

吳世權

MR. R. H. CARSON.

BILL

No. 85.]

[1947.

An Act to amend the "Provincial Elections Act."

1939, c. 16; 1940, c. 9; 1945, c. 26.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Provincial Elections Act Amendment Act, 1947." Short title.

2. The "Provincial Elections Act," being chapter 16 of the Statutes of 1939, is amended by striking out the word "affidavit" and substituting "application for registration" in the following places: Subsections (1), (2), and (3) of section 15; sections 17 and 18; clause (f) of section 24; subsection (4) of section 82; and subsection (3) of section 99. Substitutes "application for registration" for "affidavit."

3. Said chapter 16 is further amended by striking out the word "affidavits" and substituting the words "application for registration" in the following places: Subsections (2) and (3) of section 15; subsection (4) of section 19; subsection (2) of section 30; subsection (4) of section 82; seventh, ninth, eleventh, and thirteenth lines of section 94; subsection (9) of section 115; subsections (2) and (3) of section 124; and section 132. Substitutes "application for registration" for "affidavits."

4. Said chapter 16 is further amended by striking out the words "Deputy Provincial Secretary" and substituting "Chief Electoral Officer" in the following places: Sections 41, 44, and 49; subsections (1) and (2) of section 61; sections 64 and 92; the first line of subsection (1) of section 93; section 95; subsection (9) of section 115; subsections (2) and (3) of section 123; subsection (2) of section 124; sections 131, 135, 136, 137, 139, 171, 174; clause (b) of section 199; and in Form 8 of the Schedule. Substitutes "Chief Electoral Officer" for "Deputy Provincial Secretary."

- Amends s. 2. **5.** Section 2 is amended by striking out the definitions of "Chinese," "Hindu," and "personal expenses."
- Further amends s. 2. **6.** Section 2 is further amended by inserting after the definition of "candidate" the following definition:—
 " 'Closing-day' means the day that is twenty-one clear days before nomination-day."
- Further amends s. 2. **7.** Section 2 is further amended by inserting after the definition of "Court" the following definition:—
 " 'Doukhorbor,' 'Hutterite,' or 'Mennonite' means a person, male or female, exempted or entitled to claim exemption or who on production of any certificate might have become or would now be entitled to claim exemption from military service by reason of the Order of the Governor in Council of August thirteenth, 1873, or the Order of the Governor in Council of December sixth, 1898, or the Order of the Governor in Council of August twelfth, 1899; and every descendant of any such person, whether born in the Province or elsewhere."
- Further amends s. 2. **8.** Section 2 is further amended by striking out the words "not born of British parents, and shall include" in the definition of "Japanese," and substituting "who is of Japanese blood, and includes."
- Repeals s. 3. **9.** Section 3 is repealed.
- Amends s. 4. **10.** Section 4 is amended by inserting after "natural-born," in the second line of clause (b) of subsection (1), the words "Canadian citizen or."
- Further amends s. 4. **11.** Section 4 is further amended by striking out clause (c) of subsection (1), and substituting the following as clauses (c) and (d):—
 " (c.) Has resided in the Dominion for twelve months, and in the Province for six months immediately preceding the date of his application for registration as a voter; and
 " (d.) Is a resident of the electoral district in which he seeks registration as a voter at the date of his making application under this Act to be registered as a voter,—"
- Further amends s. 4. **12.** Section 4 is further amended by striking out the words "a Proclamation in Form 10 has been published by the Returning Officer for that electoral district" in the second and third lines of subsection (2), as enacted by section 2 of chapter 26 of the Statutes of 1945.

13. Section 4 is further amended by striking out the words "in the Proclamation" in the fifth line of subsection (2), as enacted by section 2 of chapter 26 of the Statutes of 1945. Further amends s. 4.

14. Section 5 is amended by striking out clauses (a), (b), (c), (d), and (e), and substituting the following:— Amends s. 5.

"(a.) Every Japanese: Provided that the provisions of this clause shall not disqualify or render incompetent to vote any person who has served in the Naval, Military, or Air Force of Canada in any war, and who produces a discharge from such Naval, Military, or Air Force to the Registrar upon applying for registration under this Act and to the Deputy Returning Officer at the time of polling:

"(b.) Every Indian: Provided that the provisions of this clause shall not disqualify or render incompetent to vote any person who:—

"(i.) Has served in the Naval, Military, or Air Force in any war, and who produces a discharge from such Naval, Military, or Air Force to the Registrar upon applying for registration under this Act and to the Deputy Returning Officer at the time of polling:

"(ii.) Has been enfranchised under the provisions of the "Indian Act" of the Dominion:

"(iii.) Is not resident upon or within the confines of an Indian reserve:

"(c.) Every person disqualified from voting under the provisions of this Act relating to bribery or personation:

"(d.) Every person convicted of treason or any indictable offence, unless he has secured a free or conditional pardon for the offence or has undergone the sentence imposed for the offence:

"(e.) Every Doukhobor, Hutterite, or Mennonite: Provided that the provisions of this clause shall not disqualify or render incompetent to vote any person who:—

"(i.) Has served in the Naval, Military, or Air Force in any war, and who produces a discharge from such Naval, Military, or Air Force to the Registrar upon applying for registration under this Act and to the Deputy Returning Officer at the time of polling; or who

"(ii.) Is the wife or descendant of a person who comes within the scope of paragraph (i.) of this clause."

15. Section 6 is repealed.

Repeals s. 6.

Repeals s. 8.

16. Section 8 is repealed.

Re-enacts s. 9.

17. Section 9 is repealed, and the following is substituted:—

“9. (1.) The Lieutenant-Governor in Council shall appoint a Chief Electoral Officer who shall have general supervision of the administration of this Act.

“(2.) The Lieutenant-Governor in Council shall appoint a Registrar-General of Voters who, subject to the Chief Electoral Officer, shall have general supervision of the registration of voters and the preparation of the lists of voters throughout the Province.

“(3.) The Chief Electoral Officer and the Registrar-General of Voters shall each hold office during good behaviour and for such period as may be determined by the Lieutenant-Governor in Council.

“(4.) The Lieutenant-Governor in Council may appoint one person to be both the Chief Electoral Officer and the Registrar-General of Voters.

“(5.) The Lieutenant-Governor in Council may appoint a Deputy Chief Electoral Officer and a Deputy Registrar-General.

“(6.) The Deputy Chief Electoral Officer and Deputy Registrar-General shall hold office during good behaviour and for such period as may be determined by the Lieutenant-Governor in Council.”

Re-enacts s. 11.

18. Section 11, as enacted by section 4 of chapter 26 of the Statutes of 1945, is repealed, and the following is substituted:—

“11. The Registrar shall furnish without charge an application for registration, in the form prescribed by the Lieutenant-Governor in Council, to any person applying therefor, and shall receive from any person offering to file the same an application in the prescribed form signed by the applicant and a witness.”

Amends s. 12.

19. Section 12 is amended by striking out the words “an affidavit in support of” in the second and third lines.

Amends s. 13.

20. Section 13 is amended by striking out the words “affidavit in support of” in the sixth and seventh lines.

Re-enacts s. 14.

21. Section 14 is repealed, and the following is substituted:—

“14. Any person who knowingly signs an application as a witness with the intent that the applicant's name shall appear more than once in a list of voters, or in more than one list of voters, shall be guilty of an offence against this Act and liable, on summary conviction, to a penalty not exceeding one hundred dollars.”

22. Section 15, as enacted by section 6 of chapter 26 of the Statutes of 1945, is amended by striking out "sixteen" in the first line of subsection (2), and substituting "twenty-one." Amends s. 15.

23. Section 15 is further amended by inserting after "day," in the third line of subsection (4), the words "not less than fourteen clear days after the date of issue of the writ and not less than twenty-one clear days before nomination-day, to be known as 'closing-day'." Further amends s. 15.

24. Said section 15 is further amended by striking out the word "Proclamation" in the first line of subsection (4), and substituting "writ of election." Further amends s. 15.

25. Said chapter 16 is amended by inserting the following as sections 15A and 15B:— Enacts ss. 15A and 15B.

"15A. (1) A master file containing a record of all persons registered as voters shall be maintained under the supervision of the Registrar-General of Voters in an office hereinafter called the 'Central Registry of Voters.'

"(2.) A Registrar shall forthwith notify the Registrar-General of each new application for registration or amendment to an existing registration that is received, and the Registrar-General shall amend the Provincial master file accordingly.

"15B. (1.) The Director of Vital Statistics shall, once each month, transmit to the Registrar-General a list bearing the name of each person:—

"(a.) Of whose death he has received notice since the date of the last list sent by him; or

"(b.) Who has changed his name under the provisions of the 'Change of Name Act'; or

"(c.) Who, being a female, has changed her name by reason of marriage or of a decree of divorce or of nullity of marriage.

"(2.) In the case of a person shown to be deceased under clause (a) of subsection (1), the Registrar-General shall make any necessary amendment to the Provincial master file and shall notify each Registrar concerned of the amendment to be made by him; and upon being so notified, the Registrar shall forthwith amend the list of voters accordingly.

"(3.) In the case of a change of name as shown under either clause (b) or clause (c) of subsection (1), the Registrar-General shall note the change on the master file and shall notify the Registrar concerned of the change of name. Upon being so notified, the Registrar shall notify the person concerned but shall not amend the list of voters until an application for registration as a voter is received that bears the new name of the person concerned."

- Amends s. 17. **26.** Section 17 is further amended by inserting before " British subject," in the first, fourth, fifth, and eleventh lines, the words " Canadian citizen or."
- Repeals s. 18A. **27.** Section 18A is repealed.
- Amends s. 19. **28.** Section 19 is amended by repealing subsection (2), and substituting the following:—
 "(2.) Except as provided in this section, the Court of Revision shall sit on such days as the Court of Revision determines."
- Further amends s. 19. **29.** Section 19 is further amended by striking out the word " eleven " in the second line of subsection (3), and substituting " not less than twelve."
- Further amends s. 19. **30.** Section 19 is further amended by striking out the words " the Provincial Secretary, or some other member of the Executive Council acting for the Provincial Secretary " in the fifth, sixth, and seventh lines of subsection (5), and substituting " Registrar-General of Voters."
- Amends s. 20. **31.** Section 20 is amended by repealing subsections (3), (5), and (6).
- Further amends s. 20. **32.** Section 20 is further amended by striking out the word " enumerators " in the fourth line of subsection (7).
- Amends s. 21. **33.** Section 21 is amended by striking out the words " Provincial Secretary " in the third line of subsection (2), and substituting " Registrar-General of Voters."
- Re-enacts s. 22. **34.** Section 22, as re-enacted by section 9 of chapter 26 of the Statutes of 1945, is repealed, and the following is substituted:—
 " 22. The Registrar shall mail a notice in the form to be prescribed by the Lieutenant-Governor in Council to each voter whose name has been struck off the list of voters under clause (d) of section 24."
- Amends s. 23. **35.** Section 23 is amended by adding the following as subsection (5) :—
 "(5.) No objection shall be heard at a special sitting of the Court of Revision held pursuant to subsection (3) of section 19 where the notice of objection in Form 4 has been filed with the Registrar after closing-day."
- Amends s. 24. **36.** Section 24 is amended by striking out the words " lists of " in the fourth line of clause (d), and substituting " record of advance and."

37. Section 24 is further amended by striking out the words Further amends s. 24.
 “ or where the voter has filed with him a claim for the retention
 of his name on the list under section 22 ” in the tenth, eleventh,
 and twelfth lines of clause (d) ; and by adding to the said clause
 the words “ The Registrar shall forthwith remove from the file
 the application for registration of every voter whose name is
 struck off the list and, after endorsing the word ‘ cancelled ’
 thereon, place the application on a file to be known as the
 ‘ removal file.’ ”

38. Section 24 is further amended by striking out the words Further amends s. 24.
 “ in Form 1 and Form 1A, as the case may be ” in the tenth and
 eleventh lines of clause (f).

39. Section 24 is further amended by repealing clause (g), Further amends s. 24.
 and substituting the following:—

“(g.) Where a registered person subsequently becomes dis-
 qualified as a voter or a person has erroneously been
 registered as a voter, the Registrar shall remove that
 person’s application for registration from the file of
 original applications and place it on the removal file;
 but no such removal shall be made unless the Regis-
 trar has notified the person concerned of the proposed
 removal by registered mail not less than fourteen
 days before the removal is made. The provisions of
 this subsection shall not apply to a removal arising
 out of the hearing of an objection at any Court of
 Revision or a removal made pursuant to subsection
 (d).”

40. Section 24 is further amended by relettering the present Further amends s. 24.
 clause (h) as clause (i), and by inserting the following as
 clause (h):—

“(h.) During the revision of the list following an election
 the Registrar shall not open any unopened ballot-
 envelope transmitted to him pursuant to subsection
 (3) of section 124. When the said revision is com-
 pleted, all the ballot-envelopes, opened or unopened,
 shall be transmitted forthwith to the Chief Electoral
 Officer, to be dealt with under section 134.”

41. Section 25 is repealed. Repeals s. 25.

42. Section 27 is amended by striking out the words “ Immedi- Amends s. 27.
 ately after the conclusion of the Court of Revision ” in the first
 and second lines of subsection (1), and substituting the words
 “ When directed by the Registrar-General.”

- Further amends s. 27. **43.** Section 27 is further amended by inserting after "divided," in the third line of subsection (3), the words "or, if directed by the Registrar-General, into sections corresponding to a number of polling divisions which have been grouped together for convenience."
- Further amends s. 27. **44.** Section 27 is further amended by striking out the words "and shall number the names of the voters consecutively throughout the list" in the fourth and fifth lines of subsection (3), and substituting the words "and may number the names of voters in each section of the list consecutively throughout each section."
- Amends s. 28. **45.** Section 28 is amended by striking out the words "and without any affidavit in support thereof" in the second and third lines of subsection (2).
- Amends s. 29. **46.** Section 29 is amended by repealing subsections (3) and (4).
- Amends s. 30. **47.** Section 30 is amended by striking out the words "Deputy Provincial Secretary" in subsections (1), (2), and (3), and substituting "Registrar-General of Voters."
- Amends s. 32. **48.** Section 32 is amended by striking out the words "a file to be known as" in the sixth and seventh lines of clause (a) of subsection (1).
- Re-enacts s. 33. **49.** Section 33 is repealed, and the following is substituted:
 "33. The Registrar-General shall direct the King's Printer or the Registrar to print or reproduce, or cause to be printed or reproduced, the list of voters for an electoral district, and copies of any list when printed or reproduced shall be furnished by the King's Printer or the Registrar to any person upon payment of the sum of twenty-five cents. Every candidate at an election shall be entitled to twenty copies of the list free of charge."
- Amends s. 34. **50.** Section 34 is amended by striking out the words "by the King's Printer" in the third and fourth lines and in the ninth and tenth lines, and substituting "or reproduced pursuant to section 33."
- Amends s. 35. **51.** Section 35 is amended by striking out the words "Deputy Provincial Secretary" in the second and third lines of clause (g) of subsection (1), and substituting "Registrar-General."
- Re-enacts s. 36. **52.** Section 36 is repealed, and the following is substituted:—

“ 36. No person shall make or cause to be made:—

“(a.) An application on his behalf, to be registered under the provisions of this Act, in any other electoral district than the electoral district in which he is entitled to be registered:

“(b.) An application on his behalf, to be registered under the provisions of this Act, if he has previously filed with the Registrar an application for registration that has not been rejected or cancelled by the Registrar:

“(c.) An application on his behalf, to be registered under the provisions of this Act, that contains a false statement of fact,

“And any person violating the provisions of this section shall, on summary conviction, be liable to a penalty not exceeding one hundred dollars.”

53. Section 38 is amended by inserting after “ Voters,” in the first line of subsection (2), the words “ or Deputy Registrar of Voters.” Amends s. 38.

54. Section 38 is further amended by inserting after subsection (2) the following as subsection (3):— Further amends s. 38.

“(3.) The Returning Officer shall hold office during good behaviour and for such period as may be determined by the Lieutenant-Governor in Council.”

55. Section 39 is amended by striking out clause (k) of subsection (1). Amends s. 39.

56. Said chapter 16 is amended by inserting under the heading “ Polling Divisions ” the following as section 41A:— Enacts s. 41A.

“ 41A. The Registrar-General shall, for the purposes of this Act, designate every electoral district within the Province as either an ‘ urban electoral district ’ or a ‘ rural electoral district. ’ ”

57. Section 42 is amended by striking out the words “ by the Returning Officer ” in the first and second lines of subsection (4). Amends s. 42.

58. Section 42 is further amended by striking out the words “ Lieutenant-Governor in Council, at any time before the day fixed for the nomination of candidates at any election may ” in the second, third, and fourth lines of subsection (4), and substituting the words “ Returning Officer may at any time. ” Further amends s. 42.

59. Section 42 is further amended by striking out the word “ and ” in the fifth line of subsection (4); and by striking out Further amends s. 42.

the words "the Vancouver Centre Electoral District, Vancouver-Burrard Electoral District, Vancouver East Electoral District, Vancouver-Point Grey Electoral District, Burnaby Electoral District, Victoria City Electoral District, New Westminster Electoral District, North Vancouver Electoral District, and Oak Bay Electoral District, in the case of a polling division in which there are more than 300 names on the list of voters shall assign to that polling division," in the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, and twelfth lines of subsection (4), and substituting the words "an urban electoral district unless directed by the Chief Electoral Officer."

Further amends s. 42.

60. Section 42 is further amended by adding the following as subsection (5) :—

"(5.) The Chief Electoral Officer, under special circumstances not covered by the provisions of this Act, may direct the Returning Officer to assign to any polling division of an electoral district a special polling-place."

Amends s. 45.

61. Section 45 is amended by striking out the words "or any two of the voters of the electoral district, who shall attach their signatures to the declaration as witnesses" in the seventh, eighth, and ninth lines of subsection (1).

Amends s. 46.

62. Section 46 is amended by inserting after clause (b) of subsection (1) the following as clause (c) :—

"(c.) The days on which the advance poll is to be held if a poll is granted."

Amends s. 47.

63. Section 47 is amended by inserting after "district," in the second line, the words "and except as provided for the holding of an advance poll pursuant to section 112A."

Amends s. 54.

64. Section 54 is amended by striking out the words "either before or after the nomination-day, may" in the fourth line, and substituting the words "shall immediately."

Enacts s. 54A.

65. Said chapter 16 is amended by inserting the following as section 54A :—

"54A. The Election Clerk may, if necessary, act on behalf of the Returning Officer and take the oath of any person who is required under the provisions of this Act to take an oath before the Returning Officer."

Enacts s. 55A.

66. Said chapter 16 is amended by inserting the following as section 55A :—

“55A. Where an Election Clerk assumes the duties of Returning Officer pursuant to section 55, he shall immediately appoint another person to act as Election Clerk.”

67. Said chapter 16 is amended by inserting the following as section 56A:— Enacts s. 56A.

“56A. Every person who:—

“(a.) Is qualified as a voter and is registered as such in an electoral district of the Province; and

“(b.) Has resided in the Province for a period of twelve months; and

“(c.) Is not in any way disqualified for election as a member of the Legislative Assembly of the Province,—

“shall be qualified to be nominated as a candidate at any election.”

68. Section 57 is amended by renumbering the present subsections (2) and (3) as (4) and (5) respectively; and by repealing subsection (1), and substituting the following:— Amends s. 57.

“(1.) Every candidate for election as a member to serve in the Legislative Assembly shall be nominated in writing. In an electoral district in which there are fewer than ten thousand registered voters the nomination paper shall be subscribed by not fewer than twenty-five registered voters, and in an electoral district in which there are more than ten thousand registered voters the nomination-paper shall be subscribed by not fewer than fifty registered voters. The nomination-paper shall be delivered to the Returning Officer at any time between the date of the Proclamation and one o'clock in the afternoon of the day of nomination.

“(2.) For the purposes of this section, the number of registered voters in an electoral district shall be deemed to be the number of persons whose names appear in the list of voters prepared under the provisions of this Act for the ensuing election in that electoral district.

“(3.) The ordinary signature of each registered voter assenting to the nomination shall be subscribed to the nomination-paper, and the address and occupation shall be stated therein as shown in the list of voters. The nomination-paper shall be in the prescribed form and shall state the full name, address, and occupation of the person nominated, and shall state the political party or interest that the person is nominated to represent; and the fact that the occupation given on the nomination-paper is different from that appearing on the list of voters shall not invalidate the nomination.”

- Amends s. 58. **69.** Section 58 is amended by striking out the words " of the nomination-paper " in the third line of subsection (2), and substituting the words " of a valid nomination-paper."
- Re-enacts s. 59. **70.** Section 59 is repealed, and the following is substituted:—
 " 59. If the nomination-paper bears the requisite number of signatures of qualified persons as required under this Act, the election shall not be declared invalid by reason of the nomination-paper having been signed by an unqualified person."
- Amends s. 60. **71.** Section 60 is amended by renumbering the present section as subsection (1), and inserting the following as subsection (2):—
 "(2.) Where, in a nomination-paper filed with the Returning Officer pursuant to this Act, an error has been made in stating the name, address, and occupation of the person nominated therein, the Returning Officer shall at any time permit the candidate or his official agent to correct such error."
- Amends s. 61. **72.** Section 61 is amended by striking out the words " previously stated in his Proclamation for the purpose of taking the votes of the voters according to law " in the fifth and sixth lines of subsection (2), and substituting the words " appointed on which the poll is to be held and the days on which the advance poll is to be held as previously stated in his Proclamation."
- Amends s. 63. **73.** Section 63 is amended by repealing subsection (2), and substituting the following:—
 "(2.) A candidate nominated in his absence out of the Province may withdraw before the day preceding the opening of the poll by giving notice to that effect signed by him to the Returning Officer."
- Re-enacts s. 67. **74.** Section 67 is repealed, and the following is substituted:—
 " 67. Any person authorized in writing may act as the official agent, counsel, attorney, or clerk of a candidate during the continuance of an election."
- Amends s. 68. **75.** Section 68 is amended by striking out the words " or, if the candidate is absent from the electoral district, his proposer and seconder " in the second and third lines of subsection (2).
- Repeals s. 69. **76.** Section 69 is repealed.
- Repeals s. 72. **77.** Section 72 is repealed.
- Amends s. 73. **78.** Section 73 is amended by inserting after " officer," in the second line, the words " or the Election Clerk."

79. Section 74 is amended by inserting after " of," in the third line of subsection (1), the words " registered voters as." Amends s. 74.

80. Section 75 is amended by inserting after " Officer," in the fifth line, the words " or the Election Clerk." Amends s. 75.

81. Section 77 is amended by repealing subsection (1), and substituting the following:— Amends s. 77.

"(1.) The Returning Officer may, at the same time that he appoints the Deputy Returning Officer for a polling-booth pursuant to section 74, appoint a Poll Clerk for the same polling-booth; and if the Returning Officer fails to make such appointment, the Deputy Returning Officer shall immediately appoint a Poll Clerk to assist him in taking the poll; and the appointment of a Poll Clerk shall be made by Commission in Form 18."

82. Section 77 is further amended by striking out the word " may " in the fourth line of subsection (2), and substituting " shall forthwith." Amends s. 77.

83. Section 79 is amended by inserting after " Officer," in the fourth line, the words " or the Election Clerk." Amends s. 79.

84. Section 81 is amended by striking out the word " may " in the second line of subsection (2), and substituting " shall forthwith." Amends s. 81.

85. Section 82 as amended by chapter 26 of the Statutes of 1945, is amended by striking out the words " an affidavit in support of " in the third line of subsection (4). Amends s. 82.

86. Section 82, as amended by chapter 26 of the Statutes of 1945, is further amended by inserting after " entitle," in the first line of subsection (6), the words " any person who has not made an application for registration or." Amends s. 82.

87. Said chapter 16 is amended by inserting the following as section 82A:— Enacts s. 82A.

" 82A. Where a person claiming to be a qualified voter who is registered pursuant to the provisions of this Act makes application for a ballot-paper at an election, and where his name does not appear on the list of voters and his original application for registration is not included with the original applications furnished pursuant to section 94, the Deputy Returning Officer shall not issue an ordinary ballot-paper to such person, but may issue, in the manner provided in section 113, a special ballot-paper in the form prescribed in section 88A. The Deputy Return-

ing Officer shall make suitable amendment to the wording of the affidavit which is printed on the ballot-envelope, and the person shall tender his vote in accordance with the provisions of clause (b) of section 101, regardless of the fact that the person claims to be a resident of the polling division in which he applies for a ballot-paper. The Deputy Returning Officer shall endorse the words 'voted under section 82A' upon the ballot-envelope and opposite to the person's signature in the poll-book kept pursuant to section 99."

Amends s. 86.

88. Section 86 is amended by inserting after "Columbia," in the ninth line, the following words: "the Election Clerk shall make the declaration before the Returning Officer, or before a Notary Public, Justice of the Peace, or Commissioner for taking Affidavits within British Columbia."

Amends s. 86.

89. Section 86 is further amended by inserting after "Officer," in the eleventh line, the words "or the Election Clerk."

Amends s. 86.

90. Section 86 is further amended by inserting after the last word in the fourteenth line the words "who shall both sign the declaration."

Amends s. 86.

91. Section 86 is further amended by inserting after "the Returning Officer," in the sixteenth line, the words "or Election Clerk."

Re-enacts s. 87A.

92. Said chapter 16 is amended by inserting the following as section 87A:—

"87A. Where a poll is granted in an electoral district, the Registrar shall, when directed by the Registrar-General, cause notice to be given in the manner directed to each person registered as a voter in the electoral district or portion thereof advising him of the day fixed for polling, the hours of the opening and closing of the poll, and the location of the polling-booth assigned to the polling division in which the person is registered as a voter."

Amends s. 88.

93. Section 88 is amended by striking out "Every" at the beginning of subsection (2), and inserting the words "Except as provided pursuant to section 88A, every."

Further amends s. 88.

94. Section 88 is further amended by striking out the words "other than those provided for absentee voting" in the first and second lines of subsection (3), and substituting "issued for use pursuant to this section."

95. Section 88 is further amended by inserting after "group," Further amends s. 88. in the twenty-sixth and twenty-eighth lines of subsection (4), in each case the words "and the name or description of the political party or interest represented."

96. Section 88 is further amended by striking out the words Further amends s. 88. "twelve o'clock noon of the day next following nomination-day" in the twenty-ninth and thirtieth lines of subsection (4), and substituting "five o'clock in the afternoon of nomination-day."

97. Section 88 is further amended by striking out the words Further amends s. 88. "The provisions of this subsection shall not apply where the ballot-paper is written with ink pursuant to subsection (2) of section 114" in the thirty-third, thirty-fourth, and thirty-fifth lines of subsection (4), and in the fourteenth, fifteenth, and sixteenth lines of subsection (5).

98. Section 88 is further amended by inserting after "ballot-paper," Further amends s. 88. in the eighth line of subsection (5), the words "and the name or description of the political party or interest represented shall be shown in the manner required by the written direction (if any) of the Premier of the Province."

99. Section 88 of said chapter 16 is further amended by inserting Further amends s. 88. after "next," in the tenth line of subsection (5), the words "and the name or description of the political party or interest represented shall be shown in the manner required by the written direction (if any) of the recognized leader of the opposition party, such written direction to be filed with the Returning Officer before five o'clock in the afternoon of nomination-day."

100. Said chapter 16 is amended by inserting the following as Enacts s. 88A. section 88A:—

"88A. (1.) Every ballot-paper issued for use pursuant to section 112A, 113, or 114 shall be in a form to be prescribed by the Lieutenant-Governor in Council and shall contain a blank space (or spaces) in which the voter shall mark the name of the candidate (or names of the candidates if more than one is to be elected) for whom he desires to cast his vote.

"(2.) Each ballot-paper shall have a counterfoil and stub attached, and the stubs with the counterfoils and ballot-papers attached shall be bound or stitched together in books of convenient size and shall be numbered consecutively on the face of the stub and the face of the counterfoil, the same number being placed on the counterfoil as on the corresponding stub. Every ballot-paper issued pursuant to this section shall be known for all purposes as a 'special ballot-paper.'

“(3.) An envelope shall be provided into which the ballot shall be placed after being marked and folded by the voter. Such envelope shall be called a ‘ballot-envelope,’ and upon the face thereof shall be printed an affidavit to be made by each voter applying for a ballot issued pursuant to section 112A, 113, or 114, the affidavit to be in a form to be prescribed by the Lieutenant-Governor in Council.”

Amends s. 89.

101. Section 89 is amended by striking out the words “the ballot-paper” in the first line of subsection (1), and substituting “a ballot-paper printed pursuant to section 88.”

Further amends s. 89.

102. Section 89 is further amended by inserting after “ballot-papers,” in the first line of subsection (2), the words “or the List of Candidates.”

Further amends s. 89.

103. Section 89 is further amended by inserting after “ballot-papers,” in the fifth line of subsection (2), the words “and on the List of Candidates prepared pursuant to section 95.”

Re-enacts s. 90.

104. Section 90 is repealed, and the following is substituted:—
“90. Except as provided for an advance poll held pursuant to section 112A, every poll shall be opened for the taking of votes at eight o'clock in the forenoon and shall be closed at eight o'clock in the afternoon.”

Amends s. 91.

105. Section 91 is amended by inserting after “Officer,” in the first line of subsection (2), the words “a Poll Clerk.”

Amends s. 92.

106. Section 92 is amended by inserting after “district” in the second line of clause (a), the words “and only such rooms as are suitable and conveniently located for the taking of the poll shall be hired.”

Amends s. 93.

107. Section 93 is amended by striking out the words “Deputy Provincial Secretary” in the fourth line of subsection (1), and substituting “Registrar-General.”

Amends s. 94.

108. Section 94 is amended by striking out the words “affidavits received under this Act in support of the” in the third line thereof.

Further amends s. 94.

109. Section 94 is further amended by striking out the word “deponents” in the seventh line, and substituting “applicants.”

Amends s. 95.

110. Section 95 is amended by inserting after “candidates,” in the seventh line, the words “together with the political party or interest represented.”

111. Section 95 is further amended by inserting after "granted," in the eighth line, the words "The list of candidates so prepared shall be known as the 'List of Candidates,' and the Chief Electoral Officer shall cause sufficient copies thereof to be printed." Further amends s. 95.

112. Section 95 is further amended by striking out the words "and shall cause the list to be printed" in the eighth line. Further amends s. 95.

113. Section 95 is further amended by inserting after "the," in the ninth line, the words "List of Candidates and the." Further amends s. 95.

114. Section 96 is amended by striking out the words "in Form 22," in the third line, and substituting "in the form to be prescribed by the Lieutenant-Governor in Council." Amends s. 96.

115. Said chapter 16 is amended by inserting the following as section 96A:— Re-enacts s. 96A.

"96A. Every Deputy Returning Officer and Poll Clerk shall attend the polling-station in which they have been directed to take the poll not less than thirty minutes before the hour fixed for the opening of the poll."

116. Section 99 is amended by striking out the words "in support of the voter's application for registration" in the fifth and sixth lines of subsection (3). Amends s. 99.

117. Section 99 is further amended by striking out the word "deponent" in the twelfth and thirteenth lines, and substituting "applicant." Further amends s. 99.

118. Section 100 is amended by striking out the words "the affidavit in support of" in the fifth and sixth lines of subsection (2). Amends s. 100.

119. Section 100 is further amended by striking out the words "Ballots where the intent is shown without identification shall be counted" in the fourth and fifth lines of subsection (3). Further amends s. 100.

120. Section 101 is amended by striking out all the words after "ballot-paper" in the fourth line, and substituting the following: "in accordance with the following instructions:— Amends s. 101.

"(a.) In the case of an ordinary ballot-paper in the form prescribed under the provisions of section 88, by making a cross in the white square on the ballot-paper opposite to the division, or if there is more

than one member to be elected, opposite to each of the divisions containing the name of a candidate for whom he desires to vote, and he shall then fold the ballot-paper across so as to conceal the names of the candidates and the marks upon its face, but so that the numbers on the counterfoil can be seen without opening the ballot-paper, and, leaving the compartment, shall, without delay and without showing the front to any one or so displaying the ballot-paper as to make known to any person the name of any candidate for whom he has marked his vote, hand the ballot-paper to the Deputy Returning Officer, who, by examining the numbers on the counterfoil and without unfolding the ballot-paper, shall ascertain that it is the same ballot-paper given by him to the voter, and shall then, in full view of all present, including the voter, remove the counterfoil and destroy it and place the ballot-paper in the ballot-box; the voter shall then forthwith leave the premises:

- “(b.) In the case of a special ballot-paper in the form prescribed under the provisions of section 88A, by writing or printing with the pencil provided the full name of the candidate, or if there is more than one member to be elected, the full name of each candidate for whom he desires to vote, and he shall then fold the ballot-paper across so as to conceal the name of the candidate or candidates upon its face, but so that the printed number and the initials of the Deputy Returning Officer on the counterfoil can be seen without opening the ballot-paper, and, leaving the compartment, shall, without delay and without indicating in any way for whom he has marked his vote, hand the ballot-paper to the Deputy Returning Officer, who, by examining the printed number and his initials on the counterfoil and without opening the ballot-paper, shall ascertain that it is the same ballot-paper given by him to the voter, and shall then, in full view of all present, including the voter, remove the counterfoil and destroy it and place the ballot in the ballot-envelope that bears the affidavit of the voter made before the Deputy Returning Officer, and shall seal the ballot-envelope and place it in the ballot-box; the voter shall then forthwith leave the premises.”

Amends s. 104.

121. Section 104 is amended by adding at the end of the section the words “and place it in an envelope marked ‘Cancelled Ballot-papers.’”

122. Section 107 is amended by inserting after "voters," in the fourth line of subsection (1), the words "and in the poll-book." Amends s. 107.

123. Section 111 is amended by repealing subsection (3). Amends s. 111.

124. Said chapter 16 is amended by inserting the following as section 111A:— Enacts s. 111A.

"111A. Any voter who is tendering his vote or who is at the polling-station for the purpose of tendering his vote before the hour fixed for the closing of a poll established pursuant to this Act shall be permitted to tender his vote, and the Deputy Returning Officer shall not proceed with the counting of the votes or any other thing required to be done by him after the poll is closed until such persons have tendered their votes and vacated the premises."

125. Section 112A, as enacted by section 14 of chapter 9 of the Statutes of 1940, is repealed, and the following are substituted as sections 112A, 112B, 112C, and 112D under the heading "Advance Poll":— Enacts ss. 112A to 112D.

"Advance Poll.

"112A. (1.) Where a poll is granted in an electoral district, the Returning Officer shall, before the day fixed for the holding of the poll and as herein provided, take the votes of those registered voters of the district who will be unable to attend a polling-booth on polling-day, and the taking of such votes shall be known for all purposes as an 'advance poll.'

"(2.) For the purpose of taking an advance poll, the Returning Officer shall establish a polling-booth at such suitable and convenient place or places within the electoral district as the Chief Electoral Officer directs, and a polling-booth so established shall be opened for the taking of votes at two o'clock in the afternoon and shall be closed at ten o'clock in the afternoon of the Thursday, Friday, and Saturday of the week preceding that in which the poll is to be held.

"(3.) Every person who is registered as a voter pursuant to this Act in an electoral district in which a poll has been granted, if he makes an affidavit in a form to be prescribed by the Lieutenant-Governor in Council before the Deputy Returning Officer declaring his inability to attend a polling-booth on the day on which the poll is held, shall be entitled to tender his vote on a special ballot-paper at any polling-booth within the Province established pursuant to subsection (2).

"(4.) Every Deputy Returning Officer, at two o'clock in the afternoon of the first day upon which the advance poll is held, shall show the ballot-box empty to such persons as are then pres-

ent in the polling-booth, so that they may see that it is empty, and shall then lock it up and place a seal upon it in such a manner as to prevent its being opened without breaking the seal, and any other person who is present shall be permitted to affix his seal thereto if he so desires, and the Deputy Returning Officer shall then place the ballot-box in his view for the receipt of ballots, and the ballot-box shall be kept locked and sealed until it is opened by the Returning Officer as hereinafter provided.

“(5.) At any time during the hours in which the advance poll is being taken, the Deputy Returning Officer, if requested by a candidate or his agent or scrutineer, shall permit such person to examine the ballot-box for the purpose of ensuring that the seal or seals affixed thereto remain intact.

“112B. (1.) Upon applying for a special ballot-paper as an advance voter pursuant to subsection (3) of section 112A, the voter shall be required to sign his name, present address, and occupation in the poll-book; and any person being so required who, unless unable to write, refuses to sign in the required manner, shall not receive a ballot-paper.

“(2.) The Deputy Returning Officer, before delivering the special ballot-paper to the voter, shall announce the name and description of the voter appearing in the affidavit on the ballot-envelope made pursuant to subsection (3) of section 112A, and the Deputy Returning Officer shall mark his initials in ink on the face of the stub and on the face of the counterfoil and ensure that the proper blank space (or number of spaces) is displayed on the ballot in accordance with the number of candidates who are to be elected in the district.

“(3.) The Deputy Returning Officer, upon delivering a special ballot-paper to a voter, shall provide him with a copy of the List of Candidates and indicate therein the names of all the candidates who were nominated in the electoral district in which the person is registered as a voter.

“(4.) The voter shall proceed to the screened compartment and mark and fold his special ballot-paper and deliver it to the Deputy Returning Officer in the manner provided in clause (b) of section 101, and the Deputy Returning Officer shall further deal with the matter in the manner provided in section 112c.

“(5.) At ten o'clock in the afternoon of the first and second days upon which the advance poll is taken, the Deputy Returning Officer shall adjourn the poll until two o'clock in the afternoon of the following day, and shall affix his seal to the ballot-box and permit any candidate nominated in the electoral district or his scrutineer to affix a seal thereto in such a manner that no further ballots can be deposited therein without breaking the seals, after which he shall place the ballot-box, poll-book, special ballot-papers and ballot-envelopes, and all other documents pertaining

to the poll under lock and seal until the poll is opened on the following day.

“(6.) Upon opening the poll on the second and third days, the Deputy Returning Officer shall remove from the ballot-box only such seals as were affixed pursuant to subsection (5).

“112C. (1.) At ten o'clock in the afternoon of the third day upon which the advance poll is held, the Deputy Returning Officer shall declare the poll closed; he shall forthwith prepare a statement (hereinafter called the “advance poll ballot-paper account”) showing the number of special ballot-papers entrusted to him and accounting for them under the heads of ‘Ballot-papers used,’ ‘unused,’ and ‘cancelled,’ and a copy of such statement shall be deposited in the ballot-box.

“(2.) Unless otherwise directed pursuant to subsection (3), the Deputy Returning Officer shall then affix his seal to the ballot-box in the manner provided in subsection (1) of section 112B, and shall permit such persons as are specified therein to affix their seals in a like manner; and the Deputy Returning Officer shall forthwith deliver the ballot-box to the Returning Officer or the Election Clerk in the manner directed by the Chief Electoral Officer. The poll-book, unused special ballot-papers and ballot-envelopes, and cancelled special ballot-papers, together with any other documents or papers pertaining to the poll, shall be enclosed in a parcel and shall accompany the ballot-box.

“(3.) Where the Chief Electoral Officer, pursuant to section 112A, has authorized the establishment of two or more polling-booths at widely separated points within an electoral district, he may, where transportation of the ballot-box to the Returning Officer is liable to cause delay, direct the Deputy Returning Officer at any such booth, upon closing the advance poll therein, to open the ballot-box and proceed in the manner provided for the Returning Officer pursuant to subsection (2) of section 112D, to segregate the ballot-envelopes without opening them into groups according to the various electoral districts, and to parcel each group and prepare an advance poll statement.

“(4.) The parcels of ballot-envelopes shall be marked on the outside with the words ‘Special Ballots (Advance Poll),’ and shall be forwarded without delay, properly addressed and fully prepaid, by registered mail, to the Returning Officer concerned.

“(5.) The advance poll statement shall be included in the parcel of ballot-envelopes that is to be sent to the Returning Officer of the electoral district in which the advance polling-booth is located.

“(6.) Where the Deputy Returning Officer has dealt with the ballot-envelopes in the manner provided in subsection (3), he shall deposit in the empty ballot-box the poll-book, unused special

ballot-papers and ballot-envelopes, together with any cancelled special ballot-papers and all other documents or papers pertaining to the poll, and, after marking on the outside of the ballot-box the words 'Supplies only,' shall forthwith cause it to be delivered to the Returning Officer.

"(7.) Upon dispatching the parcels of ballot-envelopes pursuant to subsection (6), the Deputy Returning Officer shall advise each Returning Officer to whom a parcel has been sent, by telegraphic dispatch or by the most speedy method available, of the total number of ballot-envelopes contained in the said parcel.

"112D. (1.) After giving reasonable notice to each candidate nominated in the electoral district, or to the official agent thereof, and not later than polling-day, the Returning Officer shall proceed at the time and place appointed by him to open the ballot-boxes which were used at the advance poll and transmitted to him pursuant to the provisions of subsection (2) of section 112C.

"(2.) Upon opening a ballot-box, the Returning Officer shall, in view of the Election Clerk and those candidates or their scrutineers who are present, remove the contents thereof and compare the number of special ballot-papers issued at the polling-booth, as shown on the advance poll ballot-paper account (less any cancelled ballot-papers), with the number of ballot-envelopes that he removed from the ballot-box, and, finding them identical, he shall segregate the ballot-envelopes containing special ballots into groups according to the name of the electoral district that appears in the affidavit of the voter thereon, and neither the Returning Officer nor any other person shall open a ballot-envelope or in any way remove the special ballot therefrom at that time.

"(3.) The Returning Officer in the same manner shall deal separately with the contents of any other ballot-boxes that were transmitted to him pursuant to subsection (2) of section 112C.

"(4.) The Returning Officer shall prepare a list (hereinafter called the 'advance poll statement') showing the total number of ballot-envelopes containing special ballots in each group according to electoral districts.

"(5.) Each group of ballot-envelopes shall be securely wrapped in a parcel, sealed by the Returning Officer, and marked by him in ink on the outside with the words 'Special Ballots (Advance Poll),' and the name of the electoral district applicable shall also be marked thereon, and the parcel so marked with the name of the district for which he is appointed shall be placed by him under lock and seal until the final count is made.

"(6.) The remaining parcels, together with a copy of the advance poll statement, shall be placed under lock and seal, to be dealt with further pursuant to section 115A."

126. Section 113 is amended by striking out the word "an" Amends s. 113.
in the third line of subsection (1), and substituting "a rural."

127. Section 113 is further amended by striking out the words Further amends s. 113.
"absent voter's" in the fifth line of subsection (1), and substituting "special."

128. Section 113, as amended by chapter 26 of the Statutes Further amends s. 113.
of 1945, is further amended by striking out subsections (2), (3), and (4), and substituting the following:—

"(2.) The voter shall apply to the Deputy Returning Officer at any time between the opening and the closing of the poll, and upon his making an affidavit in the prescribed form, to be signed and sworn before the Deputy Returning Officer, the Deputy Returning Officer shall furnish to the voter a special ballot-paper supplied for use in the election pursuant to section 88A.

"(3.) After the voter has signed and sworn the affidavit that is printed upon the face of the ballot-envelope and after he has signed the poll-book pursuant to section 99, the Deputy Returning Officer shall call out the name and description of the voter, as stated in the certified copy of the list of voters, and the Deputy Returning Officer shall mark his initials in ink on the face of the stub and on the face of the counterfoil, and an entry shall be made in the poll-book and in the list of voters opposite the voter's name to denote that he has received a special ballot-paper, but without showing the particular ballot-paper that he has received.

"(4.) The Deputy Returning Officer shall ensure that the proper blank space, or number of spaces, is displayed on the ballot in accordance with the number of candidates who are to be elected in the district, and shall deliver to the voter the special ballot-paper, together with that portion of the List of Candidates showing the names of all candidates who were nominated in the electoral district; and the voter shall proceed to the screened compartment and mark and fold his special ballot-paper and deliver it to the Deputy Returning Officer in the manner provided in clause (b) of section 101, and the Deputy Returning Officer shall further deal with the matter in the manner provided in section 115.

"(5.) Where a voter is appointed Deputy Returning Officer or Poll Clerk for a polling division other than the one in which he is registered as a voter, the Returning Officer shall issue under his signature to such voter, at the time of his appointment, a certificate in the prescribed form, to be known for all purposes as a 'transfer certificate,' authorizing him, upon surrendering the certificate at the polling-booth, to tender his vote by ordinary ballot in the polling division in which he is employed.

“(6.) The official to whom the transfer certificate is surrendered shall, upon issuing an ordinary ballot-paper to the voter named thereon, write in ink the word ‘Cancelled’ across the face of the certificate, and shall set it aside for transmission to the Returning Officer.

“(7.) A registered voter who is the duly appointed scrutineer of a candidate nominated within the district, and who is to be employed as such outside his own polling division on polling-day, shall receive a transfer certificate from the Returning Officer if such certificate is requested in writing by the candidate or his agent before polling-day as hereinafter provided.

“(8.) A transfer certificate shall not be issued to a voter pursuant to this section unless the Returning Officer enters the name of the voter upon a list to be known as the ‘Transfer Certificate List’ and indicates that such certificate has been issued by writing in ink the words ‘Transfer Certificate issued’ opposite the voter’s name where it appears in those copies of the list of voters that are to be used on polling-day by the poll officials in the polling division in which the voter is registered.

“(9.) Where a voter entitled to receive a transfer certificate pursuant to this section has not received a certificate from the Returning Officer, he shall be entitled to tender his vote in the manner provided in subsections (1) and (2), and in the affidavit on the ballot-envelope the voter shall include the following statement:—

I am employed as a at the Polling Division in
the Electoral District.

“(10.) Except as hereafter set forth, subsections (1) and (2) shall not apply to voters whose names are on the list of voters of an urban electoral district; but a voter who is registered in an urban district and is employed outside his own polling division as a Deputy Returning Officer, Poll Clerk, or scrutineer in that district, and has not received a transfer certificate pursuant to subsection (5), shall be entitled to tender his vote in the manner provided in subsections (1) and (2), and in the affidavit on the ballot-envelope the voter shall include the following statement:—

I am employed as a at the Polling Division in
the Electoral District.

“And any person who is registered as a voter in an urban electoral district and who on the day of polling is a patient at a hospital within such urban district at which a polling-booth has been established shall be entitled to tender his vote in the manner provided in subsections (1) and (2), and in the affidavit on the ballot-envelope the voter shall include the following statement:—

I am a patient at the Hospital in the Electoral
District.”

129. Section 114 is amended by striking out the words "an absent voter's" in the fourth and fifth lines of subsection (1), and substituting "a special." Amends s. 114.

130. Section 114 is further amended by repealing subsection (2), and substituting the following as subsections (2) and (3):— Further amends s. 114.

"(2.) The voter shall apply to the Deputy Returning Officer of any polling-booth at any time between the opening and the closing of the poll, and upon his making an affidavit in the prescribed form, to be signed and sworn before the Deputy Returning Officer, the Deputy Returning Officer shall furnish to the voter a special ballot-paper in the manner provided in subsections (1), (2), and (3) of section 112B, and the voter shall proceed to the screened compartment and mark and fold his ballot-paper in the manner provided in clause (b) of section 101, and the Deputy Returning Officer shall further deal with the matter in the manner provided in section 115.

"(3.) Where the Deputy Returning Officer is entitled to record his vote as an absent voter under this section, he may make the affidavit before the Poll Clerk at the poll at which he presides."

131. Section 115 is amended by adding to subsection (1) the words "Ballots bearing votes for fewer candidates than the voter is entitled to vote for shall be counted." Amends s. 115.

132. Section 115 is further amended by striking out the words "an absent voter's" in the first line of clause (g) of subsection (2), and substituting "a special." Further amends s. 115.

133. Section 115 is further amended by striking out the words "their printed faces" in the seventh and eighth lines of subsection (3), and substituting "the names of the candidates." Further amends s. 115.

134. Section 115 is further amended by inserting after "read," in the eleventh line of subsection (6), the words "and the cancelled transfer certificates." Further amends s. 115.

135. Section 115 is further amended by repealing subsection (7), and substituting the following:— Further amends s. 115.

"(7.) The Deputy Returning Officer shall then, without opening any ballot-envelope or removing the special ballot therefrom, segregate into groups the ballot-envelopes that he removed from the ballot-box according to the respective electoral districts to which they appertain. Each group shall be placed in an envelope which shall be sealed and marked in ink on the outside with the words 'Special Ballots for Electoral District,' and the

number of ballot-envelopes contained therein shall also be marked thereon, and all the envelopes, after being so marked, shall be securely sealed in one parcel, together with a copy of the ballot-paper account made pursuant to subsection (8), and personally delivered or forwarded without delay, properly addressed and fully prepaid, by registered mail, to the Returning Officer of the electoral district, who shall deal further with the matter as provided in section 115A."

Further amends s. 115. **136.** Section 115 is further amended by inserting after "of," in the second line of subsection (8), the word "ordinary"; and by inserting after "ballot-papers," in the second line of subsection (8), the words "and special ballot-papers."

Further amends s. 115. **137.** Section 115 is further amended by striking out in subsection (8) the words "A copy of each statement accompanying absent voters' ballots mailed by the Deputy Returning Officer under subsection (7) shall also be placed in the ballot-box."

Further amends s. 115. **138.** Section 115 is further amended by inserting after "delivered," in the second line of subsection (9), the word "forthwith."

Further amends s. 115. **139.** Section 115 is further amended by striking out the words "and also the number of absentee votes which have been cast, and shall send by telegraphic dispatch or by the most speedy method available to the Returning Officer of each electoral district in respect of which absent voters' ballot-papers have been deposited a statement of the number of votes cast for each candidate as shown by the written statement prepared pursuant to subsection (7)" in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eleventh lines of subsection (10).

Enacts s. 115A. **140.** Said chapter 16 is amended by inserting the following as section 115A:—

"115A. (1.) Upon receipt of the parcels of ballot-envelopes transmitted to him pursuant to subsection (7) of section 115, the Returning Officer shall forthwith, after giving reasonable notice to each candidate nominated in the electoral district or his agent, proceed at the time and place appointed by him to open the parcels and remove therefrom the ballot-paper account and the sealed envelopes containing the groups of ballot-envelopes.

"(2.) The sealed envelopes from the various parcels shall be segregated into groups according to the name of the district marked thereon pursuant to subsection (7) of section 115, and the number of ballot-envelopes contained in each group, being the total of the numbers marked on the outside of the sealed envelopes, shall be recorded by the Returning Officer in a statement to be known as the 'absentee poll statement.'

"(3.) Each group of sealed envelopes shall be placed in a large envelope which shall be sealed and marked on the outside in ink by the Returning Officer with the name of the electoral district applicable and the words 'Special Ballots (Absentee Poll).'

"(4.) The parcel containing all the special ballots (if any) marked pursuant to section 113 and section 82A and a copy of the ballot-paper account shall be placed, together with copies of the absentee poll statement and the advance poll statement, under lock and seal by the Returning Officer until the final count is held.

"(5.) The remaining parcels, together with those parcels in custody marked 'Special Ballots (Advance Poll)' that appertain to other electoral districts, shall be personally delivered or forwarded without delay, properly addressed and fully prepaid, by registered mail, to the Returning Officers for the respective electoral districts to which they appertain.

"(6.) The Returning Officer shall send by telegraphic dispatch or by the most speedy method available to the Returning Officer of each electoral district in respect of which special ballot-papers have been deposited a statement showing separately the number of special ballots cast at the advance poll and the number cast on polling-day, as shown by the advance poll statement and the absentee poll statement prepared respectively pursuant to subsection (2) of section 112D and subsection (7) of section 115."

141. Section 117 is amended by striking out clause (a) of subsection (1), and substituting the following:— Amends s. 117.

"(a.) He shall open each ballot-box and take thereout the poll-book, the marked copy of the list of voters, and the statement of poll prepared pursuant to subsection (5) of section 115, but shall not remove therefrom or open any other parcels unless they are required for the purposes of the count under the following provisions of this section."

142. Section 117 is further amended by striking out clause (c) of subsection (1), and substituting the following:— Further amends s. 117.

"(c.) The Returning Officer shall prepare a statement (hereinafter called the 'statement of votes') and shall enter thereon under the heads of the various candidates and opposite to the various polling divisions the number of ordinary votes cast for each candidate as shown on the statement of poll, and under the heading of 'Rejected Ballots' shall be shown the number of ordinary ballots (if any) rejected in each polling division; the Returning Officer shall not open the parcels containing the ordinary ballots or the

rejected ballots and shall not count the ballots therein unless so requested by a candidate or his scrutineer."

Further amends s. 117.

143. Section 117 is further amended by striking out clause (d) of subsection (1), and substituting the following:—

"(d.) He shall open each parcel marked 'Special Ballots (Advance Poll)' or received from each Returning Officer or Deputy Returning Officer at any time before the completion of the final count, and shall deal with each parcel separately and in the following manner: Before opening the ballot-envelope, he shall examine the affidavit thereon and finding that it is signed by the deponent and by the Deputy Returning Officer before whom it was sworn, and finding that the deponent is a voter whose name appears on the list of voters for the polling division named in the affidavit, and that no person has in fact voted as such voter at the poll held in the polling division, and after comparing the signature made by the voter on the affidavit with the signature of the voter in whose name he assumes to vote made on the original application for registration received by the Registrar of Voters in support of the voter's application for registration, and finding the signatures to be identical, the Returning Officer shall open the ballot-envelope, remove the folded ballot therefrom, and shall place it without being opened into a ballot-box to be used for the purpose of counting absent voters' ballots, and shall note on the list of voters against the number of the voter the fact that he has voted as an absent voter. If the Returning Officer finds that the name of the deponent does not appear on the list of voters for the electoral district named in the affidavit, or that some person has in fact voted as such voter at the poll held in the electoral district, or if the signatures do not appear to the Returning Officer to be identical, he shall not open the ballot-envelope, but shall write in ink on the face thereof the word 'unopened' together with the reason therefor, and the ballot-envelope as marked shall be set aside to be further dealt with pursuant to this section. After all the special ballots appertaining to his electoral district which were marked at the advance poll have been dealt with, the ballot-box shall be opened and the Returning Officer shall proceed to count the votes given for each candidate in like manner as that provided for the counting of votes by a Deputy Returning Officer at the close of a poll, and

shall enter in a place to be provided in the statement of votes the total number of votes cast for each candidate at the advance poll, and the number of rejected ballots (if any), and shall seal up in separate parcels, marked so as to indicate their contents, the counted and the rejected ballots and the unopened ballot-envelopes (if any), and also any opened ballot-envelopes from which special ballots were removed."

144. Section 117 of said chapter 16 is further amended by Further amends s. 117. relettering the present clauses (e) and (f) of subsection (1) as clauses (f) and (g) respectively, and by inserting the following as clause (e) :—

"(e.) He shall open each parcel marked 'Special Ballots (Absentee Poll)' and shall proceed in the manner provided in subsection (d), and special ballots (if any) issued pursuant to section 82A that are included in any parcels shall be dealt with in the manner prescribed for ballots marked by an absent voter. After all the special ballots marked on polling-day for the electoral district have been dealt with, the ballot-box shall be opened and the Returning Officer shall proceed to count the votes given for each candidate in the manner provided for the counting of ordinary votes by a Deputy Returning Officer at the close of the poll, and the Returning Officer shall enter in a place to be provided in the statement of votes the total number of votes cast for each candidate by special ballot marked on polling-day and the number of rejected ballots (if any), and he shall put in separate parcels the counted and rejected ballots and the unopened ballot-envelopes (if any) and the opened ballot-envelopes that contained the special ballots, and he shall mark each parcel so as to indicate its contents and he shall seal each parcel."

145. Section 117 is further amended by striking out the words Further amends s. 117. "absent voter's" in the seventh line of clause (g) (formerly (f) of subsection (1)), and substituting "special."

146. Section 117 is further amended by striking out subsection (2), and substituting the following as subsections (2) and (3) :— Further amends s. 117.

"(2.) The Returning Officer shall at the final count place the parcels containing all opened and unopened ballot-envelopes in a large envelope marked 'Record of Advance and Absent Voters.'

"(3.) The large envelope shall be addressed to the Registrar of Voters of the electoral district, and it shall accompany the parcels containing the original applications for registration and the poll-books transmitted to the Registrar pursuant to subsection (3) of section 124."

- Amends s. 121. **147.** Section 121 is amended by inserting after "of," in the seventh line, the word "ordinary."
- Further amends s. 121. **148.** Section 121 is further amended by adding at the end of the section the words "and the votes cast by special ballots as counted by him pursuant to section 117."
- Amends s. 123. **149.** Section 123 is amended by striking out the words "absent voter's" in the fourth line of subsection (1), and substituting "special."
- Further amends s. 123. **150.** Section 123 is further amended by repealing clause (f) of subsection (2), and substituting the following:—
 "(f.) Ballot-papers contained in ballot-envelopes that were not opened at the final count."
- Further amends s. 123. **151.** Section 123 is further amended by inserting after "121," in the fourth line of subsection (3), the words "together with a copy of the statement of votes prepared pursuant to section 117."
- Further amends s. 123. **152.** Section 123 is further amended by striking out the words "The Returning Officer shall also furnish the Deputy Provincial Secretary with a statement showing the number of votes given for each candidate at every polling-place" in the fourth, fifth, sixth, and seventh lines of subsection (3).
- Amends s. 124. **153.** Section 124 is amended by inserting after "100," in the eighth line of subsection (2), the words "the cancelled transfer certificates and the parcels of opened and unopened ballot-envelopes."
- Further amends s. 124. **154.** Section 124 is further amended by striking out the words "together with all lists of absent voters made" in the fourth line of subsection (3), and substituting "the cancelled transfer certificates, together with all parcels of opened and unopened ballot-envelopes made up."
- Amends s. 127. **155.** Section 127 is amended by striking out the words "envelopes containing absent voter's" in the first line of clause (e), and substituting "ballot-envelopes containing special."

156. Section 133 is repealed, and the following is substituted:— Re-enacts s. 133.

“133. (1.) Where parcels of unopened ballot-envelopes containing special ballots that have not been counted either at the final count or at a subsequent recount are received by the Chief Electoral Officer, he shall, within two months after the day on which the poll was held, open the parcels and remove the ballot-envelopes therein and, without opening any ballot-envelope, shall examine the affidavit made upon the outside of each ballot-envelope and prepare a list for each electoral district that is designated in any of the affidavits showing the name and description of each voter as it appears on the affidavit.

“(2.) The ballot-envelopes so examined by the Chief Electoral Officer shall be sealed up in their various parcels and dealt with by him pursuant to the provisions of section 134, and each list prepared pursuant to this section shall forthwith be transmitted by registered mail to the Registrar of Voters to whom it appertains.”

157. Section 134 is repealed, and the following is substituted:— Re-enacts s. 134.

“134. The Chief Electoral Officer shall retain all documents and ballots relative to an election forwarded to him in pursuance of this Act for a period of one year after the day of election, and until every cause pending in the Courts of the Province during the said one-year period, and of which the Chief Electoral Officer shall have received written notice from some party to the cause, relative to that election has been finally determined; and then, unless otherwise directed by an order of the Speaker, or of the Supreme Court or a Judge thereof, shall cause them to be destroyed.”

158. Section 150 is amended by striking out the words “such as firearms, swords, staves, bludgeons, or the like” in the fourth and fifth lines. Amends s. 150.

159. Section 152 is amended by striking out the words “as firearms, swords, staves, bludgeons, or the like” in the ninth line. Amends s. 152.

160. Section 160 is amended by striking out the words “either before, during, or after any election” in the third line, and substituting “between the date of the issue of the writ and the date on which the final count or recount (if any) is held.” Amends s. 160.

161. Section 161 is repealed. Repeals s. 161.

162. Said chapter 16 is amended by striking out the word “cockade” wherever it appears. “Cockade”
struck out.

- Enacts s. 166A. **163.** Said chapter 16 is amended by inserting the following as section 166A:—
 “166A. No candidate or any other person shall use or cause to be used a public-address system or other loud-speaker device on the day of the election for the purpose of promoting or procuring the election of any candidate.”
- Amends s. 171. **164.** Section 171 is amended by striking out the word “all” in the fifth line, and substituting “the total.”
- Amends s. 172. **165.** Section 172 is amended by adding the following as clause (g):—
 “(g.) The expenses incurred by the employment of clerks and scrutineers.”
- Amends s. 177. **166.** Section 177 is amended by striking out the words “an absent voter’s” in the second line of clause (f), and substituting “a special.”
- Amends s. 189. **167.** Section 189 is amended by inserting immediately before “Registrars,” in the sixth line of subsection (1), the words “the Chief Electoral Officer, the Registrar-General of Voters, and of.”
- Further amends s. 189. **168.** Section 189 is further amended by striking out the words “Deputy Provincial Secretary” in the fourth line of subsection (2), and substituting “Chief Electoral Officer or the Registrar-General, whichever is concerned.”
- Enacts s. 190A. **169.** Said chapter 16 is amended by inserting the following as section 190A:—
 “190A. Where time is mentioned in this Act, or in any writ issued in pursuance thereof, the time shall be standard time.”
- Re-enacts s. 192. **170.** Section 192 is repealed, and the following is substituted:—
 “192. The writ of election, when transmitted to the Returning Officer, shall be accompanied by five copies of this Act and a sufficient number of copies of the instructions for Deputy Returning Officers as prepared by the Chief Electoral Officer.”
- Amends s. 193. **171.** Section 193 is amended by inserting after “alteration,” in the sixth and twelfth lines, the words “or cancellation.”
- Further amends s. 193. **172.** Section 193 is further amended by inserting after “Act,” in the seventh line, the words “or prescribed for use under this Act.”

173. Section 196 is repealed, and the following is substituted:— Re-enacts s. 196.

“196. (1.) Every registered elector of the electoral district who does not have four consecutive hours free from his employment between the hours of the opening and closing of the poll on polling-day shall be entitled to have such time free from his employment, without loss of pay therefor, as may be required to provide him with four consecutive hours between the opening and closing of the poll on polling-day in which to cast his vote.

“(2.) Such period of time shall be granted to each employee at the time of day that best suits the convenience of the employer.

“(3.) Every employer who, without reasonable justification, fails to grant sufficient time off to an employee or, having granted such time off, makes a deduction in pay therefor shall be liable, on summary conviction, to a penalty, in the case of an individual, of not more than one hundred dollars and, in the case of a corporation, of not less than two hundred and fifty dollars.”

174. The Schedule is amended by striking out the following forms: 1, 1A, 1C, 1D, 1E, 3, 6, 13, 22, 25, and 26. Amends Sch.

VICTORIA, B.C.:

Printed by DON McDIARMID, Printer to the King's Most Excellent Majesty.
1947.