

1963/182



THE ELECTORAL REGULATIONS 1957, AMENDMENT NO. 2

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of October 1963

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Electoral Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Electoral Regulations 1957, Amendment No. 2, and shall be read together with and deemed part of the Electoral Regulations 1957* (hereinafter referred to as the principal regulations).

2. Regulation 12 of the principal regulations is hereby amended by revoking paragraph (d) of subclause (1).

3. Regulation 12 of the principal regulations is hereby further amended by adding to subclause (3) the following proviso:

“Provided that where the ballot paper is sent by post to the special voter or is handed to any person for delivery to the special voter the Issuing Officer shall issue with the ballot paper a notice setting out the party designations of all such candidates as aforesaid.”

4. Regulation 19 of the principal regulations is hereby amended by omitting from subclause (1) the words “After the close of the poll”, and substituting the words “At the first opportunity”.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Electoral Regulations 1957 in relation to special votes.

Regulation 2 of these regulations revokes the provision under which an application for a special vote may be made by some person who declares that he has been authorised by the elector by word of mouth to sign the application. The result is that an application for a special vote must be made in person by the elector, or by a written application signed by him, or by a written application signed on his behalf pursuant to an authority signed by him; but the Issuing Officer will still have power to accept an application made in any other manner if he is satisfied that the application is made in good faith and that it is not practicable to make it in any of the foregoing ways.

Regulation 3: Regulation 12 (3) of the principal regulations provides that the Issuing Officer is not to insert in a special ballot paper the party designations of the candidates named in it, but he may, and if requested shall, inform the applicant of their party designations. The effect of the new proviso is that where the special ballot paper is issued by post or is handed to an agent for delivery to the special voter the Issuing Officer is to issue with it a notice setting out the party designations of the candidates.

Regulation 4: Regulation 22 of the principal regulations requires the Returning Officer to forward to the Registrar of Electors "at the first opportunity" (for the purpose of checking the qualification of the voter) all declarations received in respect of special votes; but under regulation 19 the Returning Officer is not permitted to open the outer envelopes containing these declarations until after the close of the poll. The amendment made by this regulation brings regulation 19 into line with regulation 22, so that declarations received before polling day or before the close of the poll may be sent to the Registrar of Electors for checking without unnecessary delay.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 October 1963.

These regulations are administered in the Department of Justice.