

Hon. Mr. Fisher.

LEGISLATURE AMENDMENT (No. 2).

ANALYSIS.

Title.	
1. Short Title.	12. Repeal.
2. Section 39 of principal Act amended.	13. Section 10 and Schedule of Amendment Act, 1910, amended.
3. Enrolment of members of the theatrical profession and commercial travellers.	14. Persons struck off roll in error entitled to vote.
4. Section 43 of principal Act amended.	15. Section 38 of Amendment Act, 1910, amended.
5. Section 60 of principal Act amended.	16. Section 40 of Amendment Act, 1910, amended.
6. Provision for purging the rolls prior to general election.	17. Section 41 of Amendment Act, 1910, amended.
7. Section 87 of principal Act amended.	18. Second Schedule to principal Act amended.
8. Section 89 of principal Act amended.	19. Third Schedule to principal Act amended.
9. Section 91 of principal Act amended. Repeal.	20. Schedule to Amendment Act, 1910, amended.
10. Section 92 of principal Act amended.	21. Registration of Maori electors under Part IV. Schedule.
11. Section 105 of principal Act amended.	

A BILL INTITULED

AN ACT to amend the Legislature Act, 1908.

Title.

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

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| 5 | 1. This Act may be cited as the Legislature Amendment Act, 1914, and shall form part of and be read together with the Legislature Act, 1908 (hereinafter referred to as the principal Act). | Short Title. |
| 10 | 2. Section thirty-nine of the principal Act is hereby amended by inserting, after the word "Deputy" in subsections two and three thereof, the word "Chief." | Section 39 of principal Act amended. |
| 15 | 3. (1.) Every member of the theatrical profession who has resided in New Zealand for not less than one year immediately prior to his application shall, if otherwise qualified to be enrolled as an elector, be entitled, notwithstanding that he has not resided in any electoral district for the three months immediately preceding his registration, to be enrolled in the district in which he is residing at the time of his making a claim for enrolment. | Enrolment of members of the theatrical profession and commercial travellers. |
| 20 | (2.) Every person who is engaged as a commercial traveller and has resided in New Zealand for not less than one year immediately prior to his application shall, if otherwise qualified to be enrolled as an elector, be entitled, notwithstanding that he has not resided in any electoral district for the three months immediately preceding his regis- | |

tration, to be enrolled in the district in which the headquarters of his business are situated.

Section 43 of principal Act amended.

4. Section forty-three of the principal Act is hereby amended by adding thereto the following subsection :—

“(2.) A person whose name was on the roll of any district at the date of the last general election before the date of his application for enrolment in another district but whose name has in the meantime been removed from that roll shall, if he is otherwise qualified to be enrolled, be entitled to have his name entered on the roll of the last-mentioned district if he has resided therein for at least one month immediately preceding the date of his application.”

Section 60 of principal Act amended.

5. Section sixty of the principal Act is hereby amended by repealing paragraph (e) of subsection one, and by inserting after the said subsection the following new subsection :—

“(1A.) The Registrar shall, at any time before the expiration of six days after the issue of a writ for the election of a member for any district, remove from the roll of the district the name of every person entered thereon whose subsequent registration in any other district is notified to him by the Registrar of that district.”

Provision for purging the rolls prior to general election.

6. (1.) The Minister may in any year in which a general election is to be held direct an inquiry to be made in such manner as he thinks fit as to the residential qualifications of all persons whose names appear on the rolls then in force.

(2.) If on such inquiry any person whose name appears on the roll for any district cannot be found within the district, the Registrar shall apply to a Magistrate exercising jurisdiction in the district for an order directing the removal of the said name from the roll ; and the Magistrate shall, on being satisfied that inquiry has been duly made as aforesaid, and that the said person cannot be found within the district, make an order directing that the name in respect of which such application is made be removed from the roll, and the said name shall be removed accordingly.

Section 87 of principal Act amended.

7. (1.) Section eighty-seven of the principal Act is hereby amended—

(a.) By omitting the words “ owned or ” in paragraph (a) ;
(b.) By inserting after paragraph (a) the following paragraph :—

“(aa.) Every seaman qualified to be enrolled as an elector and having a settled residence in any electoral district shall be enrolled in that district ” ; and

(c.) By omitting the proviso to paragraph (b), and substituting the following proviso :—

“ Provided that where any such port is comprised in more electoral districts than one, it shall, for the purposes of this paragraph, be deemed to be situated within the district in which is situated the office of the Collector of Customs for that port.”

(2.) The said section is hereby further amended by adding the following subsection :—

“(2.) Without restricting the meaning of the expression “ settled residence ” as used in this section, a seaman shall be deemed to have a settled residence in an electoral district if in fact he has in that district a home at which he habitually resides when not engaged in any ship.”

8. Section eighty-nine of the principal Act is hereby amended by repealing subsection three, and substituting the following :—

Section 89 of principal Act amended.

“(3.) An elector’s right shall cease to be in force immediately on the close of the first election at which the holder is entitled to vote after the
6 issue of the right.”

9. (1.) Section ninety-one of the principal Act as amended by section twenty-six of the Legislature Amendment Act, 1910, is hereby amended as follows :—

Section 91 of principal Act amended.

(a.) By repealing paragraph (b), and substituting the following :—

10 “(b.) The Collector shall thereupon fill up a blank ballot-paper with the names of the candidates for the district for which the holder is entitled to vote, and shall enter on both the counterfoil and the top right-hand corner of the back of the ballot-paper a number (called a consecutive number) beginning with the number one in the case
15 of the first ballot-paper issued by him, and on all succeeding ballot-papers issued by him the numbers shall be consecutive, so that no two ballot-papers issued by him shall bear the same number ; he shall then fold over
20 the corner of the ballot-paper so as to conceal the consecutive number, and shall secure the corner by gum or other effective means ; on the counterfoil of the ballot-paper he shall also write his initials and the
25 number of the elector’s right in respect of which the ballot-paper is given, and shall then, on both the counterfoil and the back of the ballot-paper, place his official mark, and shall give the ballot-paper to the voter.”

(b.) By omitting from paragraph (d) the words “return the right to the voter,” and substituting the words “attach the right
30 to the voter’s application for a ballot-paper.”

(2.) Subsection one of section twenty-six of the Legislature Amendment Act, 1910, is hereby repealed.

Repeal.

10. Section ninety-two of the principal Act is hereby amended by omitting the words “then return the right to the voter,” and substituting the following : “in the case where the holder of the right has voted as an absent voter attach the right to his application for a ballot-
35 paper.”

Section 92 of principal Act amended.

11. Section one hundred and five of the principal Act is hereby amended by adding to subsection seven the following words : “and
40 in the same advertisement shall notify the polling-places for the district.”

Section 105 of principal Act amended.

12. Subsection two of section one hundred and sixteen of the principal Act is hereby repealed.

Repeal.

13. (1.) The form numbered (1) in the Schedule to the Legislature Amendment Act, 1910, is hereby repealed and the form
45 numbered (1) in the Schedule hereto substituted in lieu thereof.

Section 10 and Schedule of Amendment Act, 1910, amended.

(2.) Subsection two of section ten of the Legislature Amendment Act, 1910, is hereby repealed.

14. (1.) If at any election any person whose name is removed from any certified copy of the roll supplied to the Returning Officer in
50 pursuance of section twenty-four of the Legislature Amendment Act, 1910, applies to vote, he shall be given a ballot-paper on his making a declaration in the form numbered (2) in the Schedule hereto.

Persons struck off roll in error entitled to vote.

(2.) Every person who knowingly and wilfully makes a false statement in any declaration under this section is liable to a fine of *fifty* pounds.

Section 38 of
Amendment Act,
1910, amended.

15. (1.) Subsection one of section thirty-eight of the Legislature Amendment Act, 1910, is hereby amended—

(a.) By inserting, before the words “back of the ballot-paper,” the words “top right-hand corner of the ”; and

(b.) By inserting, after the words “the same number,” the words “he shall then fold over the corner of the ballot-paper so as to conceal the consecutive number, and shall secure the corner by gum or other effective means.”

(2.) Subsection two of the said section thirty-eight is hereby amended by adding thereto the following proviso:—

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

Section 40 of
Amendment Act,
1910, amended.

16. Section forty of the Legislature Amendment Act, 1910, is hereby amended by repealing subsection six, and substituting the following:—

“(6.) A voting-permit shall cease to be in force immediately on the close of the first election at which the holder is entitled to vote after the issue of such permit.”

Section 41 of
Amendment Act,
1910, amended.

17. Section forty-one of the Legislature Amendment Act, 1910, is hereby amended—

(a.) By repealing subsection two, and substituting the following:—

“(2.) The Deputy Returning Officer shall thereupon fill up a blank ballot-paper with the names of the candidates for the district for which the holder of the voting-permit is entitled to vote, and shall enter on both the counterfoil and the top right-hand corner of the back of the ballot-paper the proper consecutive number; he shall then fold over the corner of the ballot-paper so as to conceal the consecutive number, and shall secure the corner by gum or other effective means; on the counterfoil of the ballot-paper he shall also write his initials, the number of the voting-permit, and the name of the electorate in respect of which the ballot-paper is given, and shall then, on both the counterfoil and the back of the ballot-paper, place his official mark, and shall give the ballot-paper to the voter”:

(b.) By inserting, after the words “who shall” in subsection three, the words “in the presence of the voter”:

(c.) By omitting from subsection four the words “return the permit to the voter,” and substituting the words “attach the voting-permit to the voter’s application for a ballot-paper.”

Second Schedule to
principal Act
amended.

18. The Second Schedule to the principal Act is hereby amended—

(a.) By repealing the form numbered (21), and substituting the form numbered (3) in the Schedule hereto:

(b.) By repealing the form numbered (9), and substituting the form numbered (4) in the Schedule hereto.

19. The Third Schedule to the principal Act is hereby amended by omitting the words "Caversham" and "Newtown," and inserting the words "Dunedin West," "Wellington South," and "Wellington Suburbs and Country District."

Third Schedule to principal Act amended.

5 20. The Schedule to the Legislature Amendment Act, 1910, is hereby amended—

Schedule to Amendment Act, 1910, amended.

(a.) By repealing the form numbered (1), and substituting the form numbered (1) in the Schedule hereto ;

10 (b.) By omitting from the form numbered (5) the words "The following are the polling-places for the Electoral District of [Insert list of polling-places]" ; and

(c.) By omitting from the form numbered (10) the figures "51" and substituting the figures "52."

15 21. (1.) The provisions of the principal Act relating to the registration of electors shall, with the necessary modifications, extend and apply to the registration of electors under Part IV of that Act.

Registration of Maori electors under Part IV.

(2.) This section shall come into operation immediately on the completion of the general election of members under the said Part held next after the passing of this Act.

SCHEDULE.

Schedule.

(1.) CLAIM FOR ENROLMENT.

To the Registrar for the Electoral District of .

I, [Name in full], hereby claim to have my name inserted on the electoral roll of the above district, and I declare that the answers to the following questions are true and correct in every particular :—

- (1.) Are you 21 years of age, or over that age ? [Answer "Yes" or "No."]
- (2.) Are you a British subject by birth ? "
- (3.) Are you a British subject by naturalization in New Zealand ? "
- (4.) Have you resided in New Zealand for twelve months ? "
- (5.) Are you already enrolled in this electoral district ? "
- (6.) Are you enrolled in any other electoral district ? "
- (7.) On what electoral roll (if any) does your name now appear ?
- (8.) What was your address on the roll of that electoral district ? [State full address.]
- (9.) How long immediately preceding this application have you been residing in the district for which you are now claiming enrolment ?
- (10.) What is your present full residential address ? [Number in street, where possible.]
- (11.) What is your occupation ? [In the case of female elector insert "Spinster," "Married," or "Widow."]

Where the applicant is a seaman—

- (12.) Have you a settled residence in any electoral district ? [Answer "Yes" or "No."]

[NOTE.—A seaman is deemed to have a settled residence in a district if in fact he has in that district a home at which he habitually resides when not engaged in any ship.]

- (13.) What is your full residential address when not on ship ? [Number in street where possible.]

Signature of Claimant :

Signed and declared by the Claimant, this day of , 191 , before me—

Witness :

Full residential address of witness :

Registrar [or Deputy Registrar, or Authorized Agent of Registrar, or Justice, or Postmaster, or an Elector of the District.]

CAUTION.—Any person making a false declaration is liable to a fine of £20, or to three months' imprisonment.

(2.) DECLARATION BY PERSON APPLYING TO VOTE WHOSE NAME IS RULED OUT ON CERTIFIED COPY OF THE ROLL.

I, _____, do hereby declare as follows:—

- (1.) I am the person whose name appears on the certified copy of the Electoral Roll as _____, and which name is ruled out thereon.
- (2.) I was legally qualified to be enrolled as an elector for the aforesaid district, and am still so qualified.
- (3.) I am not registered on any other electoral roll and I am not aware of the circumstances that have caused my name to be so ruled out.
- (4.) I have not already voted at this election.

Signature of Elector : _____
 Full Postal Address : _____
 Occupation : _____

Declared before me this _____ day of _____, 19____
 _____, Deputy Returning Officer,
 _____ Polling-place.

(3.) ABSENT VOTER'S PERMIT.

Permit No. _____

Electoral District of _____

Roll No. _____

THE holder hereof, _____, of _____, whose name appears on the roll for the above electoral district and whose name is signed hereunder, is entitled to vote at the first election of a member of the House of Representatives for the above electoral district held after the date hereof.
 _____, Registrar.

.....[Signature of the above-named elector at time of making application for permit.]
[Signature of the above-named elector at time of making application for ballot-paper.]

Dated this _____ day of _____, 19____

(4.) ELECTOR'S RIGHT.

Electoral District of _____

THE holder hereof, [Name in full], of [Address in full] whose name appears on the roll for the above electoral district and whose name is signed hereunder, is entitled to vote at the first election of a member of the House of Representatives for the above electoral district.
 _____, Registrar.

.....[Signature of the above-named elector at time of making application for right.]
[Signature of the above-named elector at time of making application for ballot-paper.]

Dated this _____ day of _____, 19____

NOTE.—The Collector of Customs or Deputy Returning Officer is to retain this right after the elector has recorded his vote.

Endorsed—
 Voted at _____, 19____, Deputy Returning Officer or Postmaster.
 Endorsed—
 Voted at _____, 19____, Collector of Customs.

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