

Mr. Lewis.

CONTINGENT VOTE.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Absolute majority necessary for election.</p> <p>4. Contingent vote may be given.</p> <p>5. Manner of giving vote.</p> | <p>6. When contingent votes counted. Manner of counting.</p> <p>7. Returning Officer to exercise casting-vote.</p> <p>8. Irregularity not to void ballot-paper.</p> <p>9. Amendments of "The Electoral Act, 1905."</p> |
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A BILL INTITULED

AN ACT to amend the Law relating to the Representation of the People in the House of Representatives. 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 Contingent Vote Act, 1906"; and it shall be read together with "The Electoral Act, 1905." Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.
"Absolute majority of votes" means a number of votes greater than one-half the number of all the electors who vote at an election, exclusive of the electors 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:

"Contingent vote" means the vote given by an elector for a candidate for whom he desires his vote to be counted in the second instance—that is to say, in the event of no candidate receiving an absolute majority of votes in the first instance.

3. When a poll is taken at an election, a candidate shall not, except as hereinafter provided, be elected a member unless he receives an absolute majority of votes. Absolute majority necessary for election.

4. After an elector has marked his ballot-paper in manner provided by section one hundred and twenty-two of "The Electoral Act, 1905," he may, if he thinks fit, indicate on his ballot-paper the name of any candidate for whom he desires his contingent vote to be counted. Contingent vote may be given.

Manner of giving
vote.

5. Such indication shall be made by writing the figure "2" after the name of such last-mentioned candidate :

Provided that no mere irregularity or error in writing such figure, nor any omission to write the same, shall invalidate the vote given by the elector in favour of any candidate in the first instance if the ballot-paper of such elector is otherwise in order. 5

When contingent
votes counted.

6. (1.) If there is no candidate who receives an absolute majority of votes, all the candidates except those two who receive the greatest number of votes shall be deemed defeated candidates.

Manner of counting.

(2.) The contingent vote of every elector who has voted in the first instance for a defeated candidate shall be counted for that one (if any) of the remaining candidates for whom he has indicated in the manner aforesaid that he desires his contingent vote to be so counted. 10

(3.) The contingent votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidate who receives the greatest number of votes, including the contingent votes so counted (if any), shall be declared by the Returning Officer to be duly elected. 15

Returning Officer to
exercise casting-
vote.

7. Where there is an equality of votes between two or more candidates, and the addition of a vote would entitle any one of such candidates to be a remaining candidate, the Returning Officer shall decide which of them shall be a remaining candidate. 20

Irregularity not to
void ballot-paper.

8. If an elector writes the figure "1" or "2" opposite the name of the candidate for whom he votes in the first instance, the ballot-paper shall not be rejected for that reason only. 25

Amendments of
"The Electoral
Act, 1905."

9. "The Electoral Act, 1905," is hereby amended as follows :—

(a.) Section one hundred and thirty-seven, paragraph (b): By inserting after the word "received" in line five thereof the words "an absolute majority of votes in the first instance, or, as the case may be," and adding the words "including contingent votes." 30

(b.) Section one hundred and thirty-nine, subsection five: By inserting after the word "received" in line five thereof the words "an absolute majority of votes in the first instance, or, as the case may be," and adding the words "including contingent votes." 35

(c.) The First Schedule, (17): 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 therein :— 40

"The voter may indicate for whom he desires his contingent vote to count by writing the figure '2' opposite the name of any one of the candidates whose name he has struck out." 45

(d.) The First Schedule : By repealing Form No. 22, and substituting the following therefor :—

(22.) DECLARATION OF RESULT OF POLL.

I, A. B., Returning Officer for the Electoral District of _____, do hereby declare the result of the poll taken on the _____ day of _____, 19____, for the election of a member of the House of Representatives for the said district to be as follows:—

Candidates.					Votes polled.
C. D.
E. F.
G. H.
J. K.
Total number of voters					...
Informal votes					...
Total valid votes polled					...
Absolute majority					...

Contingent Votes (if necessary).

C. D.	...	...	...	...	...
E. F.	...	...	...	...	...
Totals					...
C. D.	...	...	...	...	...
E. F.	...	...	...	...	...

Dated at _____, this _____ day of _____, 190_____.

A.B., Returning Officer.