

COMMONWEALTH ELECTORAL BILL 1905.

COMPARATIVE TABLE OF THE CLAUSES OF THE BILL AND THE SECTIONS OF THE COMMONWEALTH ELECTORAL ACT 1902.

Clause of Bill.	Section of Act of 1902.	
PART I.—PRELIMINARY.		
1	1	
2	2	
3	..	(Commencement). New.
4	3	(Interpretation). Definitions of "Electoral Registrar" and "Subdivision" are new. Definitions of "Officer" and "Minister" are altered. Definitions of "Justice of the Peace" and "prescribed" are omitted as unnecessary; see <i>Acts Interpretation Act</i> 1904.
5	..	(Repeal). New.
6	..	(Incorporation). These Acts are incorporated with the present Act.
..	4	(Application). Omitted; but see clause 14 (2) of Bill.
PART II.—ADMINISTRATION.		
7	5	(Chief Electoral Officer). Amended.
8	6	} Unaltered.
6	7	
10	8	(Assistant Returning Officer). Exception (as to Postal Voting) omitted. Last two lines are new.
11	9	(Electoral Registrars). Provision as to "Subdivisions" added (consequential to clauses 24, 28).
12	10	(Keeping of forms). Amended to apply to other prescribed forms.
13	11	Unaltered.
PART III.—ELECTORAL DIVISIONS.		
14	12	(Divisions). Sub-clause (2) is new; but cf. section 2 of <i>Electoral Divisions Act</i> 1903.
15	23	(Redistribution). Sub-clause (2), as to when redistribution may take place, is new.
16	13, 14	(Commissioners). Three Commissioners in each State instead of one.

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.	
17	..	New (consequential).
18	15	(Quota). Mention of Chief Electoral Officer is new. Obsolete portion omitted.
19	16	} Unaltered.
20	17	
21	18	
22	19	
22	19	(Objections). Verbally amended.
22	19	(Report). Words "names and" (repealed by Act of 1903) restored.
23	20-22	Provisions as to Parliamentary Resolutions omitted.
PART IV.—SUBDIVISIONS AND POLLING-PLACES.		
24	..	(Subdivisions). New; part of the provision for enabling Rolls to be localized and used by States.
25	24	(Polling-places). Polling-place area is new; cf. clause 31 (3). Alternative provision for localizing Rolls.
..	25	Omitted.
26	26	Application extended and consequentially amended.
PART V.—ELECTORAL ROLLS.		
DIVISION I.—THE ROLLS.		
27	27	Verbally altered, and sub-clause (2) new.
28	28, 29	Alternative "Subdivision Rolls" provided for. Verbal amendments.
29	30	(Form of Rolls). To be prescribed, in lieu of being scheduled. In order to facilitate application to State purposes.
30	..	(Arrangement with States). New.
31	31	Consequentially and verbally amended. Sub-clause (3) ("or as prescribed") is complementary to the "polling-place area" provision—clause 25.
..	32, 34-49	(Preparation of Lists). Omitted; operation being exhausted.
32	50	(New Rolls). Verbal and consequential alterations.
33	52	(Printing of Rolls). Unaltered.
34	53	(Supplemental Rolls.) Amended.
35	54	(Inspection). Verbally amended. Sub-clause (2) is new.
36	33	"Rolls" substituted for "Lists." Otherwise unaltered.

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.	
		DIVISION 2.—ADDITIONS, TRANSFERS, AND ALTERATIONS.
..	55	Omitted.
37	56, 57	(Claims). Amended.
38	58-61	(Applications to transfer). Amended.
39	..	(Change to another subdivision). New.
40	..	(Change to another polling-place). New; compare section 62 (ii) (b) of Act.
41	62	(Alteration of Rolls). Slightly amended; sub-clause (2) is new.
42	63	" Or subdivision " added.
43	..	(Change to proper Roll). New.
44	65	Verbally amended.
45	64	Consequentially amended.
46	66	(List of Deaths). Slightly amended.
		DIVISION 4.—OBJECTIONS.
47	71	} In lieu of existing provisions as to " Revision Courts," provisions are substituted enabling the Returning Officer to hear objections, with an appeal to a Court of Summary Jurisdiction.
48	72	
49	73	
50	74	
51	79	
52	77	
		DIVISION 5.—APPEALS.
53	..	New.
		PART VI.—WRITS FOR ELECTIONS.
54	86-89, 91	(Form of Writs, &c.). Verbally amended.
55	90, 92	(Address of Writs). Verbally amended.
56	93	(Duty of Returning Officers). Verbally amended.
		PART VII.—THE NOMINATIONS.
57	94	} Unaltered.
58	95	
59	96	
60	100	(To whom made). Verbally amended.

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.	
61	99	} Unaltered. (Requisites). Verbally amended. Unaltered. (Candidate may withdraw). New. Unaltered. (Formal defects). Verbally amended. Unaltered. (Forfeiting deposit). Amended consequentially on clause 66.
62	104	
63	105	
64	97	
65	98	
66	..	
67	101	
68	102	
69	106	
70	103	
71	107	} Unaltered.
72	108	
* PART X.—VOTING BY POST.		
73	109	(Application for Postal Vote certificate). "Prescribed form" instead of form in Schedule. Sub-clause (2) is new.
74	..	(Authorized witnesses). New; cf. section 112.
75	..	(Duty of witness). New.
76	110	(Issue of certificate and ballot-paper). Amended.
77	111	(Initialing). Words "on the back," and initialing of certificate, are new.
78	117	(Notifying issue). Verbally amended.
79	118	(Advice to Presiding Officer). Consequentially amended.
80	112, 113, 122	(How ballot-papers dealt with). Re-drafted.
81	114, 115	(Duty of witness). Re-drafted.
..	116	Omitted.
82	} 119	Re-drafted.
83		
84	121	Unaltered.
85	120	(Decision subject to review). Verbally amended.
86	..	(Preservation of rejected papers). New.
* PART IX.—THE POLLING.		
87	123	Unaltered.
88	124	(Duty of Returning Officer). "Check Rolls" for "lists of voters."
89	125	(Presiding Officer). Words "unless he appoints," &c., are new.
90	126	(Substitute). Verbally amended.

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.	
91	127	} Unaltered.
92	128	
93	129	(Ballot-boxes). Amended.
94	130	(Check-rolls). Consequentially amended.
95	131, 132	(Forms of ballot-papers). Unaltered.
96	133	(Printing ballot-papers). "Against" for "opposite."
97	..	(Written ballot-papers). New.
98	134	(Ballot-papers initialed). Unaltered.
99	135	(Scrutineers). Verbally amended.
100	136	Unaltered.
101	137	(The polling). Amended as to fastening.
..	138	(Electors to vote for division where they live). Omitted, so that change of residence does not affect right to vote so long as name remains on roll.
102	139	(Where electors may vote). Amended; provision for voting at other polling-places omitted.
103	140	Unaltered.
104	141	(Questions). "Or poll-clerk" new. Question "Are you disqualified?" omitted—leaving Rolls conclusive as to right; and see clause 138.
105	142	(Consequence of answers). Consequentially amended.
106	143	} Unaltered.
107	144	
108	145	(Ballot-paper handed to elector). Slightly amended—Paragraph (2) omitted in consequence of alteration of section 139 of Act.
109	146	(Check-roll to be marked). "Or poll-clerk" added.
110	147	Unaltered.
111	148	(Assistance to voters). "Or poll-clerk" added.
112	149	(Spoilt ballot-papers). "Or poll-clerk" added. Ballot-papers to be cancelled and filed, instead of being destroyed.
113	150	} (How votes marked). "Against" for "opposite."
114	151	
115	152	} Unaltered.
116	163	
117	..	(Voting-machines). New.
PART X.—THE SCRUTINY.		
<i>General Provisions.</i>		
118	154	} Unaltered.
119	155	
120	156	} (Scrutineer may object). Verbally amended.
121	157	

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.	
122	158	(Informal ballot-papers). Verbally amended.
123	159	Unaltered.
		<i>Provisions relating to Elections for the Senate.</i>
124	160, 161	(Scrutiny). Re-drafted, simplified, and assimilated to clause 127.
125	} 161	(Casting vote). Re-drafted.
126		
		<i>Provisions relating to Elections for the House of Representatives.</i>
127	162-4	(Scrutiny). Re-drafted.
128	} 164	Re-drafted.
129		
		PART XI.—THE RETURN OF THE WRITS.
130	165	} Verbally amended.
131	166	
132	167	
		PART XII.—LIMITATION OF ELECTORAL EXPENSES.
134	169, 181	(Rates of expenditure). Verbally amended. Penalty transferred from section 181.
135	170, 181	(Expenses allowed). Penalty transferred from section 181.
136	185, 182	(Expenses on behalf of candidate). Re-drafted. Penalty expressed.
137	171	Unaltered.
138	172, 181	(Returns). Re-drafted. Penalty transferred from section 181.
		PART XIII.—ELECTORAL OFFENCES.
139	173	(Offences). "And penalized" omitted.
140	174	(Breach or neglect of duty). Re-drafted.
141	175, 176, 181	(Bribery). Re-drafted. "To induce any candidature" omitted.

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.		
142	177, 178, 131	(Undue influence). "To induce any candidature" omitted.	
143	179	Unaltered.	
144	180, 181	(Illegal practices). Verbally amended. Offence against clause 138 excepted.	
145	182	(Electoral offences). Re-drafted and amended.	
146	183	} Unaltered.	
147	184		
148	186		
..	187		(Attempts). Omitted; see <i>Acts Interpretation Act 1904</i> .
149	188	Unaltered.	
189	}	Omitted. See <i>Acts Interpretation Act 1904</i> .	
190			..
191			..
PART XIV.—COURT OF ELECTIONS AND QUALIFICATIONS.			
150	192	Extended to <i>qualifications</i> ; see Constitution, section 47. Name of Court altered accordingly.	
151	193	(The Court). Consequentially amended.	
152	194	(Petition). Re-drafted and consequentially amended.	
153	195	} Unaltered.	
154	196		
155	197		(Powers of Court). Paragraphs (<i>g</i>) and (<i>h</i>), and sub-clauses (2) and (3), are new. See <i>Chanter v. Blackwood</i> , I.C.L.R. 39.
156	198		Unaltered.
157	..	(Voiding election for illegal practices). New.	
158	199	} Unaltered.	
159	200		
160	201		
161	202		
162	203, 204		
163	205		(Effects of decision). Paragraph (<i>d</i>) is new.
164	206	(Rules of Court). Verbally amended.	
PART XV.—MISCELLANEOUS.			
165	..	(Disqualification for bribery, &c.). New.	
166	..	(Disqualification for accepting fee, &c.). New.	
167	207	(Electoral matter posted). Amended.	
168	208	Unaltered.	
169	209	(Forms in Schedule). Amended.	
170	210	(Regulations). Amended. See <i>Acts Interpretation Act 1904</i> .	

COMPARATIVE TABLE of the Clauses of the Bill and the Sections of the
Commonwealth Electoral Act 1902—continued.

Clause of Bill.	Section of Act of 1902.	
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THE SCHEDULE.		
..	Form A	} Omitted. Forms to be prescribed.
..	.. B	
..	.. C	
..	.. D	
..	.. E	
..	.. F	
Form A	.. G	} Unaltered.
.. B	.. H	
.. C	.. I	
.. D	.. J	
..	.. K	(Nomination-paper for member of House of Representatives). Slightly altered.
..	.. L	(Application for Postal Vote certificate). Omitted.
Form E	.. M	(Postal Vote certificate). Unaltered.
.. F	.. N	(Postal ballot-paper). Slightly altered.
.. G	.. O	(Postal ballot-paper). Slightly altered.
.. H	.. P	(Ballot-paper). Position of squares altered.
.. I	.. Q	(Ballot-paper). Position of squares altered.
..	.. R	(Declaration). Omitted.
Form J	.. R	(Return of Electoral Expenses). Altered.