

New Zealand.



ANALYSIS.

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1887, No. 7.

AN ACT to provide for the Periodical Readjustment of the Representation of the People of New Zealand in the House of Representatives thereof. Title.
[6th June, 1887.]

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 Representation Act, 1887." Short Title.

2. The Governor in Council shall, not later than twenty-one days after the passing of this Act, appoint a permanent Commission of five members for the purposes of this Act, of whom the Commissioner appointed under "The Property Assessment Act, 1885," or any Act amending or in substitution of the same, and the Surveyor-General shall be two official members, and the remaining three shall be such persons, not being members of the Civil Service or Members of the General Assembly, as the House of Representatives shall from time to time nominate, who shall be the unofficial members of the Commission. Permanent Commission for adjustment of representation.

(1.) Such Commission shall be called "The Representation Commission" (herein referred to as "the Commission"), and any three of the members thereof shall form a quorum, and may exercise all functions vested in the Commission.

(2.) The Commission may make such rules for the conduct of its business as it thinks fit, but not inconsistently with the provisions of this Act.

(3.) Any unofficial member of the Commission may resign his appointment by writing under his hand to the Governor,

in which case, or in case of any such member becoming insolvent or bankrupt within the meaning of any law for the time being in force relating to bankruptcy, or being convicted of any indictable offence, or of his refusing to act, or of his death, mental or physical incapacity, or absence from the colony when his services are required, the Governor in Council may, if the House of Representatives is not in session at the time, appoint another person in his stead; and every appointment so made shall be notified to the House of Representatives as early as possible after the making thereof.

No unofficial member of the Commission shall, within two years after he ceases to be such member, be capable of being appointed or elected a member of either House of the General Assembly.

After each census colony to be divided into electorates.

3. Within one month after the passing of this Act, and thereafter within three months after the results of any periodical census are ascertained and reported to the Commission, which the Registrar-General is hereby required to do as early as possible, it shall be the duty of the Commission aforesaid to divide the colony into electoral districts for the apportionment of the representation of the people of New Zealand in the House of Representatives, according to the following basis, that is to say,—

- (1.) The number of members shall be ninety-one, exclusive of the number of members to be elected under "The Maori Representation Act, 1867," or any Act amending the same.
- (2.) The following portions of the colony are hereby constituted special districts; that is to say,—
 - (a.) Road districts, town districts, and outlying districts severally within every riding of a county in cases where any road district exists in such riding;
 - (b.) Ridings of counties in cases where no road districts exist in such ridings;
 - (c.) The Counties of Kawhia, West Taupo, East Taupo, Sounds, Fiord, and Stewart Island; and,
 - (d.) Boroughs not exceeding two thousand inhabitants.
- (3.) A nominal addition of eighteen per centum shall be made to the number of the population of the aforesaid special districts.
- (4.) The total population of the colony (other than Maoris), with the aforesaid additions, shall be divided by the number of members, and the quotient thus obtained shall be "the quota."
- (5.) The extent of the several electoral districts shall respectively be such that not more than one member shall be assigned to each district, and that in no case whatever, at the time of making any such division, shall the population with additions as aforesaid of any district exceed or fall short of the quota by more than seven hundred and fifty.

In forming the several districts, the boundaries of the present electoral districts shall be maintained as far as

possible, and due consideration shall be given to community of interest, facilities for communication, and topographical features.

In estimating the population within the several districts, each special district shall be estimated to contain a population equal to its census population with the aforesaid nominal additions.

- (6.) The report of the Registrar-General of the results of the census last taken before the Commission makes any such division shall be sufficient evidence as to the population of the colony, or of any district; but the Commission may, in allowing the margin of seven hundred and fifty hereinbefore mentioned, take into consideration—

(a.) The proportion which the number of male inhabitants of the district, other than Maoris, of or above the age of twenty-one years, bears to the entire population, other than Maoris, of the district; and

(b.) The locality of the district, and the facility or otherwise of access thereto.

4. When the Commission proposes to alter an existing electoral district, due notice of the proposed boundaries, or an approximation thereto, shall be given in the *Gazette*, and objections in writing may be lodged with the Commission against such proposed boundaries, and the Commission shall duly consider any objections so lodged before coming to a final determination:

Notice of intention to alter existing boundaries.

Provided that this section shall not come into operation until after the first report of the Commission, as provided in section five.

5. The Commission shall in every case report the names and boundaries of the electoral districts fixed by them to the Governor, who shall proclaim the same in the *Gazette*, and such report shall have the force of law from the date of such Proclamation, but shall not come into effect until the expiry of the then existing Parliament.

Report of Commission to be proclaimed by Governor, and thereupon to have force of law.

A copy of every such report shall be presented by the Governor to the House of Representatives within ten days of the receipt thereof, if in session, and, if not, within ten days after the commencement of its next meeting.

6. Upon the taking effect of any report as aforesaid, the electoral districts therein set forth and the boundaries thereof respectively shall be the electoral districts of the colony for the purpose of the election of the members of the House of Representatives after the dissolution or expiration of the then existing Parliament, and shall so continue until the succeeding report of the Commission takes effect, or the General Assembly otherwise enact.

New electoral districts to come into existence on dissolution of existing Parliament.

7. The Colonial Secretary shall forthwith, after every report of the Commission is proclaimed, cause to be deposited in the office of the Clerk of the said House properly-authenticated maps of the electoral districts fixed by such report.

Maps of districts to be prepared by Colonial Secretary.

8. Within thirty days after the coming into effect of any report of the Commission, the Registrar appointed under "The Registration of Electors Act, 1879," for each electoral district existing in the colony at such time, shall form a new electoral roll for such district, in the manner provided by the said Act.

When rolls to be formed for new districts.

Mode of forming
new rolls.

- (1.) The electoral rolls in force on the day when the aforesaid report takes effect shall be the rolls from which the new rolls to be formed under this Act shall be formed.
- (2.) Every electoral district constituted under any report of the Commission shall, for the purposes of "The Registration of Electors Act, 1879," and "The Qualification of Electors Act, 1879," be deemed to have been constituted six months prior to the date when such report takes effect.

Where the boundaries of any electoral district, as described in any report as aforesaid, are the same as existing immediately prior to such report taking effect, the electoral roll then in force for such district shall be deemed to have been formed under this Act.

Notice of formation
to be gazetted by
Colonial Secretary.

9. Upon such new electoral rolls being so formed, every such Registrar as aforesaid shall give notice thereof to the Colonial Secretary, who shall publish the fact in the *Gazette*; and from and after the day of the gazetting of such notice the electoral roll so formed for each such district shall be the electoral roll for such district for all purposes.

Rolls may be added
to.

10. Subject to the provisions of this Act such rolls, when formed, may be added to as provided in "The Registration of Electors Act, 1879."

Existing districts
and rolls to continue
until dissolution.

11. All electoral districts existing and all electoral rolls in force at the time of any division of the colony into electoral districts under this Act shall continue in existence and in force respectively until the dissolution or expiration of the Parliament in being at the time when such division is made.

Saving of Maori
Representation Acts.

12. Nothing in this Act contained shall interfere with or in any way affect the special representation provided for by "The Maori Representation Act, 1867," or any Act amending or perpetuating the same.