1888, and 22nd day of September, 1893, respectively, and also to make amended regulations in lieu thereof.

Now therefore I, the Lieutenant-Governor of Victoria, acting by and with the advice of the Executive Council thereof, do hereby repeal the aforesaid regulations and do make the following amended Regulations in lieu thereof which shall come into force on the 1st day of October, 1901, on which date the previous regulations hereinbefore referred to shall be repealed, that is to say :—

1. *Interpretation.*—In these Regulations the following shall, unless there be something in the context repugnant thereto, have the meanings hereinafter respectively assigned to them, that is to say :—

“Minister” shall mean the responsible Minister of the Crown for the time being administering the *Marine Act 1890*.

“Secretary” shall mean the Secretary to the Marine Board of Victoria.

PART I.—FOR THE COMPILATION AND REVISION OF THE ROLLS OF PERSONS ENTITLED TO VOTE
IN THE ELECTION OF MEMBERS.

2. *Preparation of rolls.*—The Secretary shall, in the manner prescribed by the *Marine Act 1890*, between the 16th and 31st days of January in each year, make out according to the form in the First Schedule hereto rolls of the following persons :—

Port Phillip Pilots,
Certificated Engineers,
Masters,
Seamen,

and shall arrange such rolls respectively according to the alphabetical order of surnames contained therein, and shall state in such rolls against the name of each person the several particulars indicated in the several columns of the said schedule respectively.

3. The Secretary shall, upon completion of the said rolls, forward the same to the Minister for publication in the *Government Gazette*, and the Minister shall, on receipt thereof, immediately cause them to be published accordingly.

4. *Inspection of rolls.*—The Secretary shall, immediately after the publication of the said rolls, notify by public advertisement in the Melbourne daily papers that copies of such rolls are ready for inspection at his office, and shall permit such inspection at all reasonable hours for two weeks after the date of such advertisement.

5. *Claims and objections may be lodged.*—Any person whose name has been omitted from any such rolls, and who claims to have his name inserted therein, shall, during the time such rolls are open for inspection, give or send by post to the Secretary notice thereof in the form prescribed in the Fifth Schedule to these Regulations appropriate to his own particular case; and every person whose name has been inserted in any of such rolls may object to any other person as not being entitled to have his name retained in such rolls; and every person so objecting shall, on or before the last day upon which rolls are open for inspection, give or send by post to the Secretary notice thereof in the form prescribed in the Sixth Schedule hereto, and also in like form send by post to the last known address within the State of Victoria of the person objected to notice in writing of such objection, stating the particulars of the grounds of such objection, and shall sign the same with his name; and the Secretary shall cause lists to be prepared of all such claims and objections respectively.

6. *Revision of rolls.*—The said rolls, together with the lists of claims and objections (if any) shall be forwarded by the Secretary to the Minister for submission to the Governor in Council, who may thereupon take such order as he may deem fit.

7. Printed copies of any of the rolls so gazetted shall be supplied to any person upon payment of One Shilling for each copy.

PART II.—THE MANAGEMENT AND CONDUCT OF ALL ELECTIONS OF MEMBERS:

8. *Time of elections.*—In all cases of ordinary vacancy in the office held by any elected member, the Minister shall fix the time for the election of a member to supply such vacancy, in the event of there being a greater number of persons nominated, as hereinafter provided, than the number of vacancies to be filled up.

9. *Returning officer and deputies.*—The permanent head of the Department of the Chief Secretary shall be the returning officer to conduct all such elections, and may appoint a deputy or deputies, as the case may require, to assist him or to act in his room at any such election; and such deputy or deputies may do all or any of the acts or things which the returning officer is hereby authorized or required to do.

10. *Notice of election.—Mode of nomination.—Second Schedule.*—Ten days before any such election the returning officer shall give public notice thereof by advertisement inserted in some newspaper generally circulating in Melbourne, and by such notice shall require all candidates at such elections to be nominated at some place to be named in such notice, and between the hours of Ten o'clock in the forenoon and Four o'clock in the afternoon on some day not less than three nor more than five days after the time of giving such notice, and named therein; and any persons desirous of nominating a candidate shall, before Four o'clock in the afternoon of the day named in such notice, cause to be delivered at the place aforesaid, to the returning officer or his deputy, a nomination paper in the form in the Second Schedule hereto, or to the like effect; and such nomination paper shall be signed by not less than four persons duly qualified to vote at such election, and by the person named therein as a candidate in token of his assent to his being so named:

11. *Declaration of election where uncontested.*—If at the expiration of the time limited as hereinbefore provided for the nomination of candidates the number of persons who have become candidates as aforesaid does not exceed the number of members then to be elected, the returning officer shall then declare such candidates to be duly elected.

12. *Appointment of polling-places.*—The returning officer may from time to time appoint and abolish such and so many polling-places for taking the poll as he may see fit, and may also provide all necessary materials, and appoint poll clerks for any election.

13. *Contested election.—Third Schedule.—Notice and time and place of poll.*—If at the expiration of the time limited for the nomination of candidates the number of candidates exceed the number of members to be elected, the returning officer shall forthwith cause ballot-papers to be printed with the christian names and surnames of all the candidates in full in the form in the Third Schedule hereto, and shall forthwith give public notice by advertisement, inserted in some newspaper generally circulating in Melbourne, stating the names of the persons so nominated, and that a poll will be taken (at the place or places to be named therein) for the election of such members on the day or days appointed for

holding the election and named in such notice, and such poll shall take place accordingly, and shall commence at Eight o'clock in the forenoon and close at Five o'clock in the afternoon, except in the case of elections by owners of ships registered and by merchants or traders and by underwriters, where the poll shall commence at Nine o'clock in the forenoon and close at Five o'clock in the afternoon.

14. *Candidates may retire within certain time.—Fourth Schedule.*—If after any poll shall stand appointed as aforesaid at an election any candidate for such election and two of the persons having signed the paper nominating him are desirous that he should retire from such candidature, such candidate and the persons aforesaid, not later than two days before the day or days of polling, may sign and deliver to the returning officer at any time before Four o'clock in the afternoon a notice in the form in the Fourth Schedule, stating that such candidate so retires, and may publish in some newspaper generally circulating as aforesaid a copy of such notice; and the returning officer, on the receipt of such notice and on sufficient proof of such publication as aforesaid (if the number of candidates is by such retirement reduced to the number of persons to be elected at such election), shall on the day appointed for the election declare the remaining candidates to be duly elected; and if the said number is not so reduced shall omit the name of such person so retiring from the ballot-papers to be used at the said election, and if such ballot-papers shall have been already printed, shall erase such name therefrom, and such person shall not be capable of being elected at such election.

15. *Scrutineers.—Who may be present in booth.*—Each candidate shall be entitled to appoint in writing one scrutineer to be present at each polling-place; and such scrutineers and the returning officer or deputy and the poll clerks, and any voters not exceeding six in number actually engaged in voting, and to be named if necessary by such returning officer or deputy so appointed, shall alone be permitted at any one time to enter or remain in the polling-place.

16. *Pencils and ballot-box.*—The returning officer or his deputy shall provide pencils in every polling-place for the use of the voters; and also a locked box to be called the ballot-box with a cleft or opening therein capable of receiving the ballot-papers; and such box shall be opened and exhibited to the poll clerks and scrutineers before the polling begins, and shall stand on a table opposite the returning officer or deputy, who shall keep the key of such box.

17. *Ballot-papers, how delivered and dealt with.—Voter unable to read or write.*—The returning officer or his deputy shall deliver to every voter who shall require the same a ballot-paper; or if such voter appears by the roll to be entitled to give more votes than one, then so many ballot-papers as may be equal to the number of votes which such voter so appears to be entitled to give, such ballot-papers being in the form aforesaid and initialed by the returning officer or his deputy; and every such voter shall, without leaving the booth, strike out from such paper or papers the name of every candidate for whom he shall not desire to vote; and in case any voter shall be unable to read or write, the returning officer, or his deputy, if required, shall, in view of such one of the scrutineers as such voter may desire, strike out the names of such candidates as such voter may designate; and after such names shall be so struck out the ballot-paper or papers shall be forthwith deposited in the said box.

18. *Ballot-paper to be numbered.*—Before delivering any ballot-paper to a voter, the returning officer or his deputy shall write upon the back of each such ballot-paper, as near as practicable to the lower edge thereof, the number corresponding to the number set opposite to the voter's name in the rolls of merchants and traders, or of underwriters, or of ship-owners, or of Port Phillip pilots, or of certificated engineers, or of masters, or of seamen, as the case may be, and, if necessary, some mark to designate such roll; and shall thereupon, upon a copy of such roll, check off such voter's name as having voted, and shall number such name and the ballot-paper with a corresponding number.

19. *Certain indefinite votes to be void.*—If the voter shall suffer to remain upon any of his said ballot-papers a greater number of names not struck out than the number of members to be elected, the vote given on and by such paper shall be void and of no effect.

20. *Statutory declaration by voter.*—At each election the returning officer or his deputy may, if he see fit, and if required so to do by any candidate or scrutineer, shall require any person tendering his vote, before receiving his ballot-paper, to make a statutory declaration to the effect that the declarant's name is on the roll of voters under which he tenders his vote, and that he is the person properly entitled to the ballot-paper for which he applies, and that he has not voted already at the election then being held, and that he is a natural-born or naturalized British subject, and no person who shall refuse to make such declaration when required so to do by the returning officer or his deputy shall be permitted to vote.

21. *Votes of incorporated companies.—Votes of persons trading in co-partnership.*—The vote of any incorporated company which appears on the roll of merchants and traders may be recorded by the chairman or principal director of such company, or by any director or member of the board of management thereof who may be thereunto authorized in writing under the hand of such chairman or principal director and under the seal of such company; and the vote of any persons trading together in partnership not being incorporated may be recorded by any one of such persons who shall first present himself at the polling-place.

22. *Ascertaining result of polling.—Declaration.—Casting vote.*—Immediately upon the close of the poll, the returning officer, or his deputy at each polling-place, shall proceed, in the presence and subject to the inspection of the poll clerks, and of so many of the scrutineers of the candidates as shall please to be present, to ascertain the number of votes for each candidate; and such returning officer or deputy respectively shall abstain from inspecting the number written as aforesaid on any ballot-paper, and take care that the same is not seen by any person before being sealed up, as herein provided, and the deputy shall immediately forward the ballot-papers sealed up, together with a list made up under the inspection of the said scrutineers of the total number of votes for each candidate, to the returning officer; and the returning officer shall in like manner seal up the ballot-papers deposited in the polling-place (if any) in which he shall have presided; and such returning officer shall, as soon as conveniently may be on or after the day of the poll, give public notice of the number of votes given to each candidate, and shall declare the candidates not exceeding the number of vacancies to be filled up who have received at all the polling-places taken together the greatest number of votes to be duly elected as members, and shall forthwith publish in some newspaper generally circulating in Melbourne the names of the members so elected; and shall duly notify the said names to the Secretary of the Board; and if two or more candidates shall have received an equal number of votes, the returning officer shall in each case have the casting vote.

23. *Disposal of ballot-papers.*—The returning officer shall forthwith, after the declaration of the poll, cause all the sealed parcels of ballot-papers to be sealed up in a packet indorsed with a description of the contents thereof signed by him, and shall cause them to be safely and secretly kept for six months, and after the expiration of such period of six months to be destroyed.

24. *If vacancies unfilled, Minister to be notified.*—If at any election no members, or a less number of members than is necessary to fill the vacancies to fill which such election was held, shall be elected, the returning officer shall notify the same forthwith to the Minister.

25. *Extraordinary vacancies.*—When an extraordinary vacancy occurs in the office held by any elected member, the same course of procedure shall be adopted in and about the election of a person to supply such vacancy as is hereinbefore prescribed for an election to fill an ordinary vacancy.

26. *Fees.*—The Minister may pay to each deputy returning officer or poll clerk such fee as may to him seem fit.

FIRST SCHEDULE.

The Marine Act 1890.

(Clause 2.)

Roll of Port Phillip Pilots [Certificated Engineers, Masters, or Seamen (*as the case may be*)].

No. on the Roll.	Name.	Address.

SECOND SCHEDULE.

THE MARINE BOARD OF VICTORIA.

FORM OF NOMINATION.

(Clause 10.)

* Here insert Merchants and Traders, Underwriters, Ship-owners, Port Phillip Pilots, Certificated Engineers, Masters, or Seamen (*as the case may be*).

We, the undersigned, being entitled to vote as * of do hereby nominate † as a candidate for the office of Member of the Marine Board of Victoria at the election to be held on the day of A.D. 190 .

Insert No. on Roll.

† Insert name in full.

Signatures of not less than four persons duly qualified to vote at such election, and whose names are included on the Roll of Electors.

And I, the above-named nomination.

do hereby consent to such

Signature
Date
Address

To the Returning Officer,
Marine Board Elections, Melbourne.

THIRD SCHEDULE.

MARINE BOARD OF VICTORIA.

(Clause 13.)

[Merchants and traders, underwriters, ship-owners, Port Phillip pilots, certificated engineers, masters, or seamen (*as the case may be*).]

Candidates' names (arranged in alphabetical order of surname):—

Adams, John
Brown, Thomas
Cox, James
Dean, Robert.

Directions.

The voter is to strike out the name of the candidate or candidates for whom he does not intend to vote by drawing a line through the same with a pencil. He must be careful not to leave uncanceled the names of more than one candidate, otherwise this ballot-paper will be invalid. The ballot-paper so marked by or for the voter is to be dropped by him into the ballot-box.

The voter is not permitted to take his ballot-paper out of the ballot-room or polling-booth.

FOURTH SCHEDULE.
THE MARINE BOARD OF VICTORIA.

WITHDRAWAL OF CANDIDATE FROM ELECTION.

(Clause 14.)
* Insert name in full. We, the undersigned nominators of * as a candidate
† Here insert Merchants, at the election of a Member of the Marine Board of Victoria, byt to
and Traders, Under- do hereby withdraw the said 19
writers, Ship-owners, candidate. as such
Port Phillip Pilots, Certified Engineers, Masters, or Seamen (as the case may be).
And I, the said candidate. do hereby retire from being such
Signatures of Two (2) of the original nominators {
Signature.
Date.
Address.

To the Returning Officer.
Marine Board Elections, Custom House.

FIFTH SCHEDULE.
Marine Act 1890.

(Clause 5.) CLAIM TO HAVE NAME INSERTED ON ROLL OF MASTERS.

(A) NAME, ETC., OF CLAIMANT.
This form is to be filled up and completed in every particular, and forwarded to the Secretary, Marine Board, Melbourne.

Christian Names at Full Length.			Surname.	Permanent Address, stating Town, Street, and Number of House, and Name of Person (if any) with whom residing.	
Date of Birth.			Age last Birthday.	Where Born.	
Day.	Month.	Year.		Town.	Country.

(B) PARTICULARS OF CERTIFICATE AS MASTER.

No.	Competency or Service.	Where Issued.	Date.	State whether for a Foreign-going, Home-trade, River and Bay, Intercolonial, Coasting Trade, or River Ship, &c.

STATEMENT OF CLAIM AND DECLARATION.

I hereby claim, in accordance with the 5th clause of the "Regulations for the Preparation of Rolls of Electors" under the provisions of the *Marine Act 1890*, to have my name inserted on the Roll of Masters entitled to vote for the election of a member on the Marine Board of Victoria, and I, of in the State of Victoria, do solemnly and sincerely declare that—

Strike out the word or words which do not apply. (1) I am a {naturalized } British subject.
(2) I have attained the full age of 21 years.
State name and description of vessel. (3) In the month of January last I acted as master of the which vessel is registered at being a port in Victoria.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at this day of thousand nine hundred and in the State of Victoria, }
One }

Before me J.P.

NOTICE.—Unless evidence is furnished in support of each statement made claim will be considered invalid.
REPORT ON CLAIM. Secretary to Marine Board.

Marine Act 1890.

CLAIM TO HAVE NAME INSERTED ON ROLL OF SEAMEN.
NAME, ETC., OF CLAIMANT.

This claim is to be filled up and completed in every particular, and forwarded to the Secretary, Marine Board, Melbourne.

Christian Names at Full Length.			Surname.	Permanent Address, stating Town, Street, and Number of House, and Name of Person (if any) with whom residing.	
Date of Birth.			Age last Birthday.	Where Born.	
Day.	Month.	Year.		Town.	Country.

STATEMENT OF CLAIM AND DECLARATION.

I hereby claim, in accordance with the 5th clause of the "Regulations for the Preparation of Rolls of Electors" under the provisions of the Marine Act 1890, to have my name inserted on the Roll of Seamen entitled to vote for the election of a member on the Marine Board of Victoria, and I, of the State of Victoria, do solemnly and sincerely declare that--

Strike out the word or words which do not apply.

- (1) I am a (naturalized / natural born) British subject.
- (2) I have attained the full age of 21 years.
- (3) I was employed as a (1) for six months during the year ended the 31st day of December last on board a ship or ships registered in a port or ports in Victoria.

The roll of seamen will include all eligible persons employed or engaged in any capacity on board any ship subject to the conditions herein indicated (vide sec. 30 of Act No. 1185).

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at this day of in the State of Victoria, nine hundred and One thousand

Before me, J.P.

NOTICE.—Unless evidence is furnished in support of each statement made claim will be considered invalid.

REPORT ON CLAIM.

Secretary to Marine Board.

Marine Act 1890.

CLAIM TO HAVE NAME INSERTED ON ROLL OF ENGINEERS.

(A) NAME, ETC., OF CLAIMANT.

This claim is to be filled up and completed in every particular, and forwarded to the Secretary, Marine Board, Melbourne.

Christian Names at Full Length.			Surname.		Permanent Address, stating Town, Street, and Number of House, and Name of Person (if any) with whom residing.	
Date of Birth.			Age Last Birthday.		Where Born.	
Day.	Month.	Year.			Town.	Country.

(B) PARTICULARS OF CERTIFICATE AS ENGINEER.

No.	Competency or Service.	Where Issued.	Date.	Grade.

STATEMENT OF CLAIM AND DECLARATION.

I hereby claim, in accordance with the 5th clause of the "Regulations for the Preparation of Rolls of Electors" under the provisions of the Marine Act 1890, to have my name inserted on the Roll of Engineers entitled to vote for the election of a member on the Marine Board of Victoria, and I, in the State of Victoria, do solemnly and sincerely declare that--

Strike out the word or words which do not apply.

- (1) I am a (naturalized / natural born) British subject.
- (2) I have attained the full age of 21 years.
- (3) I am the holder of a valid certificate as an engineer, as set forth in division (B) above.
- (4) I was employed as an engineer for six months during the year ended the 31st day of December last on board a ship or ships registered in a port or ports in Victoria.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at this day of in the State of Victoria, nine hundred and One thousand

Before me, J.P.

NOTICE.—Unless evidence is furnished in support of each statement made claim will be considered invalid.

REPORT ON CLAIM.

Secretary to Marine Board.

September 13, 1901.

SIXTH SCHEDULE.

To the Secretary of the Marine Board of Victoria.

OBJECTION TO VOTE.

* Here state whether
pilots, engineers, masters,
or seamen.

I hereby give you notice that I object to the name of _____ being retained on the
Roll of* _____ who are entitled to vote for the election of a member
for the Marine Board; and in accordance with the 5th clause of the "Regulations relating to the
Preparation of Rolls, &c.," I have notified the above-named person of my intention to lodge this
objection.

Number on roll of the person to whose name objection is taken :—

Here state in full the
grounds upon which ob-
jection is taken.

Signature in full—
Number on roll—
Date—
Address—

REPORT ON OBJECTION.

Secretary to the Marine Board.
/ /

And the Honorable William Arthur Trenwith, His Majesty's Chief Secretary for the State of
Victoria, shall give the necessary directions herein accordingly.

THOS. BRISBANE,
Acting Clerk of the Executive Council.

Court.

ECHUCA.—LICENSING COURT.—Notice is hereby given that a Sitting of the Licensing Court for the Licensing Districts of
Echuca and Rochester will be held at the Court House, High-street, Echuca, on Tuesday, the 17th day of September, 1901,
at Ten o'clock in the forenoon. Dated at Echuca this 11th day of September, 1901.—(By order) W. C. WILSON, Clerk of the said
Court

