**Commonwealth Electoral**

**No. 32 of 1966**

An Act to make Provision for Voting at Parliamentary Elections by Persons under the age of Twenty-one years who are, or have been, on Special Service outside Australia as Members of the Defence Forces.

[Assented to 24 May, 1966]

BE it enacted by the Queen’s Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

**Short title and citation.**

**1.**—(1.) This Act may be cited as the *Commonwealth Electoral Act* 1966.

(2.) The *Commonwealth Electoral Act* 1918-1965 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Commonwealth Electoral Act* 1918-1966.

**Commencement.**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Members of Defence Force.**

**3.** Section 39a of the Principal Act is amended by adding at the end thereof the following sub-sections:—

“(3.) Where—

(a) a person who is less than twenty-one years of age—

(i) is a member of the Defence Force and is, or has at any time (whether before or after the commencement of this sub-section) been, on special service; or

(ii) being a person whose real place of living is in Australia, has ceased to be a member of the Defence Force but has at any time (whether before or after the commencement of this sub-section) been on special service;

(*b*)at any time before the commencement of that special service, he lived in Australia for six months continuously; and

(*c*) he is a British subject,

he shall, for the purposes of this Act, be deemed to be an elector and, subject to sub-section (4.) of the last preceding section, is entitled to vote at an election under this Act as if his name appeared on the Roll for the Subdivision—

(*d*)if he was outside Australia at the time the writ for the election was issued—in which, immediately before his departure from Australia, he ordinarily lived; or

(*e*)if he was in Australia at the time the writ for the election was issued—in which he was living at that time.

“(4.) In the last preceding sub-section—

‘real place of living’ has the same meaning as in the proviso to sub-section (3.) of the last preceding section;

‘special service’, in relation to a person, means service of that person as a member of the Defence Force that is special service for the purposes of the *Repatriation* (*Special Overseas Service*) *Act* 1962, or of that Act as amended and in force from time to time.”.

**Application for a postal vote certificate and postal ballot-paper.**

**4.** Section 85 of the Principal Act is amended—

(*a*) by omitting from paragraph (*c*) of sub-section (1.) the word “or” (last occurring);

(*b*)by inserting after paragraph (*d*)of sub-section (1.) the following word and paragraph:—

“;or (*e*)is an elector by virtue of section thirty-nine aof this Act,”; and

(c) by inserting in sub-section (2.), after paragraph (*a*),the following paragraph:—

“(*ab*)in the case of an applicant who is an elector by virtue of section thirty-nine **a** of this Act—contain a declaration by the applicant setting out the grounds upon which, by virtue of that section, he is entitled to vote at the election;”.

**Returning officer to notify issue of postal vote certificate and postal ballot-papers.**

**5.** Section 91 of the Principal Act is amended by adding at the end of sub-section (1.) the words “, other than such electors who are electors by virtue of section thirty-nine a of this Act”.

**Preliminary scrutiny of postal ballot-papers.**

**6.** Section 96 of the Principal Act is amended by inserting after paragraph (*b*)the following paragraph:—

“(*ba*)if not satisfied, in the case of a person purporting to be an elector by virtue of section thirty-nine a of this Act, that he is an elector by virtue of that section, disallow the ballot-paper without opening the envelope in which it is contained;”.

**Where electors may vote.**

**7.** Section 113 of the Principal Act is amended by inserting in sub-section (1.), after the word “elector”, the words “(not being a person who is an elector by virtue of section thirty-nine a of this Act)”.

**Compulsory voting.**

**8.** Section 128a of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(14.) In this section, ‘elector’ does not include a person who is an elector by virtue of section thirty-nine a of this Act.”.