

LEGISLATIVE ASSEMBLY

Read 1° 19 April 1983

(Brought in by Mr Simpson and Mr Cain)

A BILL

To amend *The Constitution Act Amendment Act*
1958 with respect to the conduct of the
By-elections to be held for the Electoral Districts of
Swan Hill and Warrnambool and the Electoral
Province of East Yarra, in 1983.

BE IT ENACTED by the Queen's Most Excellent Majesty by and
with the advice and consent of the Legislative Council and the
Legislative Assembly of Victoria in this present Parliament
assembled and by the authority of the same as follows (that is to
say):

1. (1) This Act may be cited as *The Constitution Act Amendment*
(*Temporary Provisions*) Act 1983.

Short title.

(2) In this Act *The Constitution Act Amendment Act* 1958 is called
the Principal Act.

Principal Act
No. 6224.
Reprinted to
No. 9216.
Subsequently
amended by
Nos. 9427, 9576,
9581, 9753, 9788,
and 9826.

(3) This Act shall come into operation on the day upon which it
receives the Royal Assent.

Commencement.

2. The Principal Act shall have effect for and in relation to the
conduct of the by-elections to be held for the electoral districts of Swan
Hill and Warrnambool and the electoral province of East Yarra in 1983
as if—

Temporary
alterations to the
operation of
No. 6224 ss. 176
and 220A, 14th
Schedule and
s. 193.

(a) in section 176 (1) for the words "six o'clock" there were
substituted the words "eight o'clock";

- (b) in section 220A (3) for the words “six o’clock” there were substituted the words “eight o’clock”;
- (c) in note (1) (where second occurring) and in note (2) (a) to the Fourteenth Schedule there were substituted for the expression “before 6 p.m.” the expression “before 8 p.m.”; 5
and
- (d) for section 193 (1) there were substituted the following sub-sections:
- “(1) The following acts are, on polling day, and on all days to which the polling is adjourned, prohibited at an entrance of or within a polling place, or in any public or private place within twenty feet of an entrance of a polling place namely: 10
- (a) Canvassing for votes;
- (b) Soliciting the vote of any elector; or 15
- (c) Inducing any elector not to vote for any particular candidate; or
- (d) Inducing any elector not to vote at the election; or
- (e) Exhibiting any notice or sign (other than an official notice) relating to the election. 20
- (1A) Where—
- (a) a building used as a polling place is situated in grounds within an enclosure; and
- (b) the deputy returning officer in charge of the polling place causes to be displayed throughout the hours of polling at each entrance to those grounds a notice signed by him stating that those grounds are, for the purposes of the last preceding sub-section, part of the polling place— 25
- those grounds shall, for the purposes of that sub-section, be deemed to be part of the polling place.”. 30
3. (1) This Act shall remain in force until 31 May 1983 and no longer.
- (2) The expiry of this Act shall not affect the previous operation thereof or the validity of any action taken thereunder or any penalty incurred in respect of any contravention of or failure to comply with the Principal Act as modified by this Act or any proceeding or remedy in respect of any such remedy or punishment. 35