

ABSOLUTE MAJORITY VOTE.

ANALYSIS.

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A BILL INTITULED

AN ACT to insure the Representation of Majorities.

Title.

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 Absolute Majority Vote Act, 1896." Short Title.

2. In this Act, if not inconsistent with the context,—
"Absolute majority of votes" means a number of votes greater than one-half of the number of all the voters who vote at an election, exclusive of voters whose ballot-papers are rejected; but the casting-vote of the Returning Officer, when given, shall be included in reckoning an absolute majority of votes. Interpretation.

3. Notwithstanding the provisions of section one hundred and one of "The Electoral Act, 1893," a voter may, if he thinks fit, indicate on his ballot-paper the name or names of any candidate or candidates for whom he desires his vote or votes to be counted in the event of any candidate or candidates for whom he voted in the first instance not receiving an absolute majority of votes; and, if he indicates more than one such candidate, may indicate the order in which he desires that his vote or votes shall be counted for any such candidate or candidates. Contingent vote may be given.

Such indication shall be made by writing the figures "1," "2," "3," "4," or any subsequent number, opposite to the name or names of the candidate or candidates for whom he does not vote in the first instance, but for whom he desires his vote or votes to be so counted, and the order indicated by such numbers shall be taken to be the order in which he desires his vote or votes to be so counted :

Provided always that no mere irregularity or error in writing such figures shall invalidate the vote or votes given by a voter in favour of any candidate or candidates in the first instance if the ballot-paper of the voter is otherwise in order.

Who are elected.

4. When in any district as many candidates obtain an absolute majority of votes as there are members to be returned at the election, the candidates so obtaining an absolute majority of votes shall be declared by the Returning Officer duly elected as members for the said district.

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Defeated candidates.

5. At any election,—

(1.) When one member only is to be returned at the election, and no candidate receives an absolute majority of votes ;
or

(2.) When more than one member is to be returned at the election, and there are not the required number of candidates each of whom receives an absolute majority of votes,—

the candidate receiving the smallest number of votes, or all the candidates whose votes when added together do not amount to an absolute majority of votes, shall be deemed defeated candidates.

Votes given to defeated candidates, how dealt with.

6. The vote or votes of every voter who has voted for one or more of the defeated candidates shall be counted for such one or more of the remaining candidates as he has indicated in manner aforesaid that he desires his vote or votes to be counted, and the votes so counted for such remaining candidates shall be added to the votes originally given for them : Provided, however, that, for the purpose of ascertaining the absolute majority of votes only, the ballot-papers of all voters who have not indicated in manner provided by section *three* hereof for whom they desire to vote shall be deemed to be rejected.

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Contingent vote again exercised.

7. The provisions of sections *four*, *five* and *six* hereof shall apply to the votes as ascertained by the preceding section.

Returning Officer to exercise casting-vote.

8. When two or more candidates, none of whom are elected, receive an equal number of votes, and one or more of such candidates would, if there had been no equality of votes, have been a defeated candidate under the provisions hereinbefore contained, the Returning Officer shall decide which of such candidates shall be deemed to be the defeated candidate.

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Irregularity not to void ballot-paper.

9. If a voter writes a figure opposite to the name of a candidate for whom he votes in the first instance, the ballot-paper shall not be rejected for that reason only.

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Amendments of "The Electoral Act, 1893."

10. "The Electoral Act, 1893," is hereby amended as follows:—

(1.) Section one hundred and twenty by striking out all the words after the word "candidate" in line six thereof;

(2.) The Fourteenth Schedule by inserting after the word "vote," in line two of the directions, the words "in the first instance," and by inserting the following new paragraph as the third paragraph therein:—

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"The voter may indicate by writing the figures '1,' '2,' '3,' or any subsequent number, opposite the name or names of candidates struck out the names of candidates for whom he desires his vote or votes to count in the event of the candidate or candidates for whom he votes in the first instance not securing an absolute majority of votes."

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Incorporation of the provisions of "The Electoral Act, 1893."

11. This Act shall be read together with "The Electoral Act, 1893."

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