

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
28th October, 1947*

Hon. Mr. Parry

LOCAL ELECTIONS AND POLLS AMENDMENT

ANALYSIS

Title.	4. Section 12 of Local Elections and Polls Amendment Act, 1926 (as to declaration votes), amended.
1. Short Title.	5. Voting by blind or illiterate voters.
2. Employees to have time off to vote.	6. Voting rights of persons residing in certain areas adjoining the City of Auckland.
3. Primary schools to be available for polling-places.	7. Next general election of members of Hauraki Catchment Board.

A BILL INTITULED

AN ACT to amend the Local Elections and Polls Act, Title.
1925.

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

1. This Act may be cited as the Local Elections and Short Title.
Polls Amendment Act, 1947, and shall be read together
with and deemed part of the Local Elections and Polls
10 Act, 1925 (hereinafter referred to as the principal Act). See Reprint
of Statutes,
Vol. V, p. 447

Employees to
have time off
to vote.

2. (1) Subject to the provisions of this section, on the polling-day at every general election of members of a local authority that is required to be held on the third Wednesday in November in the year nineteen hundred and forty-seven and on the same day in every third year thereafter, every employer shall allow every worker in his employment who is an elector of a district in which such a general election is being held to leave his work, for the purpose of recording his vote, not later than three o'clock in the afternoon for the remainder of the day, and it shall not be lawful for any employer to make any deduction from any remuneration payable to any such worker in respect of any time after the time of his leaving his work as aforesaid. 5 10

(2) Where any worker to whom the *last preceding* subsection applies is required to work after *three* o'clock in the afternoon on the polling-day for the purpose of carrying on any essential work or service his employer shall on that day allow the worker to leave his work for a reasonable time for the purpose of recording his vote, and no deduction shall be made from any remuneration payable to the worker in respect of any time, not exceeding *two* hours, occupied in recording such vote as aforesaid. 15 20

(3) Every employer commits an offence and shall be liable to a fine not exceeding *five* pounds who contravenes or fails to comply in any respect with any provision of this section. 25

(4) For the purposes of this section, unless the context otherwise requires,— 30

“Employer” means any person employing any worker or workers:

“Worker” means any person of any age of either sex employed to do any work for hire or reward; and includes an apprentice and any other person whose contract of employment requires him to learn or to be taught any occupation. 35

3. (1) Any primary school may be appointed to be a polling-place under section twelve of the principal Act, and in every such case it shall be the duty of the Education Board having jurisdiction over the school, and of the School Committee of the school, to place it at the free disposal of the Returning Officer from four o'clock in the afternoon of the day preceding the day of the election and for the whole of the day of the election.
- 10 (2) The cost of cleaning the school after use as a polling-place, and of repairing any damage occasioned by such use, shall be deemed for the purposes of section forty-three of the principal Act to be part of the costs and expenses incident to the election.
- 15 (3) For the purposes of the general election of members of any local authority to be held on the third Wednesday in November, nineteen hundred and forty-seven, the Returning Officer may, notwithstanding that public notice of the appointment of polling-places has been given pursuant to section twelve of the principal Act, appoint any primary school as an additional polling-place and give public notice thereof at any time before Thursday, the sixth day of November, nineteen hundred and forty-seven.
- 20 4. Section twelve of the Local Elections and Polls Amendment Act, 1926, is hereby amended by inserting after subsection three, as enacted by section eleven of the Local Elections and Polls Amendment Act, 1944, the following new subsection:—
- 30 “(3A) The verification of the declarations and the counting of the votes shall for the purposes of sections twenty-nine to thirty-two of the principal Act be deemed to be part of the scrutiny of the rolls and the official count of the votes under those sections, and the provisions of those sections shall, so far as applicable and with the necessary modifications, apply accordingly.”
- 35 5. (1) Instead of voting in the manner prescribed by section twenty-six of the principal Act, any voter who is blind or is unable to read or write may, if he so desires, vote in accordance with the provisions of this section.
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Primary schools to be available for polling-places.

Section 12 of Local Elections and Polls Amendment Act, 1926 (as to declaration votes), amended.

See Reprint of Statutes, Vol. V, p. 483 1944, No. 6

Voting by blind or illiterate voters.

(2) At the request of any such voter who has received a voting-paper he may be accompanied into one of the inner compartments reserved for the marking of voting-papers by any person who is qualified in accordance with the provisions of this section to assist the voter in the marking of his voting-paper, and the voting-paper shall be there marked by the voter with the assistance of his companion or may be marked by the companion in accordance with the instructions of the voter. 5 10

(3) No person shall be qualified under this section to assist more than two voters to mark their voting-papers at any election, and no person shall be qualified to assist any voter as aforesaid unless he is enrolled as an elector, whether of the same or of some other district. 15

(4) Before any person is allowed to assist a person to vote in accordance with this section he shall be required to satisfy the Returning Officer that he is enrolled as an elector and that he has not already assisted more than one voter to vote at the election. 20

(5) If any person who assists a voter to vote in accordance with this section communicates at any time to any person any information obtained in the polling-booth as to the candidate or candidates for whom the voter is about to vote or has voted, or as to the number on the back of the voting-paper given to the voter, he shall be deemed to have committed an offence and shall be liable to the same penalty as if he had committed an offence against section fifty-three of the principal Act. 25 30

6. (1) Notwithstanding anything contained in the Municipal Corporations Act, 1933, every person of the full age of twenty-one years who would, if the area described in subsection *four* of this section were situated within the City of Auckland, possess a residential qualification within the meaning of section six of that Act in respect of that area shall for all purposes be deemed to possess that qualification in respect of the City of Auckland and shall be entitled to be enrolled on the district electors roll as an elector of that City. 35 40

Voting rights
of persons
residing in
certain areas
adjoining
the City of
Auckland.
1933, No. 30

(2) Notwithstanding anything contained in any other Act, every such person as aforesaid who would, if the said area were situated within the City of Auckland, be entitled by virtue of a residential qualification in respect of that area to be enrolled on the roll of electors of any local authority of whose district the City of Auckland forms a part shall for all purposes be deemed to possess that qualification in respect of the district of that local authority and shall be entitled to be enrolled on that roll of electors as an elector of that district.

(3) With respect to the election of the Mayor and Councillors of the City of Auckland, and with respect to the election of members of any other local authority, being an election at which electors of the City of Auckland are entitled to vote, to be held on the third Wednesday in November in the year nineteen hundred and forty-seven, the following provisions shall apply:—

(a) Every person who is entitled under this section to be enrolled on the district electors roll of the City of Auckland and whose name is on any electoral roll within the meaning of the Electoral Act, 1927, in respect of an address within the area described in subsection *four* of this section may vote at the election on making a declaration in accordance with subsection two of section ten of the Local Elections and Polls Amendment Act, 1946, and the provisions of that subsection and of subsection three of the said section ten shall accordingly apply in all respects as if the said address were an address within the City of Auckland:

(b) Every person who is entitled under this section to be enrolled on the said district electors roll and whose name is not on any such electoral roll as aforesaid in respect of an address within the said area may, if a claim for the enrolment of that person on the district electors roll is received by the Town Clerk of the City of Auckland at any time before five o'clock in the afternoon of the day preceding the day of the election, vote at the election on making a declaration in accordance with

See Reprint
of Statutes,
Vol. VI, p. 469

1946, No. 27

See Reprint
of Statutes,
Vol. V, p. 483

section twelve of the Local Elections and Polls Amendment Act, 1926, and the provisions of that section shall accordingly apply in all respects as if the claim for enrolment had been received by the Town Clerk before the closing of the roll. 5

(4) The area to which this section relates is particularly described as follows: All that area situated in Block VIII, Rangitoto Survey District, bounded by a line commencing at a point on the north-eastern side of Park Road, being the south-eastern corner of Section 18, Suburbs of Auckland, and running in a north-easterly direction generally along the south-eastern boundaries of the aforesaid Section 18 to and along the south-eastern side of Stanley Street to the westernmost corner of Section 11, City of Auckland; thence south-easterly and north-easterly along the south-western and south-eastern boundaries of the aforesaid Section 11 and part of Section 96, Suburbs of Auckland, shown on plan numbered 23582 deposited in the Office of the District Land Registrar at Auckland, to and along the southern end of Carlaw Park Avenue to railway land, being part of the Auckland-Newmarket Railway; thence south-easterly generally along the south-western boundaries of the aforesaid railway land shown on plans numbered 22823, 22822, and 22648 respectively, deposited as aforesaid, to the north-western side of Titoki Street; thence westerly generally along the northern sides of Titoki Street, George Street, and Carlton Road to the eastern side of Park Road; thence north-westerly generally along the north-eastern sides of the aforesaid Park Road to the point of commencement. 10 15 20 25 30

Next general
election of
members of
Hauraki
Catchment
Board.
1941, No. 12

7. Notwithstanding anything contained in section fifty of the Soil Conservation and Rivers Control Act, 1941, the second general election of representatives of constituent districts on the Hauraki Catchment Board shall be held on the third Wednesday in November in the year nineteen hundred and fifty. 35