

Hon. Mr. Ward.

ELECTORAL ACT AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Registrar may not be Returning Officer.</p> <p>3. Subsection (2) of section 6 of principal Act amended.</p> <p>4. Further provision for making rolls complete.</p> <p>5. When residence in district not deemed interrupted by certain absences from colony.</p> <p>6. Such persons entitled to be registered on roll.</p> <p>7. Unlawful to canvass.</p> <p>8. Mock ballot-papers illegal.</p>	<p>9. Day of election to be half-holiday.</p> <p>10. Where voters at polling-place less than fifty, ballot-box to be sent to principal polling-place for counting.</p> <p>11. Penalty on Returning Officer or Registrar if roll not properly corrected.</p> <p>12. Other liability of Registrar not affected.</p> <p>13. Penalty on Returning Officer for neglect of duty under section 100.</p> <p>14. Return of election expenses.</p>
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A BILL INTITULED

AN ACT to further amend the Law relating to the Election of Members of the House of Representatives.

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, 1900," and it shall be read with and be deemed to form part of "The Electoral Act, 1893" (hereinafter called "the principal Act").

Short Title.

2. (1.) The several offices of Registrar and Returning Officer shall not be held and exercised by one and the same person at the same time.

Registrar may not be Returning Officer.

(2.) The last paragraph of section four of the principal Act is hereby repealed.

3. Subsection two of section six of the principal Act (defining the residential qualification) is hereby amended by omitting the words "the registration of his vote," and substituting in lieu thereof the words "his registration on the roll of the district."

Subsection (2) of section 6 of principal Act amended.

4. (1.) For the purpose of enabling the Registrar the more effectually to perform the duty imposed on him by section twenty-two of the principal Act to make the roll as complete as possible, all members of the Police Force and persons in the service of the Government are hereby enjoined to assist him by informing him of the name of any person who they have reason to believe is qualified to be enrolled but is not enrolled, or is enrolled but is not qualified to be enrolled.

Further provision for making rolls complete.

(2.) For the purpose aforesaid all members of the Police Force are also enjoined to assist the Registrar by making inquiries, collecting information, and otherwise as he requests.

When residence in district not deemed interrupted by certain absences from colony.

5. Whenever a person's name is or heretofore has been expunged or erased from the roll of a district, whether, under section forty-four of the principal Act, by reason of absence from the colony, or, under section one hundred and twenty-six thereof, by reason of not having voted, then for the purpose of fulfilling the residential qualification his residence in a district shall not be deemed to be or to have been interrupted by absence therefrom in either of the cases following, that is to say :— 10

(1.) In the case of a person who is absent from the colony on public business ; or

(2.) In the case of a person who is absent from the colony otherwise than on public business: Provided that, in this case, the total period of such absence does not exceed three years from the date on which his name was expunged or erased as aforesaid, and that during such period he has not permanently left the colony and permanently established his residence elsewhere than in the colony. 15 20

Such persons entitled to be registered on roll.

6. Any such person shall, whilst absent from the colony as aforesaid, or at any time within three months after his return to the colony from such absence, be entitled to be registered, in respect of the residential qualification, on the roll of the district within which he possessed the residential qualification at the time when his name was expunged or erased as aforesaid. 25

Unlawful to canvass.

7. It shall not be lawful for any person to canvass for votes for or on behalf of any candidate or candidates, whether for payment or otherwise ; and any person committing a breach of the provisions of this section is guilty of an illegal practice within the meaning of "The Corrupt Practices Prevention Act, 1881." 30

Mock ballot-papers illegal.

8. It shall not be lawful for any person to distribute or deliver to any other person any paper purporting to be in imitation of the ballot-papers to be used at any election, or containing instructions as to how a vote for any particular candidate or candidates should be recorded. 35

Day of election to be half-holiday.

9. (1.) Every day on which any election takes place shall be and be deemed to be a public holiday after mid-day, and it shall not be lawful to sell intoxicating liquors in any licensed premises between the hours of twelve o'clock noon and seven in the evening. 40

(2.) In the case of every by-election the foregoing provisions of this section shall apply within the district in which such by-election is held.

Where voters at polling-place less than fifty, ballot-box to be sent to principal polling-place for counting.

10. In any case where at any polling-place (hereinafter referred to as "minor polling-place") the Deputy Returning Officer finds from the marked roll that the total number of voters does not exceed fifty, he shall not open the ballot-box or proceed to ascertain the number of votes for each candidate, as prescribed by section one hundred and twelve of the principal Act, but in lieu of so doing the following provisions shall apply :— 45 50

(1.) In the presence of such of the scrutineers and poll-clerks as choose to be present (but of no other person), the said Deputy shall securely close the slit of the locked ballot-

box by gumming thereon a memorandum, signed and sealed as hereinafter provided, and shall then enclose the locked box, together with its key, in a mail-bag or other safe receptacle, which shall be sealed up by the said Deputy, and also by such of the scrutineers as choose to affix their seals.

(2.) Such memorandum shall specify the name of the minor polling-place and the number of the voters who, according to the roll, have voted, and shall be signed and sealed by the said Deputy, and also by such of the scrutineers as choose to affix their signatures and seals.

(3.) The sealed mail-bag or other receptacle containing the ballot-box and its key shall be forthwith transmitted by the said Deputy to the Returning Officer at the principal polling-place.

(4.) Forthwith upon receipt thereof the Returning Officer shall, in the presence of such of the scrutineers and poll-clerks of the principal polling-place as choose to be present (but of no other person), open the ballot-box and proceed to ascertain the number of votes for each candidate, and otherwise act in relation thereto and to the ballot-papers in the same manner in all respects as if he were presiding at the minor polling-place :

Provided nevertheless as follows :—

(1.) Neither the name of the minor polling-place nor the number of votes given thereat for any candidate shall be in any way disclosed or made public by the Returning Officer or any Deputy Returning Officer, scrutineer, or poll-clerk.

(2.) In making up and announcing the result of the poll the Returning Officer shall include under the head of "minor polling-places" the total number of votes given for each candidate at all the minor polling-places.

11. In every case where any Returning Officer, Deputy Returning Officer, or Registrar fails or neglects to faithfully perform any duty imposed on him by section one hundred and twenty-six of the principal Act, and by reason thereof the name of any elector or voter is wrongfully retained on the roll, or is wrongfully erased from the roll, such Returning Officer or Registrar is liable to a penalty not exceeding *ten* pounds.

Penalty on Returning Officer or Registrar if roll not properly corrected.

12. Nothing in the *last preceding* section contained shall affect the liability of any Registrar under section one hundred and fifty-nine of the principal Act :

Other liability of Registrar not affected.

Provided that in no case shall any Registrar be punished twice for the same offence.

13. In every case where any Returning Officer fails or neglects to faithfully perform any duty imposed on him by section one hundred of the principal Act, and by reason thereof any of the requirements of that section are not effectively fulfilled, the Returning Officer is liable to a penalty not exceeding *ten* pounds :

Penalty on Returning Officer for neglect of duty under section 100.

Provided that in so far as relates to the duty of securing the corner of the ballot-paper by gum or otherwise it shall be a sufficient defence if he satisfies the Court that he took all reasonable precautions to secure the same.

Return of election  
expenses.

14. (1.) It shall be the duty of the Returning Officer to see that the provisions of section eight of "The Corrupt Practices Prevention Amendment Act, 1895," relating to the return to be made by every candidate at an election are faithfully complied with, or, if not faithfully complied with, then that proceedings are taken for the recovery of the penalty imposed by section ten of that Act. 5

(2.) In the case of candidates at the last general election the aforesaid sections eight and ten shall operate and be construed as if the period prescribed by the aforesaid section eight for transmitting the return to the Returning Officer did not expire until the seventieth day after the passing of this Act. 10