

NATURALISED SUBJECTS FRANCHISE ACT.

Act No. 14, 1916.

George V, An Act to regulate the exercise of certain franchises
No. 14. by certain naturalised British subjects and other persons, and for that purpose to amend certain Acts relating to Parliamentary elections and elections for local government areas and the City of Sydney, and to justices of the peace, coroners, licensing magistrates, and jurors; and for purposes consequent thereon or incidental thereto. [Assented to, 17th April, 1916.]

Short title
and duration.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Definition.

1. (1) This Act may be cited as the "Naturalised Subjects Franchise Act, 1916," and shall take effect during the continuance of the present war between His Majesty and any of His Majesty's enemies, and for a period of six months after the conclusion of the war.

(2) In this Act, unless the context otherwise requires:—

"Naturalised British subject of enemy origin" means a naturalised male or female British subject who at the time of his or her naturalisation was a subject of a country with which the British Empire is at war.

Naturalised
British subjects
of enemy
origin incapable
of holding
certain
positions.

2. A naturalised British subject of enemy origin shall be incapable of sitting or voting in the Legislative Council or being elected to or sitting or voting in—

- (a) the Legislative Assembly;
- (b) the Municipal Council of Sydney;
- (c)

- (c) the council of any municipality or shire constituted under the provisions of the Acts relating to Local Government ;

George V,
No. 14.

or of officiating as a justice of the peace, a coroner, a member of a licensing bench, or as a juror, or of obtaining a license under the Liquor Act, or of being granted a renewal of an existing license under that Act.

3. A naturalised British subject of enemy origin shall not be qualified to have his name entered or retained on any electoral roll compiled under the Parliamentary Electorates and Elections Act, 1912, or under any Act relating to local government, or under the Sydney Corporation Act, 1902, or for the purposes of any referendum.

Names on
rolls.

4. (1) A naturalised British subject of enemy origin shall not vote at an election under the Parliamentary Electorates and Elections Act, 1912, or under any Act relating to local government, or under the Sydney Corporation Act, 1902, or at any referendum.

Aliens voting.

(2) If any such person votes at any such election or referendum he shall be liable to a penalty not exceeding one hundred pounds.

5. (1) At any poll taken under the Parliamentary Electorates and Elections Act, 1912, or any Act relating to local government, or under the Sydney Corporation Act, 1902, or under any referendum, the presiding officer shall put to any person claiming to vote bearing a name suggesting that he is an alien of enemy origin all or any of the following questions :—

Powers and
duties of
presiding
officers to put
questions to
voters.

- (a) Are you a subject of any of the countries (naming them) with which Great Britain is at war ?
- (b) Are you a naturalised British subject ?
- (c) What was your nationality immediately before the grant of your certificate of naturalisation ; or (in the case of a wife or child of a naturalised British subject of enemy origin)—what was your nationality at the time of naturalisation ?

(2) The presiding officer may require the production of any certificate of naturalisation as a condition to admitting the said person to vote, or may dispense with such production.

(3)

George V,
No. 14.

(3) If any person refuses to answer fully any question put to him as aforesaid, or by his answer shows that he is not entitled to have his name on the roll or to vote, his claim to vote shall be rejected.

Penalties.

6. If any person to whom a question is put in pursuance of this Act wilfully makes a false answer to the same or to any part thereof, he shall be guilty of a misdemeanour, and be liable to imprisonment for any term not exceeding six months, or to a penalty not exceeding one hundred pounds, or to both imprisonment and penalty.

Disloyal persons not entitled to vote.

7. Any person convicted under the Commonwealth War Precautions Act, 1914, or under any regulations thereunder, under circumstances which in the opinion of the revising magistrate indicate disloyalty shall have his name removed from the electoral rolls, and shall not be qualified to vote at any election under the Parliamentary Electorates and Elections Act, 1912, or under any Act relating to local government, or under the Sydney Corporation Act, 1902.

Regulations.

8. The Governor may make regulations to carry out the provisions of this Act, and in such regulations may impose for any breach thereof a penalty not exceeding twenty pounds.

Recovery of penalties.

9. Penalties under this Act, or the regulations thereunder, may be recovered before a stipendiary or police magistrate or any two justices in petty sessions.