

# AUSTRALIAN CAPITAL TERRITORY.

## Regulations 1941. No. 4.

### Regulations under the Canberra Community Hospital Ordinance 1938-1941.\*

I, FREDERICK HAROLD STEWART, Minister of State for Health, in pursuance of the powers conferred by the *Canberra Community Hospital Ordinance 1938-1941*, hereby make the following Regulations.

Dated this fifteenth day of July, 1941.

FRED H. STEWART  
Minister of State for Health.

#### HOSPITAL BOARD ELECTION REGULATIONS.

1. These Regulations may be cited as the Hospital Board Election Regulations. Citation.
2. In these Regulations, unless the contrary intention appears—Definitions.
  - “Advisory Council election” means an election of members of the Advisory Council held under the Advisory Council Election Regulations;
  - “election” means an election of members of the Board;
  - “the Advisory Council Election Regulations” means the Advisory Council Election Regulations made under the *Advisory Council Ordinance 1936-1938*, as amended from time to time;
  - “the Board” means the Canberra Community Hospital Board constituted under the Ordinance;
  - “the Chief Electoral Officer” means the Chief Electoral Officer for the Commonwealth;
  - “the Commonwealth Electoral Act” means the *Commonwealth Electoral Act 1918-1934*, as amended from time to time;
  - “the Ordinance” means the *Canberra Community Hospital Ordinance 1938-1941*, as amended from time to time;
  - “the Roll” means the roll of electors for the Territory kept by the Registrar in pursuance of the Advisory Council Election Regulations.
3. For the purposes of an election, the Chief Electoral Officer shall be the Returning Officer and shall be charged with the duty of giving effect to the provisions of the Ordinance, insofar as it relates to the election, and of the Commonwealth Electoral Act and the Advisory Council Election Regulations insofar as they are applicable thereto. Returning Officer.
4. An Assistant Returning Officer may be appointed by the Chief Electoral Officer to exercise, subject to the control of the Returning Officer, all the powers of the Returning Officer. Assistant Returning Officer.

\* Notified in the *Commonwealth Gazette* on 17th July, 1941.

Distinguishing  
mark to be  
placed on roll.

5. The Registrar appointed by the Chief Electoral Officer under the Advisory Council Election Regulations to keep the roll for the Territory shall cause a distinguishing mark to be placed against the name of each person on the roll who is resident in the Territory accepted by the Commonwealth in pursuance of the *Jervis Bay Territory Acceptance Act 1915* in order to indicate that that person is not entitled to vote at an election.

Dates  
appointed  
for election.

6. The dates fixed for the nominations and the polling in connexion with an election shall be the same dates respectively as those which have been appointed by the Minister of State for the Interior for the purposes of an Advisory Council election.

Notification of  
dates to be  
published.

7. The Returning Officer shall publish in the *Gazette* and in a newspaper circulating in the Territory a notification of the dates fixed for the nominations and the polling.

Hour and place  
of nomination.

8.—(1.) The hour of nomination shall be twelve o'clock noon on nomination day.

(2.) The place of nomination shall be the office of the Returning Officer at Canberra.

Form of  
Nomination.

9. The form of nomination may be in accordance with the Form in the Schedule to these Regulations and shall—

- (a) name the candidate, his place of residence and occupation; and
- (b) be signed by not less than six persons entitled to vote at the election.

Withdrawal of  
nomination.

10. The notice of withdrawal by a candidate of his consent to nomination, which shall be signed by the candidate in the presence of the officer with whom the nomination was lodged or of a Justice of the Peace, may be in accordance with Form 12 in the Schedule to the Advisory Council Election Regulations, except that the words "Advisory Council" (wherever occurring) shall be omitted and the words "Hospital Board" inserted in their stead.

Action where  
number of  
candidates is  
not greater than  
number  
required to be  
elected.

11. If the number of candidates nominated is not greater than the number of members to be elected, the Returning Officer shall declare the candidates nominated duly elected.

Action where  
number of  
candidates is  
greater than  
number  
required to  
be elected.

12.—(1.) If more candidates are nominated than the number of members required to be elected, the Returning Officer shall make all necessary arrangements for taking the poll.

(2.) For the purposes of an election—

- (a) the polling places appointed for the purposes of the Advisory Council election shall be polling places;
- (b) the Presiding Officers and Poll Clerks appointed for the purposes of the Advisory Council election shall be Presiding Officers and Poll Clerks; and
- (c) the ballot-boxes and certified copies of the roll provided for the purposes of the Advisory Council election shall be ballot-boxes and certified copies of the roll:

Provided that any name against which a mark has been placed in accordance with regulation 5 of these Regulations shall, for the purposes of the election, be deemed to have been omitted from the roll.

13.—(1.) The provisions of the Advisory Council Election Regulations relating to postal voting shall apply *mutatis mutandis* to an election and, for the purposes thereof, the form of application for a postal vote certificate and postal ballot-paper and the form of postal vote certificate shall be in accordance with Forms 6 and 7 in the Schedule to the Advisory Council Election Regulations except that the words “Advisory Council” (wherever occurring) shall be omitted therefrom and the words “Hospital Board” inserted in their stead.

Application of postal voting provisions of Advisory Council Election Regulations.

(2.) An application in accordance with the prescribed form for a postal vote certificate and postal ballot-paper in relation to any Advisory Council election shall, if the applicant is also entitled to vote at the election to be held on the same day as that Advisory Council election, be deemed to include an application for a postal vote certificate and postal ballot-paper in relation to the election.

(3.) A postal vote certificate in accordance with Form 7 in the Schedule to the Advisory Council Election Regulations issued to a person in relation to an Advisory Council election shall, if that person is also entitled to vote at the election to be held on the same day as that Advisory Council election, be deemed to be a postal vote certificate under this regulation.

14. The ballot-papers provided for the purposes of the election shall be similar in form to those prescribed by Forms 8 and 9 in the Schedule to the Advisory Council Election Regulations, except that the words “Advisory Council” (wherever occurring) and the word “Three” shall be omitted therefrom and the words “Hospital Board” and the word “Six”, as the case requires, inserted in their stead.

Forms of ballot-papers.

15. The form of declaration to be made at the election by a person claiming to vote, who declares that his name has been omitted from the roll owing to an error of an officer or a mistake of fact shall, if the declarant is entitled to vote at the election, be similar in form to that prescribed by Form 10 in the Schedule to the Advisory Council Election Regulations, except that the words “Advisory Council” (wherever occurring) shall be omitted therefrom and the words “Hospital Board” inserted in their stead:

Form of declaration by person whose name has been omitted from roll.

Provided that where an election is held on the same day as an Advisory Council election, a declaration in accordance with Form 10 in the Schedule to the Advisory Council Election Regulations shall, except in the case of a person resident in the Territory accepted by the Commonwealth in pursuance of the *Jervis Bay Territory Acceptance Act 1915*, be deemed for the purposes of these Regulations to be a declaration under this regulation.

16. Except as otherwise provided in these Regulations, the provisions of the Advisory Council Election Regulations, relating to the nomination of candidates, the printing of ballot-papers, the appointment and functions of scrutineers, the arrangements for and conduct of the polling and the conduct of the scrutiny in connexion with an Advisory Council election, shall apply *mutatis mutandis* to an election:

Application of provisions of Advisory Council Election Regulations generally.

Provided that—

- (a) at the polling any person resident in the Territory accepted by the Commonwealth in pursuance of the *Jervis Bay Territory Acceptance Act 1915*, and whose

name on the roll is marked in accordance with regulation 5 of these Regulations, shall not be entitled to vote at the election;

(b) in the application of paragraph (3.) of regulation 60 of the Advisory Council Election Regulations the words "third and subsequent vacancies" shall be deemed to have been substituted for the words "third vacancy"; and

(c) nothing in this regulation shall be construed as applying the provisions of regulation 66 of the Advisory Council Election Regulations in the case of vacancies arising in the office of member of the Hospital Board.

Declaration of  
result of  
election.

17. The Returning Officer shall, as soon as may be, after the result of the election has been ascertained—

(a) make out and sign a statement setting out the number of first preference votes counted for each candidate and the number of informal ballot-papers and, if any further count was made in order to determine the result of the election, the particulars of each such count;

(b) forward to the Minister a copy of the statement referred to in the last preceding paragraph;

(c) at the place of nomination publicly declare the result of the election and the names of the candidates elected; and

(d) insert a notification in the *Gazette* setting out the names of the candidates elected.

## THE SCHEDULE.

### AUSTRALIAN CAPITAL TERRITORY. *Hospital Board Election Regulations.* FORM OF NOMINATION.

To the Returning Officer—

We, the undersigned electors on the Roll of Electors for the Territory and entitled to vote at the election of members of the Canberra Community Hospital Board, do hereby nominate [*here insert the christian name or names in full, surname, place of residence and occupation of person nominated*] as a member of the said Board.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Signatures of Nominators.	Place of Living.

I \_\_\_\_\_ of \_\_\_\_\_ consent to the above nomination and to act if elected, and declare that I am qualified under the *Canberra Community Hospital Ordinance 1938-1941* to be elected as a member of the said Board.

(Signature of Candidate.)

Witness—

Address—

N.B.—The candidate's consent to the nomination and his declaration of qualification may be on a separate paper and in any form, but if given on the nomination paper in the above form their sufficiency is not to be questioned.

A nomination must be signed by not less than six person entitled to vote at the election for which the candidate is nominated and must be lodged with the Returning officer after the notification of the dates fixed for the election and before twelve o'clock noon on the day of nomination.