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THE CONSTITUTION ACT AMENDMENT ACT 1958.

At the Executive Council Chamber, Melbourne, the thirtieth day of May, 1961.

PRESENT:

His Excellency the Administrator of the Government of Victoria.

Sir Ewen Cameron

Mr. Fraser.

VICTORIAN CONJOINT ELECTION REGULATIONS.

IN pursuance of the powers conferred by *The Constitution Act Amendment Act* 1958 and all other powers enabling him in that behalf, His Excellency the Administrator of the Government of Victoria, by and with the advice of the Executive Council thereof, doth hereby make the Regulations following (that is to say):—

1. These Regulations may be cited as the Victorian Conjoint Election Regulations and shall apply to the conduct of a conjoint election.

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

“Chief Electoral Officer” means the Chief Electoral Officer for the State of Victoria.

“Conjoint election” means a general election for the Legislative Assembly and a periodical election for the Legislative Council which are both to be held on the same day in pursuance of writs issued on the same day.

“The Act” means *The Constitution Act Amendment Act* 1958.

3. Subject to these Regulations the Victorian Parliamentary Elections Regulations 1960 as amended from time to time shall, except Regulations 47 and 48 thereof, apply to a conjoint election with the following modifications, namely—

(a) That in any form of declaration or statement made or to be made by an officer clerk elector or voter in relation to a conjoint election any reference therein to an electoral district shall, unless the contrary intention appears, be read and construed as including a reference to the corresponding electoral province; and

- (b) that in Parts I., II. and III. thereof relating to unenrolled voters, absent voting and postal voting—
 - (i) any reference therein to a returning officer shall, unless the contrary intention appears, be read and construed as a reference to a returning officer for an electoral district of the Legislative Assembly only; and
 - (ii) any reference therein to a ballot-paper or a vote in relation to an unenrolled voter, an absent voter or a postal voter shall, unless the contrary intention appears, be read and construed (where the case so requires) as including the ballot-papers or votes of any such voter.

4. Where, pursuant to the provisions of section 187A or section 238A of the Act, the returning officer for an electoral district is required to forward any votes relating to an election for the Legislative Council to the returning officer for the province concerned such first-mentioned returning officer shall—

- (a) Deal separately with the parcels of ballot-papers of unenrolled voters, absent voters and postal voters respectively; and
- (b) in respect of each such parcel—
 - (i) make a preliminary scrutiny of the ballot-papers and count the number of first preference votes allotted to the respective candidates as well as the number of ballot-papers which appear to be informal;
 - (ii) complete in duplicate a duly signed certificate of advice in accordance with Form A of the Schedule hereto or to the like effect, endorsing thereon the numbers ascertained as aforesaid;
 - (iii) forward the original of such certificate and the ballot-papers relating thereto to the returning officer for the province concerned; and
 - (iv) retain the duplicate copy of such certificate for inclusion in his records of the election.

5. On receipt of every parcel forwarded to him in pursuance of the last preceding Regulation the returning officer for the province concerned shall—

- (a) scrutinize and count the ballot-papers so forwarded and take them into account for his election;
- (b) make any necessary alterations to the respective numbers set forth in the relevant certificate of advice and initial every such alteration; and
- (c) retain such certificate for inclusion in his records of the election.

6. Every person appointed as a deputy returning officer, a relieving deputy or a poll clerk for any polling place at a conjoint election shall in addition to performing and exercising all duties and powers that may be imposed and conferred upon him in relation to the taking of a poll for any election being held for the said district be responsible for performing and exercising the like duties and powers in relation to the taking of a poll at such polling place for any election being held for the corresponding province.

7. Every certified list showing the state of the poll and an account of the ballot-papers and every sealed parcel of ballot-papers required by the Act to be made up by a deputy returning officer in relation to an election for a province and to be forwarded by him to the returning officer for such province shall be made up and forwarded by such deputy to the returning officer for the electoral district who shall be responsible for transmitting them to the returning officer for the province concerned as soon as possible.

8. The returning officer for each electoral district shall preserve in his custody a list in which he shall record from time to time the polling booths in respect of which the items referred to in the last preceding Regulation have been so transmitted to the returning officer or returning officers for the province or provinces concerned.

9. The returning officer for each province shall preserve in his custody a list in which he shall record from time to time the polling booths in respect of which the items referred to in Regulation 7 of these Regulations have been received from the returning officers for the electoral districts concerned and he shall give a receipt in respect of every such transmission to the returning officer concerned.

10. (1) For the purpose of enabling the returning officer for each contested province to account for all ballot-papers printed for such province every returning officer for any electoral district which is situated wholly or partly within such

contested province shall, as soon as possible after polling day, furnish to the returning officer of the province concerned a return of all ballot-papers issued to his deputy returning officers or retained by himself pursuant to the provisions of sub-section (1) of section 172 of the Act.

(2) Any ballot-papers so retained by any returning officer for an electoral district shall be transmitted by him to the returning officer for the province concerned with the return of ballot-papers issued or retained required to be furnished pursuant to the foregoing provisions of this Regulation.

11. (1) Where the ballot-paper or ballot-papers (as the case may require) of any person tendering his vote at a polling booth is or are set aside for separate custody pursuant to the provisions of sub-section (2) of section 190 of the Act, every such ballot-paper shall be individually placed by the returning officer of the electoral district concerned or the deputy returning officer (as the case may require) in a separate envelope which shall be endorsed by such officer with the name of the province or district to which the ballot-paper placed therein relates and with all other necessary particulars relating to such person.

(2) Every such envelope shall be in accordance with Form B of the Schedule hereto or to the like effect.

12. The rates of allowances for expenses of conducting elections shall be in accordance with those set forth in Form C of the Schedule hereto.

SCHEDULE.

To be made out in duplicate and one copy retained for records.

Regulation 4.

STATE OF VICTORIA.

CONJOINT ELECTION.

Victorian Conjoint Election Regulations.

Form A.

To the Returning Officer for the Electoral Province.

CERTIFICATE OF ADVICE RE POSTAL, UNENROLLED AND ABSENT VOTES DESPATCHED TO LEGISLATIVE COUNCIL RETURNING OFFICERS.

I have forwarded to you to-day (state number) respect of your Province at the conjoint election. * postal * unenrolled ballot-papers polled in * absent

* Strike out whatever is inapplicable.

I hereby certify that the said ballot-papers were properly admitted by me at the conjoint election and that a preliminary scrutiny thereof shows that the first preferences thereon were allotted as follows:—

Table with 2 columns: Candidates' Names (in order of appearance on ballot-paper) and Number of First Preference Votes. Includes rows for candidates and a Total row.

The above-mentioned ballot-papers have been forwarded—

- * by hand herewith.
* by registered post under separate cover.

Further certificates * are still to be forwarded to you in respect of the above-mentioned type of ballot-papers. * are not

* Strike out whatever is inapplicable.

Certified under my hand this day of , 19

Signed Returning Officer for the Electoral District of

N.B.—Send a separate certificate for each type of ballot-paper forwarded.

STATE OF VICTORIA.
Victorian Conjoint Election Regulations.

Regulation 11.

Form B.

Province (or 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 election held on the day of 19, for the above-mentioned Province (or District), such person being the second person who tendered a vote in that name.

Signed
Returning Officer or Deputy Returning Officer.

STATE OF VICTORIA.
Victorian Conjoint Election Regulations.

Regulation 12.

Form C.

RATES OF ALLOWANCES FOR EXPENSES OF CONDUCTING A CONJOINT ELECTION.

1. Substitute Returning Officers—

(a) To the Substitute Returning Officer for a Province, a fee as follows:—

| | Contested Election. | Uncontested Election. |
|---|---------------------|-----------------------|
| | £ | £ |
| Metropolitan Provinces— Every such Province | 150 | 50 |
| Urban and Country Provinces— The Ballarat, Bendigo, North Western, South Western or Western Province | 180 | 50 |
| The Northern, North Eastern or South Eastern Province .. | 200 | 50 |
| The Gippsland Province | 220 | 50 |
| The Southern Province | 260 | 50 |

(b) To the Substitute Returning Officer for an Electoral District—

(i) Where in every subdivision of the Electoral District concerned a poll takes place for both the Assembly election and the relevant Council election, a fee as follows:—

Metropolitan Districts—

| | £ | s. | d. |
|---|-----|----|----|
| All Districts | 170 | 0 | 0 |
| Urban and Country Districts— Where the number of polling booths does not exceed 55 | 170 | 0 | 0 |
| Where the number of polling booths exceeds 55, but does not exceed 75 | 190 | 0 | 0 |
| Where the number of polling booths exceeds 75, but does not exceed 95 | 210 | 0 | 0 |
| Where the number of polling booths exceeds 95, but does not exceed 115 | 230 | 0 | 0 |
| Where the number of polling booths exceeds 115, but does not exceed 135 | 250 | 0 | 0 |
| Where the number of polling booths exceeds 135 | 270 | 0 | 0 |

(ii) Where in any subdivision of the Electoral District concerned no poll is required to be taken for the Assembly election or for the relevant Council election or for both such elections, such fee in respect of the District as is fixed by the Minister.

2. Deputy Returning Officers—

| | £ | s. | d. |
|---|----|----|----|
| To a Deputy Returning Officer (or Relieving Deputy)—For the Polling Day | 6 | 10 | 0 |
| To a Relieving Deputy Returning Officer required by a Returning Officer to take charge of the arrangements at a polling place containing more than one polling booth— Where the number of polling booths exceeds 1 but does not exceed 3 | 7 | 5 | 0 |
| Where the number of polling booths exceeds 3 but does not exceed 7 | 8 | 0 | 0 |
| Where the number of polling booths exceeds 7 but does not exceed 12 | 8 | 15 | 0 |
| Where the number of polling booths exceeds 12 but does not exceed 20 | 9 | 10 | 0 |
| Where the number of polling booths exceeds 20 | 10 | 10 | 0 |

3. *Poll Clerks—* £ s. d.
 To a Poll Clerk—For the Polling Day 5 7 6
4. *To Officers Assisting the Returning Officer in the Following Duties, namely:—*
 (a) Counting and distributing preference votes;
 (b) conducting a recount of ballot-papers; and
 (c) preparing “marked rolls” of electors who have not recorded their votes.
 Substitute Returning Officers 14s. per hour.
 Deputy Returning Officers (or Relieving Deputies) 11s. per hour.
 Poll Clerks 9s. per hour.
5. *Officers Assisting in Reception and Recording of Polling Results—*
 Subject to any direction given in that behalf by the Chief Electoral Officer, officers may be appointed to assist the Returning Officer and the Substitute Returning Officer on polling night in the reception and recording of reports of the polling results from the various polling booths within the Province or District.
 The rate of pay for any such officer shall be 15s. per hour.
6. *Travelling Expenses—*
 To a Returning Officer, a Substitute Returning Officer, a Deputy Returning Officer (or Relieving Deputy) a Poll Clerk, and to a Special Messenger—only where indispensably necessary, the actual expense incurred.
 In all the above cases, when the travelling can be done by railway or by road service—the actual fares only.
 Provided that the cost of travelling shall not in any case exceed One shilling per mile each way, the mileage to be specified on each account.
 When the distance travelled exceeds 40 miles each way, for each day that he is necessarily absent from his residence, in addition— £ s. d.
 To a Returning Officer 2 15 0
 To a Substitute Returning Officer 2 10 0
 Under no circumstances whatever will any charge for refreshments be allowed.
7. *Hire or Erection of Booths and the Transport of Materials—*
 The actual cost as proved by vouchers.
 When a poll is taken in any school-house 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, the actual cost of erection of the “compartments” and the cost of cleaning only will be allowed.
 In Metropolitan and Urban Districts, whenever it is necessary to engage a contractor to transport voting screens and ballot-boxes or to erect voting screens, a quotation should be obtained from a reliable contractor. Further quotations from other contractors should be obtained if the original quotation is considered excessive in price or otherwise unsatisfactory.
8. *Allowances for Clerical Assistance—*
 The following allowances for clerical assistance shall be paid to a Returning Officer for an Electoral District of the Legislative Assembly:—
 (a) For dealing as required with all postal votes and applications therefor:— £ s. d.
 (i) to cover all necessary duties pertaining to allowed applications in respect of which postal ballot-papers are issued—for each application in respect of which a postal ballot-paper is so issued 0 1 3
 (ii) to cover all necessary duties associated with applications in respect of which postal ballot-papers are not issued—an additional allowance for every one hundred allowed applications in respect of which a postal vote is actually issued (and for any remaining fraction of one hundred so allowed) of 0 6 0
 (b) For scrutinizing declarations containing absent votes and votes of unenrolled voters polled for the district (and relevant province or provinces) and counting (where necessary) the respective votes contained therein—for every one hundred of such declarations and for any remaining fraction of one hundred 2 15 0
 (c) For dealing with—
 (a) all absent voters' declarations made at polling places within his own District; and
 (b) all declarations containing postal votes delivered to polling places within his own District for transmission to Returning Officers for other Districts—
 for every one hundred of the sum of such declarations and for any remaining fraction of one hundred 0 10 0
 (d) For bringing booth rolls into conformity with certified rolls—such allowance as is fixed by the Minister in respect of such District.

9. The following allowances for clerical assistance shall be paid to a Returning Officer for a Province of the Legislative Council:—

| | £ | s. | d. |
|---|---|----|----|
| For counting as required all ballot-papers of postal voters, absent voters and unenrolled voters polled for the Province—for every one hundred of the sum of such ballot-papers and for any remaining fraction of one hundred | 0 | 5 | 0 |

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

A. MAHLSTEDT,
Clerk of the Executive Council.