

COMMONWEALTH ELECTORAL.

No. 31 of 1962.

An Act to give to Aboriginal Natives of Australia the right to Enrol and to Vote as Electors of the Commonwealth, and to provide for certain Offences in relation thereto.

[Assented to 21st May, 1962.]

[Date of commencement, 18th June, 1962.]

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

1.—(1.) This Act may be cited as the *Commonwealth Electoral Act 1962*.

Short title
and citation.

(2.) The *Commonwealth Electoral Act 1918–1961** 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 1918–1962*.

2. Section thirty-nine of the Principal Act is amended by omitting sub-section (6.).

Persons entitled
to enrolment
and to vote.

3. Section

* Act No. 27, 1918, as amended by No. 31, 1919; No. 14, 1921; No. 14, 1922; No. 10, 1924; No. 20, 1925; No. 17, 1928; No. 2, 1929; No. 9, 1934; No. 19, 1940; No. 42, 1946; No. 17, 1948; Nos. 10 and 47, 1949; No. 106, 1952; No. 79, 1953; and No.

Compulsory
enrolment and
transfer.

3. Section forty-two of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(5.) This section does not apply to a person who is an aboriginal native of Australia except to the extent that such a person may, if he so chooses, comply with sub-section (1.) of this section.”.

Bribery.

4. Section one hundred and fifty-six of the Principal Act is amended—

(a) by inserting after paragraph (a) the following paragraph:—

“(aa) promises, offers or suggests any valuable consideration, advantage, recompense, reward or benefit for or on account of, or to induce—

- (i) any enrolment, or refraining from enrolment, as an elector by an aboriginal native of Australia; or
- (ii) any promise of any such enrolment or refraining from any such enrolment;”; and

(b) by omitting from paragraph (b) the words “or opposition” and inserting in their stead the words “opposition, enrolment or refraining from enrolment referred to in either of the last two preceding paragraphs”.

Bribery to
include certain
acts.

5. Section one hundred and fifty-seven of the Principal Act is amended by adding at the end thereof the words “or the supply of meat, drink, entertainment or transport with a view to influencing enrolment, or refraining from enrolment, as an elector by an aboriginal native of Australia”.

Undue
influence.

6. Section one hundred and fifty-eight of the Principal Act is amended—

(a) by omitting from paragraph (a) the word “or” (last occurring);

(b) by inserting after paragraph (a) the following paragraph:—

“(aa) threatens, offers or suggests any violence, injury, punishment, damage, loss or disadvantage for or on account of, or to induce—

- (i) any enrolment, or refraining from enrolment, as an elector by an aboriginal native of Australia; or
- (ii) any

- (ii) any promise of any such enrolment or refraining from any such enrolment; or”; and
- (c) by omitting from paragraph (b) the words “or opposition” and inserting in their stead the words “opposition, enrolment or refraining from enrolment referred to in either of the last two preceding paragraphs”.

7. Section one hundred and fifty-nine of the Principal Act is amended by adding at the end thereof the words “or with the free exercise by an aboriginal native of Australia of his choice whether or not to enrol as an elector”.

Undue
influence to
include certain
acts.