

Hon. Sir R. Stout.

REGULATION OF ELECTIONS ACT AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend "The Regulation of Elections Act, 1881," in relation to the Counting of Votes given at Elections of Members of the House of Representatives. Title.

5 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 Regulation of Elections Act Amendment Act, 1887." Short Title.

2. At all elections of members of the House of Representatives to be held after the passing of this Act there shall be only one scrutiny of votes, which shall be conducted by the Returning Officer in each electoral district in manner hereinafter mentioned. Only one scrutiny of votes to be held at elections.

The voting-papers to be used at such elections shall contain a list of the candidates, arranged alphabetically in the order of their surnames in large characters, the other names of such candidates being added in lesser characters; and—

(1.) Shall be printed in the form or to the effect in the Schedule to this Act, with counterfoils, and shall be numbered in a regular arithmetical series, each with a different number; and such numbering shall be effected by printing or stamping the number, in small characters, on the face of the counterfoil and in one of the corners on the back of each voting-paper; but only so many voting-papers shall be numbered in the same series as shall be sufficient for all the electors in the same electoral district. Form of voting-papers.

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(2.) The voting-papers and counterfoils so printed and numbered shall be bound together in books containing not more than two hundred in each book; and there shall be provided at each polling-booth at an election as many such books as are likely to be required for use thereat at such election. 5

(3.) The first series of voting-papers and counterfoils shall be printed and numbered as aforesaid in black ink, another series identically alike shall be printed in red ink, and a third like series shall be printed in blue ink; and shall be supplied to the Returning Officers in the several electoral districts in manner so that the voting-papers for use at any election in a district shall be of the same colour, but of a different colour from that of the voting-papers in use at the same election in the adjacent districts. 10 15

Sections thirty to forty-five, both inclusive, and the Sixth Schedule of "The Regulation of Elections Act, 1881" (hereinafter referred to as "the said Act"), are hereby repealed.

Before given, voting paper to be stamped and counterfoil to be marked.

3. Before giving a voting-paper to an elector, the Returning Officer shall stamp on the back thereof an official mark, and shall write on the counterfoil of the said voting-paper his initials and the number appearing on the certified copy of the roll against the name of the voter to whom he gives such paper, and shall place a mark against the name of such elector on the roll, as evidence that he has proposed to vote. 20 25

No such mark shall be made so as to indicate the particular voting-paper which any elector has received.

Returning Officer to be satisfied of person's right to vote.

4. The Returning Officer or his deputy, having satisfied himself that the person proposing to vote is entitled to do so, shall deliver to him a voting-paper. 30

Voter to be alone when making up voting-paper.

5. The voter, having received a voting-paper, shall retire into one of the inner compartments provided, and shall there alone and secretly strike out from the voting-paper the names of the candidates for whom he does not intend to vote.

Provision where voter cannot write.

6. If any voter desires it, the Returning Officer, and, if necessary, an interpreter, shall retire with him into the inner compartment, and there make up the voting-paper according to the instruction of the voter; and such Returning Officer or his deputy shall sign his own name at the foot thereof. 35

Voting-paper to be folded and put in ballot-box by voter.

7. Every voter, before leaving the inner compartment, shall fold up his voting-paper so that the contents cannot be seen, and, after showing the Returning Officer the official mark thereon, shall then deposit the voting-paper, so folded, in the ballot-box. 40

Number of votes to be given by each voter.

8. Except as next hereinafter provided, every voter for the district may vote for any number of candidates at an election not exceeding the number of members then to be returned for the district, but may not give more than one vote to each such candidate. 45

Every voting-paper recording more than the legal number of votes at any election shall be rejected at the close of the poll.

Proceeding where second vote tendered in same name.

9. If any person proposing to vote at any election tenders his name as of the same person to whom a voting-paper has already been given at the same election, he shall be dealt with in all respects in like manner as any voter proposing to vote, but the voting-paper of such 50

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person shall not be deposited in the ballot-box, or allowed by the Returning Officer or his deputy, who shall set the voting-paper aside for separate custody.

10 5 10. The Deputy Returning Officer of each polling-place, as soon as practicable after the close of the poll, shall, in the presence of such of the scrutineers as choose to be present, make up into separate parcels, sealed with his own seal and the seals of such scrutineers as desire to affix their seals,—

Deputy Returning Officers to transmit ballot-boxes, books, and papers to Returning Officer.

- 10 (1.) Each ballot-box in use at the polling-place, unopened, but with the key attached; and
- (2.) The unused voting-papers; and
- (3.) The voting-papers which shall have been set aside for separate custody, as hereinbefore provided; and
- 15 (4.) All books, rolls, and papers kept and used by him during the polling, except the certified copies of rolls supplied to the said Deputy on which the fact of any person having received a voting-paper has been noted, and the counterfoils of the voting-papers; and shall indorse such parcels severally with a description of the contents thereof, and with the name of the district, the name of the place of
- 20 polling, and the date of the polling, and sign with his name the said indorsement, and shall transmit the said parcels to the Returning Officer.

25 11. Each Deputy shall, together with the parcels aforesaid, transmit to the Returning Officer—

Account of voting-papers also to be sent.

- (1.) The certified copies of rolls supplied to the said Deputy on which the fact of any person having received a voting-paper has been noted, and the counterfoils of the voting-papers.
- 30 (2.) An account in which such Deputy shall charge himself with the number of voting-papers originally delivered to him specified therein, the number thereof delivered to and used by voters, and the number not so delivered or left unused and the number set aside for separate custody (which account is hereinafter referred to as the voting-
- 35 paper account).

Every such account respectively shall be verified as well by the signatures of the said Deputy and the poll clerk (if any) as also by the signatures of such of the scrutineers as shall be present and shall

40 consent to sign the same.

12. The Returning Officer shall, in respect of any polling-booth at which he himself shall have presided,—

Returning Officer to make a like account as to polling-place where he presides.

- (1.) Make up in separate parcels, in like manner as is herein required of Deputy Returning Officers, all voting-papers unused or set aside as aforesaid, and all books, rolls, and papers (except the certified copies of rolls on which the fact of any person having received a voting-paper has been noted, and the counterfoils of the voting-papers) kept or used by him at such polling-booth;
- 45 (2.) Seal up and also permit to be sealed up by the scrutineers, and shall indorse in like manner as aforesaid, the said several parcels, and deal with the same as hereinafter provided.
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Notice to candidates to be given of counting of votes.

13. The Returning Officer shall make arrangements for counting the votes as soon as practicable after the close of the poll, in the presence of scrutineers appointed by the candidates for that purpose, and shall give notice in writing to the candidates or their scrutineers of the time and place at which he will commence to count the same. 5

The Returning Officer, his assistants and clerks, and one scrutineer appointed by each candidate, and no other person, may be present at the counting of the votes.

Returning Officer to open all the ballot-boxes, count, and record number of votes therein.

14. Before the Returning Officer proceeds to count the votes he shall, in the presence and subject to the inspection of such of the scrutineers as choose to be present, open each ballot-box and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the voting-papers contained in the ballot-boxes. 10

May reject voting-papers for invalidity.

15. The Returning Officer, while counting and recording the number of voting-papers and counting the votes, shall keep the voting-papers with their faces upwards, and take all proper precautions for preventing any person or himself from seeing the numbers printed on the backs of such papers. 15

The Returning Officer shall not count any voting-papers which he may reject as invalid, but collect the same together to be sealed up in a separate parcel after the counting of the votes. 20

Counting to be continuous, save during night.

The Returning Officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding (except so far as he and the scrutineers appointed to attend such counting otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the Returning Officer shall place the voting-papers and other documents relating to the election under his own seal and the seals of such of the aforesaid scrutineers as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents. 25

Returning Officer to compare rolls.

16. Upon completion of the counting the Returning Officer shall seal up in separate parcels the counted and rejected voting-papers, he shall not open the sealed parcels of voting-papers set aside for separate custody, but shall proceed, in the presence and hearing of such scrutineers as shall be present, to compare with one another all the certified copies of rolls on which the fact of any person having received a voting-paper has been noted by himself or any Deputy, and shall verify the voting-paper account given by each Deputy by comparing it with the number of voting-papers recorded by him as aforesaid and the unused voting-papers in his possession and the voting-papers set aside for separate custody, and shall re-seal each sealed packet after examination. 30 40 45

May select papers and disallow votes in certain cases and prosecute offender.

17. If on such comparison it shall appear that the same person has received a voting-paper at two or more polling-places the Returning Officer shall, in the presence of such scrutineers as choose to be present, search the counterfoils of the voting-papers used at the several polling-places for the counterfoils on which the number corresponding to the name of such person shall appear, and having discovered from the printed number on such counterfoils the number 50

of the corresponding voting-papers, he shall open the sealed parcels of counted and rejected voting-papers taken from the ballot-boxes, and, placing such papers in their respective parcels with their faces downwards, shall take care that the faces of the same are not seen by any
 5 person present, and shall select therefrom the voting-papers bearing the numbers discovered as aforesaid; and shall disallow every vote appearing to have been given by means of the voting-papers so selected.

It shall be the duty of the Returning Officer to discover the person who has received the voting-papers selected as aforesaid, and
 10 forthwith to institute a prosecution against such person for the offence of personation under "The Corrupt Practices Prevention Act, 1881."

18. When the Returning Officer has selected from any parcel as last aforesaid all the voting-papers which he is required to select
 15 therefrom he shall forthwith close and seal up the said parcel, and shall also permit the scrutineers to close and seal up the same, and shall indorse thereon a memorandum of the fact of voting-papers having been selected from such parcel, specifying the same by the name of the person to whom the same shall appear to have been
 20 delivered, and shall sign the indorsement with his name.

Original parcels and selected papers to be sealed up separately.

The Returning Officer shall set aside all voting-papers selected by him as last aforesaid from any parcel, and shall seal up the same in a separate parcel, and shall also permit the scrutineers to seal up the same, and shall indorse the same with a description of the
 25 contents thereof, and shall sign the indorsement with his name.

19. The Returning Officer shall make up, from the record of the number of votes made out by him, verified by comparison with the voting-paper accounts transmitted by the Deputy Returning Officers as aforesaid (corrected by disallowing votes, if need be), the
 30 general state of the poll; and shall, at the principal polling-place of the district, and at a time to be fixed, of which at least forty-eight hours' notice shall have been given in such manner as he may deem best calculated to give publicity to the same, announce the number of votes given to each candidate, and declare those candidates, not
 35 exceeding the number to be elected, who have received in the aggregate at all the polling-places the greatest number of votes to be duly elected as members for the district.

Declaration of state of poll.

20. The Returning Officer shall, as soon as practicable after the day of polling at any election, enclose in separate parcels all voting-
 40 papers, counterfoils, rolls, and documents used at such election, and transmit the same to the Clerk of the House of Representatives, as required by section forty-nine of the said Act, subject, however, to such modification as may be required by the provisions of this Act; and the provisions of sections fifty and fifty-one of the said Act shall apply to every such parcel and to the contents thereof and the voting-papers therein.

Parcels, &c., to be sent to Clerk of House of Representatives.

Schedule.

SCHEDULE.

FORM OF VOTING PAPER.

Form of Front of Voting Paper.

Electoral District of

Counterfoil
No. 29.

NOTE:

The counterfoil is to have a number on its face to correspond with that on the back of the Voting-paper.



BROWN, JAMES.

HUNTER, RICHARD CHARLES.

MORGAN, EDWARD.

DIRECTIONS.

The voter is to strike out the name of every candidate for whom he does not intend to vote, by drawing a line through the name with a pen or pencil.

He must take care not to leave uncanceled the names of more than [*Insert number of members to be returned*], or this paper will be invalid.

The voting-paper is to be folded up so that the contents cannot be seen, and, having shown the official mark on the back to the Returning Officer, the voting-paper is to be put into the ballot-box by the voter himself.

No voting-paper is to be taken out of the polling-booth.

Form of Back of Voting-paper.

No. 29.

Electoral District.

NOTE.—The number on the ballot-paper is to correspond with that on the face of the counterfoil.