SOUTH AUSTRALIA

ELECTION OF SENATORS ACT, 1903

This Act is reprinted pursuant to the Acts Republication Act 1967 and incorporates all amendments in force as at 1 July 1991.

It should be noted that the Act was not revised (for obsolete references, etc.) by the Commissioner of Statute Revision prior to the publication of this reprint.
SUMMARY OF PROVISIONS

Section
1. Short title
2. Power to fix dates in relation to election
3. Governor may extend time for holding election, etc.
ELECTION OF SENATORS ACT, 1903

being

The Election of Senators Act, 1903, No. 834 of 1903
[Assented to 30 October 1903]

as amended by

The Election of Senators Act Amendment Act, 1978, No. 4 of 1978 [Assented to 2 March 1978]
Election of Senators Act Amendment Act, 1984, No. 80 of 1984 [Assented to 15 November 1984]
Election of Senators Act Amendment Act, 1988, No. 85 of 1988 [Assented to 1 December 1988]

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.
2.

An Act to make provision for determining the times and places of elections of Senators for the State.

BE IT ENACTED by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

Short title
1. This Act may be cited as the Election of Senators Act, 1903.

Power to fix dates in relation to election
2. (1) For the purpose of the election of Senators for this State to the Senate of the Commonwealth, the Governor may, by proclamation—

(a) fix the date for the issue of the writ;

(b) fix the date for the close of the electoral rolls;

(ba) fix the date for the nomination of candidates;

(c) fix the date for the polling;

(d) fix a date on or before which the writ must be returned.

(1a) The writ shall be deemed to have been issued at the hour of six o’clock in the afternoon of the day on which the writ was issued.

(1b) The writ shall be dated as of the day of its issue and the dates fixed under subsection (1) shall be specified in the writ.

(1c) The date fixed for the close of the electoral rolls shall be seven days after the date of the writ.

(1d) Subject to subsection (1e), the date fixed for the nomination of the candidates shall not be less than eleven days nor more than twenty-eight days after the date of the writ.

(1e) Where a candidate for an election dies, after being nominated and before twelve o’clock noon on the day fixed by the writ as the date of nomination for the election, the day fixed as the date of nomination for the election shall, except for the purposes of subsection (1f), be taken to be the day next succeeding the day so fixed.

(1f) The date fixed for the polling shall not be less than twenty-two days nor more than thirty days after the date of nomination.

(1g) The day fixed for the polling shall be a Saturday.

(1h) The date fixed for the return of the writ shall not be more than 100 days after the issue of the writ.

(2) Nomination must be made after the issue of the writ and before twelve o’clock noon on the day of nomination.
3. 

(2a) The office of the Australian Electoral Officer for this State shall be the place of nomination for the election.

(2b) The poll shall be open at eight o’clock in the morning, and shall not close until all electors present in the polling booth at six o’clock in the afternoon, and desiring to vote, have voted.

(3) The polling shall take place at all polling places within the State appointed under the law of the Commonwealth for the time being in force for the regulation of Parliamentary elections.

**Governor may extend time for holding election, etc.**

3. (1) The Governor may, by proclamation, before or after the date fixed for the polling—

   (a) extend the time for holding the election;

   (b) extend the time for returning the writ;

   (c) provide for meeting any difficulty that might otherwise interfere with the due course of the election.

(2) Any provisions made under subsection (1) shall be valid and sufficient and any date provided for under that subsection in lieu of a date fixed and specified in the writ under section 2 shall be deemed to be the date so fixed and specified.

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## APPENDIX

### Legislative History

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>Section 2:</td>
<td>amended by 4, 1978, s. 2; substituted by 37, 1981, s. 2</td>
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<td>Section 2(1):</td>
<td>amended by 80, 1984, s. 2(a)</td>
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<td>Section 2(1a) - (1g):</td>
<td>inserted by 80, 1984, s. 2(b)</td>
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<td>Section 2(1h):</td>
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<td>Section 2(2a) and (2b):</td>
<td>inserted by 80, 1984, s. 2(c)</td>
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<td>Section 3:</td>
<td>inserted by 37, 1981, s. 2; redesignated as s. 3(1) by 80, 1984, s. 3; amended by 85, 1988, s. 3(a)</td>
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<td>Section 3(2):</td>
<td>inserted by 80, 1984, s. 3</td>
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<td>Section 3(3):</td>
<td>inserted by 80, 1984, s. 3; repealed by 85, 1988, s. 3(b)</td>
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