

**NOTICE MADE PURSUANT TO SECTION 7 OF THE
SUPERANNUATION (PAPUA AND NEW GUINEA)
ORDINANCE 1951 SPECIFYING THE MANNER
OF ELECTION OF CONTRIBUTORS' REPRESENTATIVE TO THE BOARD.**

Superannuation (Papua and New Guinea) Ordinance 1951.

**ELECTION BY CONTRIBUTORS OF ONE MEMBER OF THE
SUPERANNUATION BOARD.**

Whereas it is by section 7 of the *Superannuation (Papua and New Guinea) Ordinance 1951* (in this notice referred to as "the said Ordinance") ordained that there shall be a Superannuation Board which shall consist of three members, who shall be appointed by the Minister, and one of whom shall be a contributor elected by contributors in the manner specified by the Minister by notice published in the *Gazette*:

And whereas by section 4 of the said Ordinance "contributor" is defined to mean an employee who is or has been contributing under the Ordinance to the Papua and New Guinea Superannuation Fund:

And whereas it is necessary that a contributor be elected by contributors and appointed to the Board:

Now therefore, I, Paul Meernaa Caedwalla Hasluck, Minister of State for Territories and Minister administering the said Ordinance, do hereby notify that the following arrangements for the purpose of such election have been approved:—

Returning Officer.

1. The Public Service Commissioner for the Territory of Papua and New Guinea shall be the Returning Officer for the purpose of this election and shall, subject to the directions of the Minister, make all necessary arrangements for the conduct of the election.

Assistant Returning Officers.

2. Assistant Returning Officers may be appointed by the Returning Officer to exercise, subject to the control and direction of the Returning Officer, all the powers of the Returning Officer.

Qualification of Voters.

3. Every person who, on the first day of November, 1951, is a contributor to the Papua and New Guinea Superannuation Fund shall be entitled to vote at this election.

List of Voters.

4. The Public Service Commissioner for the Territory of Papua and New Guinea, shall, as soon as practicable cause to be prepared a certified list of contributors setting out therein the Department and District in which the Officer is employed.

PART A : PUBLIC SERVICE—

Nominations.

5. Nominations by contributors shall be made in writing in accordance with the form contained in this notice, and must be lodged with the Returning Officer at Port Moresby not later than four o'clock in the afternoon on Thursday, the first day of November, 1951.

6. Each nomination must be signed by not less than ten contributors as defined in the third paragraph of this notice, and must contain the consent of the person nominated to act if elected.

7. Any candidate may withdraw his consent to his nomination at any time on or before the day fixed for the close of nominations by lodging with the Returning Officer a notice of withdrawal, bearing his personal signature and witnessed by a contributor.

8. It will not be necessary for the member who is appointed to devote the whole of his time to his duties as a Member of the Board. The appointment will take effect from and including the date of publication of the *Gazette* in which the result of the poll shall be declared by the Minister.

9. The form of nomination is as follows:—

Superannuation (Papua and New Guinea) Ordinance 1951.

NOMINATION OF A CONTRIBUTOR FOR APPOINTMENT AS A
MEMBER OF THE SUPERANNUATION BOARD.

The Returning Officer,
Office of the Public Service Commissioner,
Port Moresby.

We, the undersigned contributors to the Papua and New Guinea Superannuation Fund, hereby nominate Mr. *[here insert full name of the contributor nominated, his official position and the Department to which he is attached]*, as the elected Member of the Superannuation Board.

Dated this _____ day of _____, 1951.

Signature of Nominator.	Official Position.	Department.	Branch or Office.

I, _____ of _____ consent to the above nomination, and to act as a Member of the Superannuation Board, if elected.

Signature.

Witness.

Address.

10. In the event of one candidate only being nominated, he shall be declared elected; where more than one candidate is nominated, a poll of contributors shall be taken to decide the election.

11. The hour and date for the close of the poll shall be four o'clock in the afternoon on Monday, the thirty-first day of December, 1951.

Voting and Scrutiny.

12. The Returning Officer or an Assistant Returning Officer shall transmit to each contributor a ballot-paper bearing the initials of the Returning Officer or an Assistant Returning Officer and an envelope with provision thereon for the signature of the contributor, addressed to the Returning Officer or an Assistant Returning Officer, for the return of the ballot-paper.

13. If a contributor who is entitled to vote has not received his ballot material, he may, before the close of the poll, apply to the Returning Officer or an Assistant Returning Officer, who may issue a ballot-paper and envelope to the contributor.

14. The ballot-paper shall be in accordance with the following form, and the voter shall record his vote in the manner set out therein:—

(Returning Officer's or
Assistant Returning
Officer's Initials.)

TERRITORY OF PAPUA AND NEW GUINEA.

Superannuation (Papua and New Guinea) Ordinance 1951.

A MEMBER OF THE SUPERANNUATION BOARD.

BALLOT-PAPER.

DIRECTIONS TO VOTER.—The voter shall mark his vote on this paper by placing the number 1 in the square 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 requires) in the squares opposite their names, so as to indicate the order of his preference for them, and shall fold the ballot-paper so that the vote cannot be seen, place the ballot-paper in the envelope, addressed to the Returning Officer (or Assistant Returning Officer) as the case may be, fasten the envelope, sign his name on the outside of the envelope in the space provided for the purpose and send the ballot-paper, so enclosed by post or otherwise to the Returning Officer or the Assistant Returning Officer so as to reach him not later than 4 o'clock in the afternoon on Monday, the thirty-first day of December, 1951.

CANDIDATES.

Where necessary, postage must be prepaid. The Returning Officer will not accept voting papers addressed to him on which the postage has been surcharged.

15. The Returning Officer or Assistant Returning Officer shall preserve in his custody a locked and sealed ballot-box in which he shall forthwith place all envelopes containing ballot-papers received by him up to the close of the poll.

16. Forthwith, after the hour appointed for the close of the poll, the Returning Officer or an Assistant Returning Officer appointed by him, and in the presence of an Officer of the Public Service of the Territory

PART A: PUBLIC SERVICE—

of Papua and New Guinea and such authorized scrutineers as may attend, shall—

- (a) open each ballot-box and produce unopened all envelopes containing ballot-papers received up to the hour of the close of the poll;
- (b) see that the signature of the contributor appears on each such envelope, together with the required particulars;
- (c) proceed with the scrutiny as nearly as practicable in accordance with the provisions of the *Commonwealth Electoral Act 1918-1949* and the Regulations thereunder relating to postal voting in a House of Representatives election;
- (d) in the case of an Assistant Returning Officer, transmit to the Returning Officer—
 - (i) the number of first preference votes given for each candidate; and
 - (ii) the total number of ballot-papers rejected as informal.

17. From the results forwarded by Assistant Returning Officers and the results of the scrutiny of votes counted by him, the Returning Officer shall ascertain the total number of first preference votes given for each candidate. The candidate who has received the largest number of first preference votes shall, if that number constitute an absolute majority of votes, be elected.

18. If no candidate has received an absolute majority of votes, the Returning Officer shall cause a fresh scrutiny of the ballot-papers to be made in accordance with the provisions of section 136, sub-sections 6, 7 and 8 of the *Commonwealth Electoral Act*, as far as practicable.

19. The provisions of the *Commonwealth Electoral Act 1918-1949* and the Regulations thereunder relating to the allowance and admission, and disallowance and rejection of postal ballot-papers in an election of a member of the House of Representatives shall, insofar as they are applicable, *mutatis mutandis*, be applied to the election.

20. Each candidate may appoint one scrutineer to represent him at any scrutiny. All the proceedings of a scrutiny shall be open to the inspection of the scrutineers.

Declaration of Poll.

21. At the conclusion of the scrutiny the Returning Officer shall notify the Minister of the name of the candidate who is elected.

22. The result of the poll shall be declared by the Minister by notification in the *Gazette*.

Disputed Election.

23. The validity of an election may be disputed by a candidate in the election by a petition addressed to the Minister.

24. Every petition disputing an election shall—

- (a) set out clearly and fully the facts relied upon to invalidate the election;
- (b) be signed by the candidate disputing the election; and
- (c) be lodged with the Minister within fourteen days after the declaration of the poll, within which period a copy of the petition shall be served by the petitioner upon the candidate declared elected.

25. If the Minister is of opinion, from the statement of facts relied upon by the petitioner, that there is reasonable ground for investigation, the Minister may refer the matter to a Disputes Committee, to be appointed by him; but otherwise shall dismiss the petition.

26. The Disputes Committee shall have power—

- (a) to compel the attendance of witnesses and the production of documents;
- (b) to grant to any party to the petition leave to inspect lists of contributors, and other documents used at or in connexion with the election, and to take extracts from those lists and documents;
- (c) to examine witnesses on oath;
- (d) to inquire into the identity of voters and whether their votes were improperly admitted or rejected, assuming the list prepared by the Public Service Commissioner to be correct but the Committee shall not inquire into the correctness of the list;
- (e) to examine ballot-papers and envelopes and if satisfied that there are good grounds for so doing, recommend the admission or rejection of any ballot-paper.

27. The Disputes Committee shall furnish the Minister with the evidence taken by it and with a report as to its finding.

28. The Minister shall, upon the receipt of the report of the Disputes Committee, decide the petition, and for this purpose may—

- (a) admit or reject any ballot-paper;
- (b) declare that any person who was returned as elected was not duly elected;
- (c) declare any candidate duly elected who was not returned as elected;
- (d) declare the election absolutely void;
- (e) dismiss or uphold the petition in whole or in part;
- (f) if the Minister is of opinion that the petitioner had no reasonable grounds for the petition, and that the petition was frivolous or vexatious, order the petitioner to pay such sum as the Minister thinks fit, but not exceeding the cost of the hearing. Such sum may be deducted from any salary, wages or pay, payable to the petitioner;
- (g) refer the matter back to the Disputes Committee for further investigation and report, and the Disputes Committee shall thereupon investigate and report accordingly;
- (h) exercise all or any of his powers under this paragraph on such grounds as he in his discretion thinks just and sufficient.

PART A : PUBLIC SERVICE—

29. If any election is declared absolutely void, a new election shall be held.

General.

30. All decisions of the Minister shall be final and conclusive and without appeal.

31. The ballot-papers and the envelopes from which the ballot-papers have been withdrawn shall be retained in sealed parcels by the Returning Officer for a period of six months after the declaration of the poll, when they shall be destroyed.

Dated this seventeenth day of August, One thousand nine hundred and fifty-one.⁽¹⁾

PAUL HASLUCK

Minister of State for Territories.

(1) Published in Papua and N.G. *Govt. Gaz.* of 30.8.1951.