

1903.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1° 2 July, 1903.

(Brought from the Senate.)

A BILL

FOR

AN ACT

To make further provision for the Election
of Senators.

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

1. This Act may be cited as the *Senate Elections Act* 1903. Short title
- 5 2. This Act shall be incorporated and read as one with the *Commonwealth Electoral Act* 1902. Incorporation.
3. In this Act— Definitions.
 - “Casual vacancy” means a vacancy in the place of a Senator occurring before the expiration of his term of service.
 - 10 “Periodical vacancy” means a vacancy in the Senate occurring at the expiration of the term of service of a Senator.
4. When at an election of Senators for a State to fill periodical vacancies one or more Senators are to be elected to fill casual vacancies the provisions of this Act shall apply. Application of Act.

[C. 10]—650,2.7.1903.—F.3818.

5. The

- Conduct of election. **5.** The election of Senators to fill the periodical vacancies and of Senators to fill the casual vacancies shall be conducted as one election of Senators.
- Number of candidates to be elected. **6.** The number of candidates required to be elected at the election shall be the whole number required to fill the periodical and the casual vacancies. **5**
- See Principal Act, ss. 106, 107, 108, 150.
- The writ. **7.** The writ for the election may be in the form in Schedule A to this Act.
- See Principal Act, s. 86.
- Nominations. **8.** Nominations may be in the form in Schedule B to this Act. **10**
- See Principal Act, s. 99.
- The scrutiny. **9.** (1) Those of the elected candidates, to the number of the periodical vacancies, who receive the greatest number of votes shall be elected to fill the periodical vacancies.
- See Principal Act, s. 161.
- (2) In the event of an equality of votes between two or more elected candidates, not all of whom can be elected to fill the periodical vacancies, the Commonwealth Electoral Officer for the State shall give a casting vote for the purpose of deciding which of them shall be elected to fill the periodical vacancies. **15**
- (3) The elected candidates who are not elected to fill the periodical vacancies shall be elected to fill the casual vacancies. **20**
- The return of the writ. **10.** The Commonwealth Electoral Officer shall—
- See Principal Act, s. 165.
- (a) In declaring the result of the election, declare the names of the candidates elected to fill periodical vacancies, and the names of the candidates elected to fill casual vacancies ; and **25**
- (b) In certifying by indorsement on the original writ the names of the candidates elected, certify which of them are elected to fill periodical vacancies, and which of them are elected to fill casual vacancies.
- Court of Disputed Returns. **11.** The powers of the Court of Disputed Returns in respect of any petition disputing the election or return, shall include the power to declare— **30**
- See Principal Act, s. 197.
- (a) That any candidate, who was returned as elected to fill a periodical vacancy, was elected to fill a casual vacancy:
- (b) That any candidate, who was returned as elected to fill a casual vacancy, was elected to fill a periodical vacancy: **35**
- (c) That any candidate, who was not returned as elected, was elected to fill a periodical vacancy or a casual vacancy, as the case may be.

SCHEDULE

SCHEDULE A.

Section 7.

Writ for the Election of Senators.

COMMONWEALTH  OF AUSTRALIA.

HIS MAJESTY THE KING.

To the Commonwealth Electoral Officer for the State of
[*here insert name of State*].

GREETING.

We command you to cause election to be made according to law of [*here insert number to be elected to fill periodical vacancies*] Senators for our State of [*here insert name of State*] to serve in the Senate of the Parliament of the Commonwealth of Australia from and after the first day of January, 19 , and of [*here insert number to be elected to fill casual vacancies*] Senator for our said State to serve in the Senate of the said Parliament from and after the date of election. And we appoint the day of 19 , at twelve o'clock noon to be the day and time before which nominations of Senators at and for the said election are to be made. And we appoint the day of 19 , to be the day on which the poll is to be taken in the event of the said election being contested. And we appoint [*here insert name of building*] at [*here insert name of town*] to be the place of nomination at the said election. And we command you to indorse on this our writ the names of the Senators elected and to return it so indorsed to our Governor in and over our said State on or before the day of 19 .

Witness [*here insert the title of the Governor of the State issuing the writ*] at [*here insert place*] in our said State the day of in the year of our Lord One thousand nine hundred and

By His Excellency's command,

SCHEDULE B.

Section 8.

COMMONWEALTH OF AUSTRALIA.

State of [*here insert name of State*].

Nomination of Senator.

To the Commonwealth Electoral Officer for the State of [*here insert name of State*].

We, the undersigned electors on the Electoral Roll for the State of [*here insert name of State*], do hereby nominate [*here insert the Christian name, surname, residence, and occupation of the person nominated*] as a Senator for the State of [*here insert name of State*], to serve in the Senate of the Parliament of the Commonwealth.

Dated the day of 19 .

Signatures of Nominators.	Places of Living.	Polling Places.	Number on Roll.

I, of , consent to the above nomination, and to act if elected.

Witness—

[*Signature of Candidate.*]

Address—

N.B.—The Candidate's consent to the nomination may be on a separate paper and in any form, but if given on the nomination paper in the above form its sufficiency is not to be questioned.

