

## New Zealand.



### ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p style="text-align: center;">AS TO NON-RESIDENTIAL QUALIFICATION.</p> <p>2. Non-residential qualification abolished. Saving.</p> <p style="text-align: center;">SPECIAL AS TO SEAMEN.</p> <p>3. Provisions for inquiry into seaman's claim to enrolment.</p> <p style="text-align: center;">GENERAL.</p> <p>4. Registrar to notify persons enrolled after general roll printed.</p> <p>5. Applications for transfer.</p> <p>6. Provision when name struck off or added in consequence of redistribution of electorates.</p> <p>7. Deputy Returning Officers to announce result of voting.</p> <p>8. Procedure for altering name of woman who marries.</p> <p>9. Primary school may be appointed a polling-place.</p> | <p>10. Returning Officer may appoint as many Deputies as required.</p> <p>11. Deputy Returning Officer may vote as elector.</p> <p>12. When elector's right not to be granted.</p> <p>13. Section 19 of principal Act amended.</p> <p>14. Section 64, subsection (5), amended.</p> <p>15. Section 75 amended.</p> <p>16. Return of deposit when candidate withdraws.</p> <p>17. Section 85 of principal Act amended.</p> <p>18. Section 96, subsection (2), amended.</p> <p>19. Section 100 amended.</p> <p>20. Section 123 amended.</p> <p>21. Section 124 amended.</p> <p>22. Notice to be given when name erased.</p> <p>23. Section 139 amended. Further provision as to documents transmitted by telegraph.</p> <p>24. Form of writ amended.</p> <p>25. Section 3 of "The Electoral Law Amendment Act, 1893," amended. Definition of "musterer."</p> <p>Schedules.</p> |
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### 1896, No. 49.

AN ACT to amend the Law relating to the Elections of Members of the House of Representatives. Title.  
[17th October, 1896.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Electoral Act Amendment Act, 1896," and it shall form part of and be read together with "The Electoral Act, 1893" (hereinafter called "the principal Act"). Short Title.

#### AS TO NON-RESIDENTIAL QUALIFICATION.

2. From and after the coming into operation of this Act, no person shall be entitled to be registered on any electoral roll in respect of a non-residential qualification, anything in the principal Act to the contrary notwithstanding: Provided that nothing herein contained shall affect the validity of the existing registration of any person who at the time of the coming into operation of this Act is registered on any roll in respect of a non-residential qualification. Non-residential qualification abolished.  
Saving.

## SPECIAL AS TO SEAMEN.

Provisions for inquiry into seaman's claim to enrolment.

3. Notwithstanding anything to the contrary contained in subsection three of section two of "The Electoral Law Amendment Act, 1893," or elsewhere in that Act or the principal Act, the following special provisions shall apply in the case of seamen:—

- (1.) If the Registrar is satisfied of the validity of any seaman's claim to enrolment, it shall be his duty forthwith to place such seaman's name on the roll, and to issue to such seaman an elector's right.
- (2.) If the Registrar is not satisfied of the validity of any seaman's claim to enrolment, it shall be his duty, forthwith upon receipt of the claim, to make inquiries as to the truth of the particulars therein stated.
- (3.) If, after making such inquiries on the day on which he receives the claim, the Registrar is not satisfied as aforesaid, he shall, on the same or the next following day, apply for the summons as set forth in the Fifth Schedule to the principal Act, and such summons shall, if the seaman so desires, be returnable forthwith.
- (4.) It shall be the duty of the Registrar and the Magistrate to do all things in their power in order to facilitate the prompt disposal of every such claim and summons, and for that purpose the summons may be heard and disposed of at any time before the day or hour therein named in that behalf if the seaman consents thereto.

## GENERAL.

Registrar to notify persons enrolled after general roll printed.

Applications for transfer.

Provision when name struck off or added in consequence of redistribution of electorates.  
Deputy Returning Officers to announce result of voting.

Procedure for altering name of woman who marries.

4. It shall be the duty of the Registrar, as soon as may be convenient, to notify all persons whose claims are sent in after the printing of the general roll that they have been duly enrolled.

5. When a Registrar has received notice from an elector to transfer his name to another district, he shall transmit a copy of such notice to the Registrar of such district, after filing the original notice in his office.

6. Any Registrar who strikes off the name of any elector, or places the name of any elector on any roll in consequence of the redistribution of electorates, shall, as soon as may be convenient, give notice of his having done so to the Registrars of adjoining electorates.

7. Every Deputy Returning Officer, after the hour fixed for the close of the poll, shall announce the result of the voting at the polling-booth of which he is in charge immediately after ascertaining the number of votes recorded for each candidate.

8. In any case where a woman whose name is on the roll subsequently marries, and thereby changes her name, the following provisions shall apply:—

- (1.) On receipt of an application by her in the form or to the effect set forth in the First Schedule hereto, the Registrar, if satisfied of the validity of the application, shall at any time before the issue of the writ (but not later) erase the name then on the roll, and in lieu thereof insert in its alphabetical order the applicant's married name.
- (2.) If for any reason such application is either not made or not complied with at or before the issue of the writ, then she

shall be entitled to vote in right of her former name as appearing on the roll.

9. (1.) The Governor may appoint any primary school to be a polling-place, and in every such case it shall be the duty of the Committee of such school to place it at the free disposal of the Returning Officer from four o'clock in the afternoon of the day preceding the election until ten o'clock on the evening of the day of the election.

Primary school may be appointed a polling-place.

(2.) The cost of cleaning such school after use as a polling-place, and of repairing any damage, shall be defrayed by the Returning Officer out of moneys to be appropriated by Parliament.

10. Notwithstanding anything to the contrary contained in sections eighty-seven or eighty-eight of the principal Act, the Returning Officer is hereby empowered to appoint, in manner provided by that Act, as many Deputies as he deems necessary for the effective taking of the poll in every polling-booth at every polling-place (including the principal polling-place) of the district, and the provisions of that Act shall apply to every such Deputy.

Returning Officer may appoint as many Deputies as required.

11. A Deputy Returning Officer shall be entitled to vote as an elector of the district on the roll whereof his name is duly entered as a qualified elector, but he shall not have the power conferred upon the Returning Officer to give the additional vote referred to in section one hundred and twenty-two of the principal Act, or the casting-vote referred to in subsection fifteen of section one hundred and fifty-six of that Act.

Deputy Returning Officer may vote as elector.

12. No elector's right shall be granted in any district after the issue of a writ for any election in such district until the completion of such election.

When elector's right not to be granted.

13. Section nineteen of the principal Act is hereby amended by substituting the word "any" in lieu of the word "the" next after the words "an elector of."

Section 19 of principal Act amended.

14. Subsection five of section sixty-four of the principal Act is hereby amended by substituting the words "among the ballot-papers recorded," in lieu of the words "into the ballot-box."

Section 64, subsection (5), amended.

15. Section seventy-five of the principal Act is hereby amended by substituting the words "not later than five o'clock in the afternoon of the seventh day" in lieu of the words "not less than seven days."

Section 75 amended.

16. In every case where a candidate duly withdraws in manner prescribed by section seventy-eight of the principal Act, the sum deposited or remitted by him or on his behalf as prescribed by section seventy-seven of that Act shall be returned to the person who paid it.

Return of deposit when candidate withdraws.

17. Section eighty-five of the principal Act is hereby amended by inserting next after the words "the Fifteenth Schedule hereto" the words "(or in electorates at any time hereafter constituted within what, in the opinion of the Governor in Council, are substantially the same geographical areas)"; and also by adding at the end of the section the following words: "For the purpose of this section the Governor, as soon as conveniently may be after the constitution of new electorates, shall, by notice in the *Gazette*, specify those in which the poll shall close at seven o'clock, and such notice shall be conclusive evidence of the matters stated therein."

Section 85 of principal Act amended.

Section 96,  
subsection (2),  
amended.

18. Subsection two of section ninety-six of the principal Act is hereby amended by substituting the words "three months" in lieu of the words "six months."

Section 100  
amended.

19. Section one hundred of the principal Act is hereby amended by substituting the words "draw a line in pencil or ink through the number and name" in lieu of the words "place a mark against the name."

Section 123  
amended.

20. Section one hundred and twenty-three of the principal Act is hereby amended by substituting the word "transmitted" in lieu of the word "returned."

Section 124  
amended.

21. Section one hundred and twenty-four of the principal Act is hereby amended by substituting the words "is transmitted as aforesaid by the Returning Officer" in lieu of the words "comes into the possession of the Clerk of the Writs."

Notice to be given  
when name erased.

22. It shall be the duty of the Registrar of Electors who erases any person's name from the roll, as prescribed by section one hundred and twenty-six of the principal Act, to forthwith post to such person a notice in the form in the Second Schedule hereto:

Provided that neither this section nor the aforesaid section one hundred and twenty-six shall apply in respect of any election other than an election of a member of the House of Representatives.

Section 139  
amended.

23. Section one hundred and thirty-nine of the principal Act is hereby amended by inserting next after subsection four thereof the following additional subsections, that is to say:—

Further provision  
as to documents  
transmitted by  
telegraph.

"(5.) Forthwith upon making such indorsement the person who made the same shall by telegraphic message notify the fact to the officer or person who delivered the original document to the telegraph officer.

"(6.) In the case of an electoral writ, the officer or person to whom such telegraphic message as last aforesaid is addressed shall forthwith upon receipt thereof deposit the same with the aforesaid telegraph officer, who thereupon, and notwithstanding anything to the contrary contained in this Act, shall forthwith transmit the original electoral writ by post to the Returning Officer to whom it is addressed.

"(7.) Forthwith upon receipt of such original electoral writ the Returning Officer shall annex it to the telegraphic copy thereof previously received by him; and shall, when the result of the election is ascertained, indorse such original writ, and transmit it (together with such telegraphic copy) to the Clerk of the Writs, as required by section one hundred and twenty-three of this Act."

Form of writ  
amended.

24. In lieu of the form of writ set forth in the Tenth and Eighteenth Schedules to the principal Act, the form of writ set forth in the Third Schedule hereto shall be used by the Clerk of the Writs in every case of a general or particular election.

Section 3 of "The  
Electoral Law  
Amendment Act,  
1893," amended.

25. Section three of "The Electoral Law Amendment Act, 1893," is hereby amended by inserting the words "or mustering" after the word "shearing" in the last line of the said section.

Definition of  
"musterer."

"Musterer," for the purposes of this Act, shall mean any person exclusively engaged at shearing-time in mustering sheep for shearing.

## SCHEDULES.

Schedules.

## FIRST SCHEDULE.

APPLICATION FOR CHANGE OF NAME ON ROLL, BY REASON OF MARRIAGE.

Under "The Electoral Act, 1893."

Name now on roll—Annie C. [*Full name, occupation, and address, as appearing on roll*].

Date and place of marriage—14th October, 1896, at Wellington.

Present name by marriage—Annie D. [*Full name, occupation, and address*].

I, THE above-named Annie D., wife of B.D. [*Husband's full name, occupation, and address*], hereby apply to have my present name by marriage substituted in lieu of my former name, as now appearing on the roll, and I declare that all the above-mentioned particulars relate to myself, and are true.

Dated at , this day of , 18 .

ANNIE D.

To the Registrar of Electors for the Electoral District of

## SECOND SCHEDULE.

To

I, E.F., Registrar of Electors for the District of , hereby notify you that, in pursuance of section 126 of "The Electoral Act, 1893," your name has been struck off the electoral roll for that district in consequence of your not having voted at the election held on the day of , 18 .

If you desire to be reinstated on the said electoral roll you must lodge a new claim to be enrolled, in the manner provided by that Act.

Dated this day of , 18 .

E.F.,  
Registrar.

## THIRD SCHEDULE.

FORM OF WRIT FOR GENERAL OR PARTICULAR ELECTION.

Under "The Electoral Act, 1893."

Writ for Election.

To the Returning Officer for the Electoral District of

IN pursuance of "The Electoral Act, 1893," I hereby authorise and require you to proceed, according to law, to the election of member [s] to serve in the House of Representatives for the Electoral District of

In the event of the election being contested, the poll shall be taken on the day of , 18 .

You are further required to indorse on this writ the name [s] of the person [s] so elected, and then to return the writ to me on or before the day of , 18 .

Dated at , this day of , 18 .

A.B.,  
Clerk of the Writs.