

Rt. Hon. R. J. Seddon.

MUNICIPAL FRANCHISE REFORM.

ANALYSIS.

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A BILL INTITULED

AN ACT to extend and amend the Franchise in the Case of Title. Boroughs.

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 Municipal Franchise Reform Act, 1898," and it shall form part of and be read together with "The Municipal Corporations Act, 1886" (hereinafter called "the principal Act").

2. In this Act, if not inconsistent with the context,—

"Local governing Act" includes—

- (1.) "The Local Bodies' Loans Act, 1886";
- (2.) "The Government Loans to Local Bodies Act, 1886";
- (3.) "The Rating on Unimproved Value Act, 1896";
- (4.) Any other Act now or hereafter in force providing for any proposal being submitted to a poll of the ratepayers or burgesses of a borough:

"Parliamentary electors' roll" means an electoral roll under "The Electoral Act, 1893."

3. In addition to the persons who under the principal Act are entitled to be enrolled on the burgess list and the burgess roll of a borough, every person shall be so entitled who possesses within such borough either the freehold or the residential qualification hereinafter created.

Freehold qualification.

4. Every person shall be deemed to possess a freehold qualification within a borough if he is the beneficial owner of a freehold estate in land situate within such borough, notwithstanding that under the principal Act any other person may be enrolled or entitled to be enrolled as a ratepayer in respect thereof: 5

Provided that, where such land is situate partly in one ward of the borough and partly in another, it shall, for the purposes of this Act, be deemed to be wholly situate in the ward wherein the greater part of the area of such land is situate.

Residential qualification.

5. Every person shall be deemed to possess a residential qualification within a borough if he is, and for at least twelve months then last past has been, duly registered on a parliamentary electors' roll by virtue of possessing within such borough the residential qualification prescribed by "The Electoral Act, 1893." 10

Lists of persons possessing freehold and residential qualifications.

6. The Town Clerk shall, between the first and the *fourteenth* 15 days of April in each year, make out two separate lists, to wit,—

- (1.) A freehold list, containing the names of all persons who, on the thirty-first day of March then last past, possessed within the borough the freehold qualification created by this Act; and also 20
- (2.) A residential list, containing the names of all persons who were then similarly possessed of the residential qualification created by this Act. 20

Lists for each ward of borough.

7. In every case where the borough is divided into wards, each such list shall be made out separately in respect of each such ward. 25

Lists to form separate parts of burgess list.

8. Such lists shall be deemed to form separate parts of the burgess list, and all the provisions of the principal Act, in so far as the same are applicable, shall, *mutatis mutandis*, apply thereto accordingly.

Registrar to supply copy of parliamentary electors' roll.

9. (1.) For the purpose of enabling the Town Clerk to duly 30 prepare such residential list, a certified copy of or extract from the parliamentary electors' roll, made up to the said thirty-first day of March, and showing separately and distinctly the full names, addresses, and occupations of all persons who on that day possessed within the borough the residential qualification created by this Act, 35 shall within *seven* days thereafter be supplied to the Town Clerk by the Registrar of the electoral district.

(2.) Such copy or extract, certified as correct under the hand of the Registrar, shall, for the purposes of this Act, the principal Act, and every local governing Act, be sufficient evidence of the matters 40 set forth therein.

Enrolment in respect of one qualification only.

10. No person shall be entered on the burgess list in respect of more qualifications than one, whether such qualifications are created by this Act or the principal Act:

Provided that, except in the case of a ratepayer, any person who 45 possesses more qualifications than one may select the qualification in respect whereof he desires to be entered on such list.

Objections to burgess list.

11. Any person, whether his name is on the valuation roll or not, may, in the manner and within the time prescribed by the principal Act, object to the burgess list on the grounds specified in that 50 Act, or on any of the following grounds:—

(1.) That any person whose name is entered on such list in respect of any specified qualification does not possess the same, or that his name is entered thereon in respect of more qualifications than one; or

5 (2.) That any person whose name is not entered on such list possesses a qualification entitling him to be entered thereon.

12. With respect to every person who is enrolled on the burgess roll by virtue of any qualification created by this Act, the following provisions shall apply:— Voting-powers of persons enrolled under this Act.

10 (1.) He shall, subject to the provisions of this Act, have all the rights of voting and other the rights which by the principal Act or any local governing or other Act are conferred upon a ratepayer or burgess of the borough:

15 Provided that, if his qualification is residential, he shall not be entitled to vote at any poll relating to loans or rates:

Provided further that nothing herein contained shall apply to the election of any member of a Harbour Board.

20 (2.) He shall not be entitled to vote at any election of a member of the Borough Council for any ward of the borough, or on any proposal submitted to a poll of the ratepayers or burgesses of such ward, unless his name is on the burgess roll of such ward.

25 13. Every person who is enrolled on the burgess roll by virtue of any qualification created by this Act or the principal Act shall have one vote and no more at any poll at which he is entitled to vote. No one to have more than one vote.

30 14. (1.) At every election of a Mayor of a borough divided into wards there shall be a separate polling-place in each ward. Polling-places.

(2.) In the case of an undivided borough there shall, at every election of the Mayor or any Councillor, and at every poll taken on any proposal submitted to the ratepayers or burgesses under the principal Act or any local governing Act, be such number of separate polling-places, and in such convenient parts of the borough, as the Council thinks fit to appoint, being in no case less than in the proportion of one polling-place for every two thousand ratepayers or burgesses as shown on the burgess roll.

40 15. The principal Act and every local governing or other Act which are in any way in conflict with this Act are hereby modified in so far as such conflict exists, but not further or otherwise. Acts modified.

16. The Governor may from time to time make such regulations as he deems necessary in order to give full effect to this Act. Regulations.