

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
16th October, 1929*

*Hon. Mr. Donald.*

AUCKLAND ELECTRIC-POWER BOARD AMENDMENT.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to amend the Auckland Electric-power Board Act, 1921-22. Title.

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

1. This Act may be cited as the Auckland Electric-power Board Amendment Act, 1929, and shall be read together with and deemed part of the Auckland Electric-power Board Act, 1921-22 (hereinafter referred to as the principal Act). Short Title.

2. (1) The Board may, pursuant to a resolution in that behalf, establish an Imprest Account, which shall, as the Board may determine, be kept in the Post Office Savings-bank or in any other bank within the meaning of the Banking Act, 1908. Amendment of section 48 of principal Act.

(2) The Imprest Account may be held jointly in the names of and be operated on by the Treasurer and one other person to be appointed in that behalf by the Board, or may, with the express approval in writing of the Audit Office, but not otherwise, be in the sole name of and be operated on by the Treasurer or other approved officer of the Board. Where the Imprest Account is held jointly in the names of the Treasurer and of one other person as aforesaid such last-mentioned person shall be either a responsible officer of the Board or a member of the Board.

(3) The Board shall from time to time by resolution fix the maximum amount that may be held at any time in the Imprest Account, not exceeding *seventy-five* pounds in any case where the Imprest Account may be operated on by one person acting alone, and not exceeding such amount as the Audit Office may approve in any other case.

(4) Moneys in the Imprest Account shall be available only for payment of casual wages and of emergency expenditure. A statement of all payments made from the Imprest Account shall be submitted to the Board for approval at least once in each month. The payment of moneys out of the Imprest Account for any purpose not hereby authorized shall be deemed to be the misappropriation of the funds of the Board. 5

(5) The provisions of section forty-eight of the principal Act shall be read subject to the provisions of this section.

3. Section five of the principal Act is hereby amended by striking out subsections two, three, and four thereof. 10

4. (1) On or before the thirty-first day of January in every year in which a general election of the Board is to be held, the Clerk or some other person appointed by the Board for the purpose shall, in the prescribed manner and form, make out a roll, to be called "the district electors roll," setting forth the name, occupation, address, and qualification of every person, male or female, of the full age of twenty-one years, who possesses any one of the following qualifications, that is to say:— 15

(a) A freehold qualification, meaning thereby that he is the beneficial and duly registered owner of a freehold estate in land of the capital value of not less than twenty-five pounds in the district, whether subject to encumbrances or not, and notwithstanding that any other person is the occupier thereof or of any part thereof under any tenancy. 20

(b) A rating qualification, meaning thereby that he is the person whose name appears for the time being in the "Occupiers" column in the valuation roll in respect of any rateable property in the district. 25

(c) A residential qualification, meaning thereby that he has resided for one year in New Zealand and has resided in the district during the three months then last past, and is a British subject either by birth or by naturalization in New Zealand. For the purposes of this paragraph a person shall be deemed to reside in the place in which he has his permanent home. 30

(d) An occupier's qualification, meaning thereby that he is and for at least three months then last past has been in occupation as a tenant or subtenant, or as one of several tenants or subtenants holding in joint tenancy or tenancy in common, of the whole or any portion of any house, warehouse, office, shop, or other building in the district under a tenancy, the rent under which is at the rate of not less than ten pounds a year for the tenant or subtenant (or, as the case may be, for each of the several tenants or subtenants): 35 40

Provided that where any tenant or subtenant sublets the whole or any portion of his premises the rent payable by him shall for the purposes of this paragraph be deemed to be reduced by the rent payable to him by his subtenant. 45

(2) In the case of husband and wife, any qualification possessed by either of them shall be deemed to be possessed by each of them.

(3) It shall be the duty of the Clerk or such other authorized person as aforesaid to enter on the district electors roll the name of every person who, to the knowledge of the Clerk or such other authorized person, 50

Section 5 of principal Act amended.

Electors list and qualifications of electors.

possesses any qualification entitling him to be entered thereon, or who in the prescribed form makes claim to be entered thereon.

(4) Every person who wilfully makes a false claim to have his name entered on the district electors roll is liable to a fine not exceeding 5 five pounds.

(5) In case of any alterations being made in the provisions of the Municipal Corporations Act, 1920, affecting the qualifications of electors, the enactment by means of which such alteration is effected shall, *mutatis mutandis*, be deemed to be incorporated with this Act.

10 5. (1) The electors roll shall be corrected, completed, and authenticated in the prescribed manner and time, and thereupon shall become the electoral roll of the said district, and shall remain in force until another electoral roll comes into force for the said district. Electors roll.

15 (2) All corrections and additions required to be made after the completion of the electors roll shall be made on a supplementary electors roll, which shall be corrected, completed, and authenticated in the same manner as in the case of the electors roll, and thereupon shall become a supplementary electors roll, and shall form part of the electors roll.

20 6. (1) Any person may, at and in the prescribed time, manner, and form, lodge with the Board an objection under his hand to the electors roll on either of the following grounds:— Objections to electoral roll.

25 (a) That any person whose name is on the said roll in respect of any qualification does not possess such qualification at the time when the objection is lodged.

(b) That any person whose name is not on the said roll possesses the necessary qualification at the time when the objection is lodged and is entitled to have his name inserted.

30 (2) The Board shall forthwith after receipt of any such objection inquire into and dispose of the same.

7. (1) The Board shall from time to time, whether upon any objection as aforesaid or of its own motion, amend the electors roll for the district by adding to such roll the name of any person who then in fact possesses the necessary qualifications but is not entered thereon, and by erasing therefrom the name of any person who does not then in fact possess the necessary qualification but is entered thereon. Correction of roll.

35 (2) The Board shall also from time to time make in the district electors roll any necessary corrections in the statement of the names, addresses, and qualifications of persons enrolled thereon.

40 (3) The functions conferred upon the Board by this section shall be exercised by the Clerk or other officer of the Board when the Board is not actually sitting.

45 (4) In particular, but without affecting the general operation of this section, the Board shall hold a sitting on some day in the month of March (not later than the fifteenth) in each year in which a general election of members of the Board shall be held, and at that sitting or any adjournment thereof shall amend the district electors roll by adding or erasing names and making all necessary corrections as hereinbefore provided to the intent that as far as may be the roll may correctly set forth the name, address, and occupation of every person possessing the requisite qualification, and of no other person.

Appeal by person  
aggrieved.

8. (1) Any person aggrieved with any decision or act of the Board or the Clerk or other authorized person as aforesaid, touching the district electors roll, may in the prescribed manner and within the prescribed time appeal therefrom to a Stipendiary Magistrate, who shall hear and determine the appeal, and may order such alterations in and additions to the roll to be made as he thinks just. 5

(2) All such alterations and additions shall be made by the Clerk or other authorized person as aforesaid, and initialled by the Stipendiary Magistrate.

Roll closed  
fourteen days  
before election.

9. (1) The electors roll shall be deemed to be closed at five o'clock in the afternoon of the fourteenth day preceding the day appointed for any election or poll, and shall continue closed until the election is completed or the poll taken. 10

(2) Except pursuant to appeal under this section in cases where the appeal was pending at the time when the roll was closed, no alteration or addition shall be made in or to the electors roll for the district whilst it is closed as aforesaid. 15

Electors'  
voting-powers.

10. Every person whose name appears on the electors roll for the time being in force for the said district shall be an elector for the purposes of this Act, and shall be entitled, subject to the provisions of this Act, to vote— 20

(a) At every poll taken for an election under this Act; and also

(b) At every poll taken on any proposal which under this Act or any other Act is submitted to the votes of the electors of the said district: 25

Provided that if his qualification is residential he shall not be entitled to vote at any poll taken on a proposal relating to loans or rates.

Electors to have  
one vote.

11. (1) Every elector shall have one vote and no more at each poll at which he is entitled to vote. 30

(2) All elections and all polls on proposals other than elections shall be conducted in accordance with the provisions of the Local Elections and Polls Act, 1925, and its amendments (which shall be deemed to be incorporated herewith):

Provided always that the majority required to determine any such election or poll shall in every case be a majority of the valid votes cast at the poll, and that all polls shall close at seven o'clock in lieu of at six o'clock in the afternoon of the day appointed. 35

Alternative form  
of roll.

12. (1) The Board in its discretion or, subject to any instructions from the Board, the Clerk, or other officer authorized as aforesaid in his discretion, instead of making the roll of electors in one list, may make the roll in the following manner—that is to say, the rolls of the electors of one or more of the constituent districts, or so much of those rolls as relates to lands within any defined portion of the Auckland Electric-power District, as the case may require, together with a list made in manner aforesaid of such of the Auckland Electric-power District electors as are not comprised in the rolls of electors of such constituent district or districts may together be taken to form the roll of electors of the district. 40 45

(2) In cases to which this section applies, the following provisions shall also apply:— 50

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- 5 (a) It shall be the duty of the Clerk of the local authority of each constituent district, whenever requested so to do by the Board, to supply to the Board a certified roll of the electors of such constituent district or of any defined portion thereof, together with as many copies thereof as the Board may require.
- (b) The Board shall pay the sum of *one* shilling for each such copy.
- 10 (c) The rolls of constituent districts may be used for the purpose of this section, notwithstanding that they may be kept in a form different from the form which would otherwise be used for the roll of electors of the Auckland Electric-power District.
- (d) The qualification of and right to enrolment of any district elector is not diminished by the making of the roll in the form provided for in this section.
- 15 (e) The making, completing, and correcting of rolls of electors of constituent districts by the respective local authorities thereof shall in respect of all names therein be deemed to be the making, completing, and correcting authorized or required by this Act.
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13. (1) At any election or poll under this Act only persons whose names appear on the roll of electors shall be entitled to vote. Conduct of poll.

25 (2) At any such election or poll at which the roll used is that formed by the utilization of rolls of one or more constituent districts in manner provided by the *last preceding* section, the vote of any elector who is enrolled upon the electors roll of a constituent district may be recorded at any polling-place within any constituent district upon the electors roll of which he is enrolled, or at any polling-place within or without the district which may be specially appointed as a polling-place at which may be recorded the votes of electors irrespective of the constituent district electors roll upon which they are enrolled.

30 (3) For the purposes of any such election or poll the Returning Officer appointed by the local authority of a constituent district may be appointed a Returning Officer or Deputy Returning Officer of the Board for such constituent district.

14. Not earlier than the first day of April nor later than the first Wednesday in May in the year nineteen hundred and thirty, and in every fourth year thereafter, a general election of members of the Board shall be held. Time of general election.

40 15. No person other than an elector on the roll of electors shall be capable of being elected or appointed as a member of the Board. Qualification of Board member.

45 16. Where by this amending Act anything is required to be done in a prescribed manner or form, then, unless or until the manner or form be prescribed within the meaning of the principal Act, it shall be sufficient if the manner or form (if any) prescribed by or under the Municipal Corporations Act, 1920, *mutatis mutandis*, be followed, and if there be no such manner or form, then it shall be sufficient if such manner or form be followed as seems to the Board or its Clerk or other officer authorized as aforesaid most convenient for the purpose of carrying out the provisions of this Act. Prescribed forms

Repeal.

17. Sections six, seven, ten, and eleven of the principal Act are hereby repealed.

Registration of  
of charges.

18. Section two of the Auckland Electric Power-board Amendment Act, 1926, is hereby amended by striking out all the words after the words "until payment thereof."

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