

**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) ACT.**

Act No. 16, 1952.

An Act to amend the Parliamentary Electorates and Elections Act, 1912-1950, in certain respects; and for purposes connected therewith. [Assented to, 17th April, 1952.]

**Elizabeth II,
No. 16, 1952.**

BE

Parliamentary Electorates and Elections (Amendment) Act.

No. 16, 1952.

BE it enacted by the Queen'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:—

Short title,
citation and
commence-
ment.

1. (1) This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1952."

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1952.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act
No. 41,
1912.

2. The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts, is amended—

Substituted
sections 6
and 6A and
new secs.
7-12.

(a) by omitting sections six and 6A and by inserting in lieu thereof the following sections:—

Appoint-
ment of
commis-
sioners for
redistribu-
tion of
seats.

6. (1) When any distribution of electoral districts becomes necessary under the provisions of this Act the Governor shall, by commission under the Great Seal, appoint three persons to be commissioners for the purposes of this Part, and to be called the "Electoral Districts Commissioners."

(2) The persons so to be appointed shall be a person who is or has been a Judge of the Supreme Court, or Member of the Industrial Commission of New South Wales or a Judge of a District Court, the person who for the time being holds the office of Electoral Commissioner and a person who is registered as a surveyor under the Surveyors Act, 1929, as amended by subsequent Acts.

(3) The names of the persons so appointed shall be published in the Gazette.

6A. For the purposes of carrying out the powers and duties conferred and imposed upon the Electoral Districts Commissioners by this Part, the Electoral Districts Commissioners may, with the approval of the Minister of the department concerned, make use of the services of any of the officers and employees of the Public Service including members of the police force.

No. 16, 1952.
Commissioners may use services of officers of Public Service.

7. (1) The office of a commissioner shall be tenable for the period named in such commission, and, if necessary, for such extended period, to be named in a further commission, as the Governor may deem proper for the completion of the distribution in respect whereof such first-mentioned commission has been issued.

Duration of office, &c.

(2) The office of a commissioner shall be vacated if for any cause he ceases to possess the qualification for appointment mentioned in subsection two of section six of this Act.

(3) A commissioner may be paid such remuneration as may be determined by the Governor. Each commissioner shall be entitled to such travelling allowances as may be fixed by the Governor.

8. At any meeting of the commissioners the person who is or has been a Judge of the Supreme Court, a member of the Industrial Commission of New South Wales or a Judge of a District Court shall, when present, be chairman; and in his absence the Electoral Commissioner shall be chairman.

Chairman.

9. The commissioners may, subject to the provisions of this Act, make rules for the conduct of their proceedings, but no such rule shall have any force until the same has been approved by the Governor.

Rules.

10. At all meetings of the commissioners two shall form a quorum, and in the event of an equality of votes the chairman shall have a casting vote in addition to his original vote.

Quorum—casting vote of chairman.

Parliamentary Electorates and Elections (Amendment) Act.

No. 16, 1952.

Disqualifications.

11. (1) No person who has been adjudged bankrupt or insolvent under the laws in force in New South Wales relating to bankruptcy or insolvency and who has not obtained an order of discharge or an order annulling the sequestration order in respect of the said bankruptcy or insolvency, or who has been convicted of felony or misdemeanour, shall be appointed a commissioner under this Act.

(2) If any commissioner becomes bankrupt under any such laws, or assigns his estate for the benefit of his creditors, or is convicted of felony or misdemeanour, he shall thereby vacate his office.

Appointments to fill vacancies.

12. If any commissioner dies or becomes permanently incapable from illness of performing his duties, or resigns his office, or vacates his office by reason of any of the causes mentioned in subsection two of section seven or in section eleven of this Act, the Governor shall by commission under the Great Seal appoint a person eligible under section six of this Act as commissioner in his stead.

Sec. 13.
(Redistribution of electoral districts by commissioners, &c.)

(b) (i) by omitting from section thirteen the words "Electoral Commissioner, and he is" and by inserting in lieu thereof the words "commissioners, and they are";

(ii) by omitting from the same section the word "nine" and by inserting in lieu thereof the word "five";

Sec. 14.
(Notice of proposed alteration of existing boundaries to be given.)

(c) by omitting from section fourteen the words "Electoral Commissioner" wherever occurring and by inserting in lieu thereof the word "commissioners";

Sec. 15.
(Report of commissioners to be proclaimed.)

(d) (i) by omitting from subsection one of section fifteen the words "Electoral Commissioner" and by inserting in lieu thereof the word "commissioners";

(ii) by omitting from the same subsection the word "him" and by inserting in lieu thereof the word "them";

(e)

- (e) by omitting from subsections three and five of section 17A the words "Electoral Commissioner" wherever occurring and by inserting in lieu thereof the word "commissioners"; No. 16, 1952.
Sec. 17A.
(Method of distribution, etc.)
- (f) by omitting section nineteen and by inserting in lieu thereof the following section:— Substituted sec. 19.

19. The Electoral Districts Commissioners shall have the powers and immunities of a Commissioner, and the chairman of the Electoral Districts Commissioners shall have the powers of a chairman within the meaning of Division 1 of Part II of the Royal Commissions Act, 1923, as amended by subsequent Acts, and the provisions of that Act, as so amended, with the exception of section thirteen and Division 2 of Part II shall, mutatis mutandis, apply to any witness or person summoned by or appearing before the Electoral Districts Commissioners. Application to commissioners of Royal Commissions Act.
