

Soil Conservation and Land Utilization Acts (Nos. 6372 & 6911).

**REGULATIONS RELATING TO CONDUCT OF SOIL
CONSERVATION DISTRICT ADVISORY COMMITTEE
ELECTIONS.**

*At the Executive Council Chamber, Melbourne, the
seventh day of May, 1963.*

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.

Mr. Fraser

| Mr. Thompson.

IN pursuance of the powers conferred by the Soil Conservation and Land Utilization Acts No. 6372, 1958, and 6911, of 1962, His Excellency the Lieutenant-Governor of Victoria, by and with the advice of the Executive Council thereof, doth hereby make the following Regulations, that is to say:—

1. (1) These Regulations may be cited as the Soil Conservation District Advisory Committee Election Regulations 1963.

(2) The Soil Conservation Authority District Advisory Committee Election Regulations 1953 are hereby revoked.

G.G. of
14.10.53
Am. by G.G.
of 20.11.57.

2. In these Regulations, unless contrary to the context or subject-matter:—

“ Authority ” means The Soil Conservation Authority.

“ Subdivision ” means a subdivision of a Soil Conservation District.

“ Schedule ” means the Schedule to these Regulations.

3. Not less than 42 days before the holding of the elections for the selection of persons to be eligible for appointment as persons representing grazing, agriculture or other relevant interests on a District Advisory Committee for a Soil Conservation District, the Authority shall cause to be published in such of the local newspapers circulating in the District as the Authority deems necessary and shall forward to each municipal clerk of a municipality within that District a notice setting out—

(a) that nominations in or to the like effect of Form “/B” in the Schedule of persons eligible for appointment to be made by the nominator and seconder, who shall be owners, occupiers or lessees of agricultural, grazing or other land used for primary production, and acknowledged by the nominee, should be lodged with the District Conservation Officer not less than 28 days before the time of the elections;

- (b) the subdivision or subdivisions for which an election will be held;
- (c) the centres at which application forms, the postal ballot-papers and instructions as to voting procedure will be available to persons eligible to vote;
- (d) the name and address of the Returning Officer for the said election;
- (e) the time and date on, and the places at which the votes may be returned;
- (f) that every owner, occupier or lessee of agricultural, grazing or other land used for primary production who would be entitled to vote at a municipal election will be entitled to vote in any subdivision for which he qualifies.

4. Each Municipal Clerk shall, on the receipt of the said notice from the Authority, cause such notice to be displayed and to remain so displayed until after the holding of the election referred to therein at the municipal office of the municipality of which he is the Municipal Clerk.

5. (1) For each election a person authorized for the purpose by the Authority shall act as Returning Officer for the ballot of such owners, occupiers and lessees who, in the opinion of the Returning Officer, are eligible to vote, and shall declare elected the person who received the greatest number of votes.

(2) No Returning Officer, Poll Clerk or Scrutineer appointed for the purposes of an election shall undertake the duties of such officer, clerk or scrutineer until he has made a solemn declaration in or to the like effect of Form "A" of the Schedule.

6. (1) The person who is appointed Returning Officer shall forthwith forward to the Authority, at its office in Melbourne, a signed statement of the result of the election together with all votes cast.

(2) If there is only one candidate duly nominated for a subdivision the Authority shall declare such person duly elected.

7. Subject to the provision of clause 11 of this Regulation, voting at the said election may be by postal ballot. Persons eligible to vote will apply to the Authority, at its office in Melbourne, for a ballot-paper and ballot material. The Authority shall forthwith forward a ballot-paper and ballot material which shall be in or to the like effect of Form "C" of the Schedule, to the private address of the voter.

8. The voter shall mark his ballot-paper by placing the figure "1" opposite the name of the candidate for whom he votes as his first preference, and shall place contingent figures "2", "3" and "4" (and so on as the case requires) opposite the names of the remaining candidates so as to indicate by such numerical sequence the order of his preference.

9. Every vote shall be placed in a plain envelope which shall be inserted in an outer envelope carrying an identification of the voter.

10. Postal ballot-papers must reach the Returning Officer not later than the day preceding the election.

11. Applications for postal ballot-papers to the Authority will not be accepted at a time later than seven days before the day of the election.

12. In the event of the failure of an eligible voter to lodge a postal ballot-paper he may, on application to the Returning Officer, record his vote with such person at the centre at which the Returning Officer will be on the day of the election, the time and location of which will be advertised by the Authority.

13. All voting shall cease at 4 p.m. on the day of the poll at the centre at which the Returning Officer is present at that time.

14. Each candidate at the election shall be entitled in or to the like effect of Form "D" of the Schedule to appoint, in writing, one scrutineer to be present when the envelopes containing ballot-papers are being opened at the commencement of the scrutinizing and to remain during the scrutiny. Each scrutineer shall, before he acts as such, make and sign before the Returning Officer a declaration in the like form to that which the Returning Officer and other officers employed in the conduct of the election are required to make and sign.

15. As soon as convenient may be after the closing of the poll, the Returning Officer shall open the ballot-box, and in the presence of such scrutineers as are present—

- (a) produce unopened all envelopes containing ballot-papers received up to the time of closing of the poll;
- (b) examine each envelope and if it is properly signed and if it contains the necessary particulars thereon and otherwise complies with the provisions herein contained, accept the vote for further scrutiny;
- (c) if an envelope is not properly signed or otherwise does not comply with the provisions herein contained reject the vote without opening the envelope;
- (d) open each unrejected envelope, withdraw the ballot-paper contained therein, and without inspecting the vote or permitting any person to do so, deposit the ballot-paper in the ballot-box;
- (e) when all unrejected envelopes have been opened and the ballot-papers withdrawn therefrom and deposited in the ballot-box, open the ballot-box and count the votes;

- (f) the method of counting the votes shall be in accordance with the provisions of the law for the time being regulating elections for the Legislative Assembly, so far as they may be made applicable *mutatis mutandis*.

16. The Returning Officer may from time to time adjourn the scrutiny to a day and hour fixed by him and notified to the scrutineers.

17. (1) If on any count two or more candidates have an equal number of votes and one has to be declared defeated the Returning Officer shall decide by lot which candidate shall be declared defeated.

(2) In the case of equality between two candidates the Returning Officer shall declare by lot which candidate shall be declared elected.

18. On the written request of any candidate setting forth the reasons for the request, the Returning Officer may, if he thinks fit, make a recount of the votes. If the Returning Officer refuses the request of a candidate to make a recount of the votes, the candidate may, within seven days, appeal in writing to the Minister to direct a recount, and the Minister may, as he thinks fit, either direct a recount or refuse a recount.

19. The Authority shall notify each of the candidates of the results of the election.

And the Honorable Horace Rostill Petty, Her Majesty's Acting Minister for Conservation in the State of Victoria, shall give the necessary directions herein accordingly.

N. G. WISHART,
Clerk of the Executive Council.

SCHEDULE.
SOIL CONSERVATION AUTHORITY.
DISTRICT ADVISORY COMMITTEE REGULATIONS.

"A."

I (a) do hereby solemnly declare that I will faithfully and impartially to the best of my skill and judgment, exercise and perform all the duties reposed in or required of me as Returning Officer (or Substitute Returning Officer, Poll Clerk, Scrutineer) in connexion with the present election of members to District Advisory Committees of the Soil Conservation Authority and I do further solemnly promise and declare that I will not at any such election attempt to ascertain how any person shall vote or has voted, and that, if in the discharge of my said duties at or concerning any such election I learn how any person has voted, I will not by word or act directly or indirectly divulge or discover, or aid in divulging or discovering, the same.

Signature

Declared before me this day of , 196

(a) Here insert full name.



"B."

SOIL CONSERVATION AUTHORITY.
NOMINATION FORM.

To the Returning Officer.

We, the undersigned, entitled to vote at the election of Landholder representative for the Subdivision of the District Advisory Committee, do hereby nominate the following eligible candidate:—

(a)

(b) Signatures of Nominator:

Secunder:

I (c) of hereby consent to the above nomination.

Signature

"C."

SOIL CONSERVATION AUTHORITY.

BALLOT-PAPER.

*Election of Landholder Representative for the
Subdivision of the District Advisory Committee*

CANDIDATES NAMES.

Initials
of
R.O.,
S.R.O.,
or
P.C.

DIRECTIONS.

The voter must mark his ballot-paper by placing the number 1 opposite the name of the candidate for whom he votes as his first preference and must give contingent votes for all the remaining candidates by placing the numbers 2, 3, 4 (and so on as the case may require) so as to indicate by such numerical sequence the order of his preference.

He must fold his ballot-paper in a plain envelope and insert it in the outer envelope bearing the signature and address of the voter, and return it to the Returning Officer to reach him the day before the said election or in accordance with clause 12 of the Regulations, *inter alia* deliver his vote in person to the Returning Officer at places specified below before the close of the poll at 4 p.m. on

19 .

"D."

SOIL CONSERVATION AUTHORITY.

DISTRICT ADVISORY COMMITTEE REGULATIONS.

I, _____ a Candidate for
Subdivision of the _____ District
Advisory Committee, hereby appoint
to be a Scrutineer on my behalf at the above-mentioned election.

Signature of Candidate

DECLARATION BY SCRUTINEER.

I, _____ a Scrutineer duly appointed
to act at the above election, hereby disclose that I will observe the
rules laid down for the Conduct of Authority elections.

Signature of Scrutineer

Signature of Returning Officer

By Authority: A. O. Brooks, Government Printer, Melbourne.