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Mr. Ives.

ELECTION PETITIONS ACT 1880 AMENDMENT.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Judges report to Governor when no Speaker.</p> <p>3. Election petitions may be withdrawn.</p> | <p>4. Parties to petition not liable for costs if proceedings taken consequent on errors of Returning Officer.</p> <p>5. Recovery of costs.</p> |
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A BILL INTITULED

AN ACT to amend "The Election Petitions Act, 1880."

Title.

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

5 **1.** The Short Title of this Act is "The Election Petitions Act 1880 Amendment Act, 1883." Short Title.

2. When under this Act the trial of an election petition takes place after Parliament has expired, and before a Speaker has been appointed, the Judges shall report to the Governor in Council, who shall exercise
10 the functions of the Speaker and House of Representatives as provided in section seven of the aforesaid Act, and shall issue a writ for a new election if necessary. Judges report to Governor when no Speaker.

3. Notwithstanding anything contained in the aforesaid Act, election petitions may be withdrawn on application to either of the
15 Judges appointed to hear the petition, and such application may be made to such Judge sitting in Chambers. Election petitions may be withdrawn.

4. *Should it be proven to the satisfaction of the Court that any proceedings under the aforesaid Act, or this Act, have been taken in consequence of any error, omission, or irregularity, or laches on the part
20 of the Returning Officer at any election under the aforesaid Act, or his deputy or deputies, the parties to the petition shall not be liable for costs, but all costs and expenses of such parties relating to such proceeding shall be paid out of money to be provided by the General Assembly.* Parties to petition not liable for costs if proceedings taken consequent on errors of Returning Officer.

5. All costs duly certified by the Judges hearing the petition as
25 payable to petitioners or respondents shall be recoverable by process of law in the same way that costs of an action in the Supreme Court of the colony are now made recoverable. Recovery of costs.