



THE LOCAL ELECTIONS AND POLLS (SPECIAL VOTING) REGULATIONS 1983

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 5th day of April 1983

Present:

THE RIGHT HON. D. MACINTYRE PRESIDING IN COUNCIL

PURSUANT to the Local Elections and Polls Act 1976, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Local Elections and Polls (Special Voting) Regulations 1983.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Local Elections and Polls Act 1976:

“Close of the poll” means the close of voting at the election or poll, as the case may be:

“Declaration form” means a form of declaration in form 1:

“Declaration envelope” means an envelope on which the declaration form is printed:

“Inner envelope” means the envelope having form 8 printed on it:

“Issuing Officer” means any person authorised to issue voting papers to special voters under these regulations:

“Outer envelope” means an envelope marked “special vote” and addressed to the Returning Officer:

“Special voter”, in relation to any election or poll, means a person exercising a vote under section 37 of the Act as a special voter at that election or poll; and “special vote” and “special-voting paper” have corresponding meanings:

Expressions defined in the Act have the meanings so defined:

A reference to a numbered form is a reference to a form so numbered in the Schedule to these regulations.

3. Forms—(1) The declaration to be completed by a special voter shall be in form 1. The declaration may be printed separately or, if the Returning Officer thinks fit, may be printed on an envelope (in these regulations referred to as a declaration envelope), in which case the matter required to be printed on the back of the separate form shall be printed on the back of the said envelope.

(2) The special-voting papers issued under these regulations to be used at any election or poll held under Part II of the Act shall be in form 2 or form 3.

(3) The special-voting papers issued under these regulations to be used at any poll upon a proposal to raise a special loan under the Local Authorities Loans Act 1956 shall be in form 4, and shall contain full particulars of the notice required by section 35 of that Act or a statement giving the purport and effect of that notice.

(4) The special-voting papers issued under these regulations to be used at any poll on a proposal under section 13 or section 20 of the Rating Act 1967 to alter a system of rating shall be in form 5.

(5) The special-voting papers issued under these regulations to be used at any other poll shall be in form 6.

(6) Every special-voting paper shall have a counterfoil, on which shall be printed the matter specified in form 7.

(7) Subsections (5) and (6) of section 25 of the Act shall apply to the special-voting papers to which this regulation applies.

4. Facilities for special voting—(1) Voting papers for an election or poll held under Part II or Part VI of the Act may be obtained by special voters—

- (a) At any time during ordinary office hours within the period of 14 days immediately preceding polling day, from the Returning Officer for the local government area of the local authority or from any person authorised by him; or
- (b) During the hours of polling, from the Returning Officer, or any person authorised by him, or any Deputy Returning Officer at any polling booth for the local government area of the local authority.

(2) Any Issuing Officer issuing special-voting papers in any hospital, maternity home, or institution for the reception or relief of persons requiring medical or surgical or other treatment or suffering from any illness, disease, or disability, or for convalescent, aged, infirm, incurable, destitute or poor people shall be accompanied by some other person appointed by the Returning Officer.

5. Issue of special votes—(1) An application for a special vote may be made—

- (a) In person by the elector; or
- (b) By a written application signed by the elector; or
- (c) By a written application signed on behalf of the elector pursuant to an authority signed by him. The said signed authority shall be shown to the Issuing Officer if the Issuing Officer so requests; or
- (d) In any other manner, if the Issuing Officer is satisfied that the application is made in good faith and that it is not practicable to make it in a manner hereinbefore prescribed.

(2) Subject to regulation 4 of these regulations and to subclause (1) (d) of this regulation, any Issuing Officer shall, upon application made pursuant to subclause (1) of this regulation, issue a special-voting paper or special-voting papers in the appropriate form.

(3) Every person issuing a voting paper or voting papers in accordance with subclause (2) of this regulation shall issue together with the voting paper or papers—

- (a) A declaration form, an inner envelope, and an outer envelope; or
- (b) A declaration envelope, an inner envelope, and, if the vote is to be recorded otherwise than in a polling booth, an outer envelope.

(4) There shall be printed on the face of the inner envelope the appropriate instructions specified in form 8.

(5) Every person to whom any special-voting paper is issued shall, if the Issuing Officer so requires, give to the Issuing Officer a receipt therefor in a form satisfactory to the Issuing Officer.

6. Declaration by special voter—(1) Every declaration under these regulations shall be signed by the person making it, and shall be witnessed and signed by some other person, who, unless he is an Issuing Officer, shall also add his usual residential address. If the witness is an Issuing Officer, he shall add to his signature his official mark.

(2) If the elector—

- (a) Is wholly or partially blind; or
- (b) Is unable to read or write (whether because of physical handicap or otherwise); or

(c) Has severe difficulty in reading or writing,—

the witness may at the request of the elector write the name of the elector in the space provided in the declaration for the signature of the elector, and shall add his own signature and address, followed by the words

“Signed on behalf of blind or partially blind person” or “Signed on behalf of person unable to read or write” or “Signed on behalf of person who has severe difficulty in reading or writing”, as the case may be.

7. Voting by special voter—(1) The vote of an elector voting as a special voter shall be exercised in the manner prescribed by this regulation.

(2) The elector shall, after completing the declaration, alone and secretly on the voting paper exercise his vote in accordance with the directions on the voting paper.

(3) Where a special vote is recorded otherwise than in a polling booth, the voting paper or papers shall be placed in the inner envelope, which, together with the completed declaration form, shall be placed in the outer envelope which shall then be sealed:

Provided that where a declaration envelope is used, the inner envelope shall be placed in the declaration envelope, which shall then be sealed and placed in the outer envelope.

(4) Where a special vote is recorded in a polling booth, subclause (3) of this regulation shall apply, and the sealed outer envelope shall be deposited unopened as the Deputy Returning Officer directs either in the ballot box or in a receptacle specially provided for the votes of special voters, and every such envelope shall be deemed to have been received by the Deputy Returning Officer at that polling booth at the time when it was so deposited:

Provided that where a declaration envelope is used, that envelope shall be deemed to be the outer envelope for the purposes of this subclause.

(5) Where a special vote is recorded otherwise than in a polling booth, the outer envelope shall be transmitted so as to reach the Returning Officer or any Deputy Returning Officer for the local government area before the close of the poll.

(6) If the elector is wholly or partially blind, or is unable to read or write (whether because of physical handicap or otherwise), or has severe difficulty in reading or writing, or is not sufficiently familiar with the English language to vote without assistance and the “Directions to Voter” section of the voting paper is not translated into any other language with which he is sufficiently familiar to enable him to vote without assistance, he may vote in accordance with the following provisions:

(a) If the voter exercises his vote at a polling booth, section 36 of the Act shall apply with the necessary modifications:

(b) If the elector votes otherwise than at a polling booth, the witness to the declaration shall mark the voting paper or papers as instructed by the elector. A person nominated by the voter may also be present when the voting paper is marked, and may, if so desired by the voter, inspect the voting paper before it is sealed in the inner envelope.

8. Use of ordinary voting paper by special voter—(1) Notwithstanding anything in subsection (1) or subsection (2) of section 38 of the Act, or in any other provision of these regulations, where the name of any person who applies in person for a special vote appears on a copy of the roll used for the purpose of the election, the Issuing Officer may, if he thinks fit, instead of issuing to that person a special voting paper and a declaration, issue to that person a voting paper in form 6 in the First Schedule to the Act, and that voting paper shall be treated as if it had been issued under section 32 of the Act.

(2) Where a voting paper in form 6 in the First Schedule to the Act is issued under subclause (1) of this regulation, the special vote shall be exercised forthwith by the voter in accordance with section 34 of the Act, and the Act shall thereupon apply as if the voter had exercised his vote at a polling booth during the hours of voting, and, notwithstanding section 29 of the Act, the Returning Officer or Deputy Returning Officer shall provide a locked ballot box for the deposit of ordinary voting papers issued in accordance with subclause (1) of this regulation.

9. Duty of persons present when vote exercised—Every person present when an elector is exercising a special vote—

- (a) Shall comply with such of the foregoing provisions of these regulations as relate to him; and
- (b) Shall, except as provided in regulation 7 (6) of these regulations, refrain from looking at or making himself acquainted with the vote given by the elector, and shall not in any way attempt to influence or interfere with the elector in the exercise of his vote or allow any person to see or become acquainted with the elector's vote or to assist the elector to vote or to interfere in any way with the elector in relation to his vote.

10. Endorsement of outer and declaration envelopes received after close of poll—Any outer envelope, or declaration envelope not contained in an outer envelope, received after the close of the poll by a Returning Officer or a Deputy Returning Officer shall be marked "Received after close of poll" and signed by him.

11. Delivery of applications and special-voting papers to Returning Officer—(1) Every Issuing Officer shall, either before or as soon as practicable after the close of the poll, transmit or deliver to the Returning Officer all written applications for special votes issued by the Issuing Officer.

(2) Every Deputy Returning Officer shall, either before or as soon as practicable after the close of the poll, transmit or deliver to the Returning Officer every envelope received by the Deputy Returning Officer which appears to contain a special-voting paper.

12. When special votes received at polling booth—Every Deputy Returning Officer shall include in his certificate, furnished under section 39 (1) (f) of the Act, the number of envelopes apparently containing special votes received at his polling booth on polling day.

13. Numbering of declarations and envelopes—The Returning Officer shall, either at intervals before the close of the poll or as soon as practicable after the close of the poll,—

- (a) Open every outer envelope received by him, and extract therefrom the declaration envelope, or the declaration form and inner envelope, as the case may require; and
- (b) Place a consecutive number on every declaration envelope and declaration form received by him, and place the same number on—
 - (i) The relative outer envelope where one is used;
 - (ii) The relative inner envelope where it is not enclosed in a declaration envelope;

Provided that the outer envelope need not be numbered if it is securely attached to the relative declaration form or declaration envelope, as the case may be.

14. Declaration form enclosed in inner envelope—(1) Notwithstanding anything in these regulations, if the Returning Officer has reason to believe that the declaration form in respect of any special vote is enclosed in the inner envelope containing the voting paper or papers, he may open the inner envelope and extract the declaration form.

(2) In every such case he shall immediately reseal the envelope containing the voting paper or papers, and shall do everything possible to preserve the secrecy of the ballot. Upon resealing the envelope, he shall endorse on it the words “Opened pursuant to regulation 14”, and shall sign the endorsement.

15. Checking of declarations, and disallowance of special votes received late—(1) Where the Returning Officer has taken the action specified in regulation 13 of these regulations before the close of the poll, he shall immediately proceed to check the declaration in accordance with regulation 16 of these regulations.

(2) Where the Returning Officer has taken the action specified in regulation 13 of these regulations after the close of the poll, he shall—

- (a) Examine the declaration and the outer envelope (if any) to ascertain whether any special vote was received before or after the close of the poll; and
- (b) If he is satisfied that any special vote was not received before the close of the poll, he shall disallow the vote.

(3) Where the Returning Officer disallows a vote under subclause (2) of this regulation, or has marked any outer envelope or declaration envelope in accordance with regulation 10 of these regulations, he shall set aside unopened the inner envelope and declaration, or the unopened declaration envelope, as the case may be, and shall write across each such envelope and declaration the words “Disallowed—received late”.

16. Allowance or disallowance of special vote received in time—

(1) The Returning Officer shall proceed as follows to deal with every special vote not disallowed under regulation 15 of these regulations:

- (a) He shall disallow the vote unless the declaration is completed in such a manner that, in the opinion of the Returning Officer, it identifies the voter and—

- (i) The declaration is signed by both the declarant and the witness who, not being an Issuing Officer, has added his usual residential address; or

- (ii) The Returning Officer is satisfied that the declarant signed the declaration in the presence of an Issuing Officer, although the Issuing Officer has omitted to sign as witness,—and, where he disallows the vote under this paragraph, he shall endorse on the inner envelope and the declaration form, or on the declaration envelope, as the case may be, the words “Disallowed, declaration not in order”:

- (b) Where the vote is not disallowed under paragraph (a) of this subclause, the Returning Officer shall then ascertain whether the voter was qualified to vote by virtue of the fact that—
 - (i) His name appears on the roll; or

- (ii) His name does not appear on the roll but is included on the most recently published electoral roll for the Parliamentary election, and the address shown thereon is within the local government area and is his present residential address:
- (c) If the Returning Officer is satisfied that the voter was so qualified he shall endorse on the declaration the words "Qualified to vote", and shall allow the vote:
- (d) If the Returning Officer is not satisfied that the voter was so qualified, he shall send the declaration form or the declaration envelope, as the case may be, unopened to the Clerk of the local authority for him to determine under subclause (2) of this regulation whether or not the voter was qualified to vote.
- (2) Where a declaration form or declaration envelope is received by the Clerk of the local authority under subclause (1) (d) of this regulation, he shall ascertain whether the voter was qualified to vote by reason of the fact that—
- (a) The voter's name appeared on the roll prepared for the previous triennial general election, he still possesses a qualification as an elector, and his name was not removed from the roll pursuant to any enactment; or
- (b) The voter was qualified for enrolment as an elector of the local government area and had made application for enrolment before the closing of the roll; or
- (c) The voter had qualified as an elector not earlier than the day preceding the day on which the roll was closed and before polling day, and had applied before polling day to have his name entered on the roll; or
- (d) At the time of the closing of the roll the voter possessed a qualification under any enactment to be enrolled as an occupier of rateable property in the local government area and notice of that qualification had been given to the local authority;—
- and, if he is satisfied that the voter was so qualified to vote, he shall endorse on the declaration the words "Qualified to vote". If he is not so satisfied, he shall endorse on the declaration the words "Not qualified". After having endorsed the declaration as aforesaid, he shall return the declaration form or the declaration envelope, as the case may be, to the Returning Officer. Where the Clerk of the local authority has so endorsed on the declaration the words "Qualified to vote", the Returning Officer shall allow the vote.
- (3) Where—
- (a) The Clerk of the local authority has so endorsed on the declaration the words "Not qualified"; and
- (b) Either—
- (i) The voter has deleted the whole of paragraph 2 of the declaration; or
- (ii) The voter has otherwise indicated that his name is not included on the most recently published electoral roll for the Parliamentary election and has not been omitted from that roll by virtue of a direction under section 62A of the Electoral Act 1956, and that the voter has not enrolled on the roll for the Parliamentary election since that roll was most recently published; or
- (iii) The voter's present residential address is not within the local government area of the local authority,—

the Returning Officer shall disallow the vote, and shall endorse on the declaration the words "Disallowed—not qualified".

(4) Where—

(a) The Clerk of the local authority has so endorsed on the declaration the words "Not qualified", but the voter has declared that he enrolled as a Parliamentary elector; and

(b) The voter's present residential address is within the local government area of the local authority,—

the Returning Officer shall send the declaration form or the declaration envelope, as the case may be, to the Registrar of Electors under the Electoral Act 1956 for the electoral district appropriate to the voter's present residential address:

Provided that notwithstanding anything in subclause (2) of this regulation, the Clerk of the local authority may, by arrangement with the Returning Officer, retain the declaration form or declaration envelope, as the case may be, and in place of the Returning Officer take the action prescribed in this subclause.

(5) Where a declaration form or declaration envelope is received by the Registrar of Electors under subclause (4) of this regulation, he shall forthwith ascertain whether the elector was qualified to vote by reason of the fact that—

(a) The voter's name is included on the most recently published electoral roll for the Parliamentary election and the address shown on that roll or the address in respect of which the voter is registered as a Parliamentary elector is the voter's present residential address; or

(b) The voter's name has been omitted from the most recently published electoral roll for the Parliamentary election by virtue of a direction under section 62A of the Electoral Act 1956 and the address in respect of which the voter is registered as a Parliamentary elector is the voter's present residential address; or

(c) The voter has enrolled on the roll for the Parliamentary election since that roll was most recently published and the address in respect of which the voter is registered as a Parliamentary elector is the voter's present residential address.

(6) If the Registrar of Electors is satisfied that the voter was so qualified under subclause (5) of this regulation, he shall endorse on the declaration the words "Qualified to vote" and the name of the electoral district and shall forthwith return the declaration form or the declaration envelope, as the case may be, to the Returning Officer, who shall allow the vote.

(7) If the Registrar of Electors is not satisfied that the voter was so qualified under subclause (5) of this regulation, he shall endorse on the declaration the words "Not qualified" and the name of the electoral district.

(8) Where the Registrar of Electors has so endorsed on the declaration the words "Not qualified", the Returning Officer shall disallow the vote, and shall endorse on the declaration the words "Disallowed—not qualified".

(9) For the purposes of subclauses (4) and (5) of this regulation, where the declaration form or the declaration envelope, as the case may be, is

sent to or by the Returning Officer or the Clerk of the local authority or the Registrar of Electors, it shall be sent—

- (a) By hand; or
- (b) By registered post.

(10) Where the declaration form or the declaration envelope, as the case may be, is to be sent by the Returning Officer (or by the Clerk of the local authority under arrangements made pursuant to subclause (4) of this regulation) to the Registrar of Electors in accordance with the said subclause (4), the Returning Officer or the Clerk, as the case may be, may send, in place of the declaration form or the declaration envelope, a list showing such details from the declaration as are necessary for the Registrar of Electors to determine whether the voter was qualified to vote, and in any such case subclauses (5) to (8) of this regulation shall apply as if—

- (a) The references therein to a declaration (except the second reference in subclause (8)) were references to such a list; and
 - (b) For the words “subclause (4)” in subclause (5) there were substituted the words “subclause (10)”.
- (11) A list sent to or by the Registrar of Electors pursuant to subclause (10) of this regulation need not, if it is sent by post, be sent by registered post.

17. Procedure where vote allowed—(1) Where the Returning Officer allows a vote under regulation 16 of these regulations, he shall—

- (a) Where the declaration is printed on a separate form, identify the inner envelope with the declaration, and shall then place the inner envelope in a ballot box specially set aside for the purpose;
- (b) Where a declaration envelope is used, open that envelope and extract therefrom the inner envelope and then place that inner envelope in that ballot box.

(2) The Returning Officer may place the inner envelopes containing votes allowed by him before the close of the poll in a separate ballot box, and after the close of the poll that ballot box may be opened and the votes counted by him in the presence of a poll clerk or Deputy Returning Officer. Those votes may be included in the provisional announcement of the total number of votes received by each candidate at the election made pursuant to section 39 of the Act.

(3) The votes so counted shall be made up into a parcel and held for production at the scrutiny of the roll and official count under sections 41 and 42 of the Act.

(4) Subsections (1), (2), and (4) of section 27 of the Act shall apply with respect to the place where votes are counted under this regulation as if it were a polling booth.

18. Declaration forms to be held by Returning Officer for scrutiny—The Returning Officer shall hold for production at the scrutiny of the rolls under section 41 of the Act all declarations examined by him under regulation 15 of these regulations, together with those in respect of special votes which he has disallowed as having been received late.

19. Opening of envelopes containing votes allowed—Subject to regulations 14 and 17 (2) of these regulations, the inner envelopes placed in the ballot box in accordance with regulation 17 of these regulations

shall not be opened until the official count conducted under section 42 of the Act, and shall then be opened in the presence of such scrutineers as choose to be present.

20. Additional information may be requested—(1) Where it appears to the Issuing Officer that a person has applied for a special vote pursuant to paragraph (a) or paragraph (b) or paragraph (c) of section 37 of the Act, the Issuing Officer may request that person to give, either orally or in writing, such additional information as the Issuing Officer considers necessary to assist the Returning Officer in determining the merits of the application:

Provided that the Issuing Officer shall not refuse to issue special-voting papers to the applicant, and no special vote shall be disallowed, on the ground that any such additional information is not supplied.

(2) The additional information that may be requested under subclause (1) of this regulation may be written on the declaration form or declaration envelope, but shall not form part of the declaration.

21. Modification of regulations where election or poll held over consecutive days—(1) Where pursuant to Part IV of the Act any election or poll is held over consecutive days, these regulations shall have effect as if they had been amended as follows:

- (a) By omitting from regulation 4 (1) (a) the words “polling day”, and substituting the words “the last day of the polling period”:
- (b) By omitting from regulation 12 the words “polling day”, and substituting the words “any day during the polling period”:
- (c) By omitting from regulation 16 (2) (c) the words “polling day” in both places where they occur, and substituting in each case the words “the day he applies to vote”:
- (d) By omitting from paragraph (c) of form 1 in the Schedule the words “polling day” wherever they occur, and substituting in each case the words “the day he applies to vote”:
- (e) By omitting from paragraphs (e) to (g) of the same form the words “on polling day”, and substituting in each case the words “during the polling period”:
- (f) By omitting paragraph (j) of the same form:
- (g) By omitting every reference to the close of the poll, and substituting in each case a reference to the close of the poll on the last day of the polling period.

(2) For the purposes of any such election or poll, a printed form of declaration in form 1 may be amended by the Returning Officer so as to accord with subclause (1) of this regulation.

22. Offences—Every person commits an offence, and is liable on summary conviction to a fine not exceeding \$100, who—

- (a) Improperly obtains or retains a special-voting paper, or makes a false statement for the purpose of obtaining a special-voting paper, or persuades or induces, or associates himself with any person in persuading or inducing, any person to make such a false statement; or
- (b) Being a person to whom an envelope containing or purporting to contain a special-voting paper is entrusted by a voter for the purpose of posting or delivering it to a Returning Officer or Deputy Returning Officer, fails forthwith to post or deliver the envelope; or

- (c) In any manner delays the posting or delivery of any envelope containing or purporting to contain a special-voting paper; or
- (d) Makes a false statement or declaration for the purposes of these regulations; or
- (e) Acts in contravention of or fails to comply in any respect with any of the provisions of these regulations.

23. Revocations—The following regulations are hereby revoked:

- (a) The Local Elections and Polls (Special Voting) Regulations 1977*;
- (b) The Local Elections and Polls (Special Voting) Regulations 1977, Amendment No. 1†.

*S.R. 1977/7
†S.R. 1977/100

SCHEDULE

Regs. 3 (1), 5 (3), and 16 (3), (4) FORM 1

DECLARATION BY SPECIAL VOTER

No. on Roll Consecutive Number.....

(where known).....

Official mark

I HEREBY declare that to the best of my knowledge and belief the following statements are true:

1. I am an elector (or qualified to be an elector) of [State local government area of local authority and, if applicable, ward, riding, or other subdivision, as the case may require].

2. I am enrolled as a Parliamentary elector. [Delete if not enrolled.]

3. My surname (or family name) and full Christian (or first) name(s) are:

Surname (or family name):

Full Christian (or first) name(s):

4. My occupation is [Female elector to show occupation or marital status, whichever she wishes to appear on roll].

5. My residential address is:

6. The address of the property in respect of which I hold my qualification is [Complete if different from 5 above]:

7. I have not already voted at this election (poll).

8. I am entitled to vote as a special voter because one or more of the paragraphs printed on the back of this form apply to me. The paragraph or paragraphs that apply to me are: [Insert the letter or letters.]

Signature of elector:

Date:

Signature of witness:

Official Mark if Witness is Issuing Officer

Address of witness (if not Issuing Officer):

IMPORTANT—Read the information printed on the back of this form

SCHEDULE—*continued*FORM 1—*continued*DECLARATION BY SPECIAL VOTER—*continued*

[Back]

PERSONS ENTITLED TO VOTE AS SPECIAL VOTERS

Any elector may vote at any election or poll as a special voter, if—

- (a) The elector's name does not appear on the copy of the roll used for that election or has been deleted from that copy, and the elector has reasonable cause to believe that the elector's name was entered on the roll or, as the case may be, should not have been deleted from that copy; or
- (b) The elector's name does not appear on the electoral roll in use for that election but—
 - (i) The elector's name is included on the most recently published electoral roll for the Parliamentary election and the address shown on that roll or the address in respect of which the elector is registered as a Parliamentary elector is within the local government area and is the elector's present residential address; or
 - (ii) The elector's name has been omitted from the most recently published electoral roll for the Parliamentary election by virtue of a direction under section 62A of the Electoral Act 1956 and the address in respect of which the elector is registered as a Parliamentary elector is within the local government area and is the elector's present residential address; or
 - (iii) The elector has enrolled on the roll for the Parliamentary election since that roll was most recently published and the address in respect of which the elector is registered as a Parliamentary elector is within the local government area and is the elector's present residential address; or
- (c) The elector has qualified as an elector not earlier than the day preceding the day on which the roll was closed and before polling day and has applied before polling day, to have the elector's name entered on the roll; or
- (d) In the case of an election relating to a ward or community, the elector has qualified as an elector and the name of the elector is entered on a roll for the territorial authority in whose district the ward or community is situated, but is not entered on a roll in respect of that ward or community; or
- (e) The elector will on polling day be outside New Zealand; or
- (f) The elector will be absent from the local government area on polling day; or
- (g) The elector will throughout the hours of voting on polling day be travelling under conditions which will preclude the elector from attending to vote at any polling place appointed for the local government area; or
- (h) The elector is ill or infirm, and by reason of that illness or infirmity will be precluded from attending to vote at any polling place appointed for the local government area; or

SCHEDULE—*continued***FORM 1—*continued*****DECLARATION BY SPECIAL VOTER—*continued***

- (i) In the case of a woman, she will by reason of pregnancy or recent childbirth be precluded from attending to vote at any polling place appointed for the local government area; or
- (j) The elector has a religious objection to voting at a polling place on the day of the week on which polling day falls; or
- (k) The elector satisfies the Returning Officer or Deputy Returning Officer that on any other ground it will not be possible for the elector to vote at a polling place appointed for the local government area without incurring hardship or undue inconvenience.

METHOD OF VOTING AS A SPECIAL VOTER

Follow the instructions printed on the small envelope supplied with the voting paper or voting papers.

SCHEDULE—*continued*

FORM 2

Reg. 3 (2)

SPECIAL-VOTING PAPER AT AN ELECTION

[*Consecutive Number*]*Directions to Voter*

(Read carefully before voting)

1. Write "X" in the square immediately after the name of the candidate(s) for whom you wish to vote.
2. You must not vote for more than [*Insert number*] candidate(s). However, you may vote for less than that number of candidates if you wish. [*Omit the second sentence if only one candidate is to be elected.*]
3. After voting, fold the voting paper and place it in the small envelope.
4. If you spoil this voting paper, you may return it to the officer who issued it and apply for a fresh one.
5. Read the instructions on the small envelope issued with this voting paper.

SPECIAL-VOTING PAPER

[*Name of Local Government Area*]Election of Mayor (*or of* [*Insert number*] Councillors, *or as the case may be*)

ARMSTRONG, Thomas	
BURTON, Gerald	
HORNSBY, William	
McKENZIE, Donald [<i>Grocer</i>]	
McKENZIE, Donald [<i>Ironmonger</i>]	
SHAW, Thomas	

[NOTES*—1. If the number of candidates is such that in the opinion of the Returning Officer their names should be set out in more than one column, each column must be separated from every other column in such a way that the voter is not likely to be misled.]

2. As to the insertion of party accreditations or other designations see section 25 (1) of the Act.]

*Not to be printed as part of the form.

SCHEDULE—continued

Reg. 3 (2)

FORM 3

ALTERNATIVE SPECIAL-VOTING PAPER AT AN ELECTION
[Consecutive Number]

Directions to Voter

(Read carefully before voting)

1. Write the name (*or* names) of the candidate (*or* candidates) for whom you desire to vote on the line (*or* lines) provided below.
2. You must not vote for more than [*Insert number*] candidate(s). However, you may vote for less than that number of candidates if you wish. [*Omit the second sentence if only one candidate is to be elected.*]
3. After voting, fold the voting paper and place it in the small envelope.
4. If you spoil this voting paper, you may return it to the officer who issued it and apply for a fresh one.
5. Read the instructions on the small envelope issued with this voting paper.



SPECIAL-VOTING PAPER

[Name of Local Government Area]

Election of Mayor (*or* of [*Insert number*] Councillors, *or as the case may be*).



SCHEDULE—*continued*

FORM 4

Reg. 3 (3)

SPECIAL-VOTING PAPER AT A POLL ON A LOAN PROPOSAL

[*Consecutive Number*]*Directions to Voter*

(Read carefully before voting)

1. If you wish to vote *for* the loan write "X" in the square at the end of the line "I Vote For the Loan". If you wish to vote *against* the loan, write "X" in the square at the end of the line "I Vote Against the Loan".
2. After voting, fold the voting paper and place it in the small envelope.
3. If you spoil this voting paper, you may return it to the officer who issued it and apply for a fresh one.
4. Read the instructions on the small envelope issued with this voting paper.

 SPECIAL-VOTING PAPER
[*Name of Local Government Area*]
 Proposal to Raise a Special Loan Under the Local Authorities Loans Act
1956

 [*Insert the information specified in paragraphs (b) to (e) of section 35 of that Act,
and any other statements required by the Local Authorities Loans Board.*]

I Vote For the Loan	
I Vote Against the Loan	

SCHEDULE—continued

Reg. 3 (4)

FORM 5

SPECIAL-VOTING PAPER AT A POLL UNDER SECTION 13 OR
SECTION 20 OF THE RATING ACT 1967

[Consecutive Number]

Directions to Voter

(Read carefully before voting)

1. If you wish to vote for [State name of existing system] rating, write the letter "X" in the square at the end of the line "I Vote For [State name of existing system] Rating". If you wish to vote for [State name of proposed new system] rating, write the letter "X" in the square at the end of the line "I Vote For [State name of proposed new system] Rating".

2. After voting, fold the voting paper and place it in the small envelope.

3. If you spoil this voting paper, you may return it to the officer who issued it and apply for a fresh one.

4. Read the instructions on the small envelope issued with this voting paper.

SPECIAL-VOTING PAPER

[Name of Local Government Area]

Proposal to Change System of Rating from Rating on the [State name of existing rating system] to Rating on the [State name of proposed new system].

I Vote For [State name of existing system] Rating	
I Vote For [State name of proposed new system] Rating	

SCHEDULE—*continued*

FORM 6

Reg. 3 (5)

SPECIAL-VOTING PAPER AT A POLL ON A PROPOSAL (OTHER
THAN A LOAN PROPOSAL OR A PROPOSAL TO CHANGE THE
SYSTEM OF RATING)

[Consecutive Number]

Directions to Voter

(Read carefully before voting)

1. If you support the proposal, write "X" in the square at the end of the line "I Vote For the Proposal". If you oppose the proposal, write "X" in the square at the end of the line "I Vote Against the Proposal".

2. After voting, fold the voting paper and place it in the small envelope.

3. If you spoil this voting paper, you may return it to the officer who issued it and apply for a fresh one.

4. Read the instructions on the small envelope issued with this voting paper.

 SPECIAL-VOTING PAPER

[Name of Local Government Area]

Proposal to [State full particulars of the proposal].

I Vote For the Proposal	
I Vote Against the Proposal	

SCHEDULE—continued

Reg. 3 (6)

FORM 7

MATTER TO BE PRINTED ON COUNTERFOIL OF SPECIAL-VOTING PAPER

SPECIAL |

Consecutive No.: |

[To be entered here and also on voting paper] |

Consecutive Number of Declaration: |

[To be entered here only] |

No. on Roll (if any): |

[To be entered here only] |

Stamp across the perforations so that the number of the polling booth will appear on both the counterfoil and the voting paper

Official Mark |



Reg. 5 (4)

FORM 8

INSTRUCTIONS TO BE PRINTED ON FACE OF INNER ENVELOPE (WHERE A SEPARATE DECLARATION FORM IS USED)

ENVELOPE FOR VOTING PAPERS ONLY

Instructions to Special Voters

1. Complete the declaration.
2. Mark the voting paper(s) to indicate how you wish to vote.
3. Place the voting paper(s), but **NOT** the declaration form, in this envelope and seal it.
4. Place both the declaration form and this envelope (with your vote in it) inside the envelope addressed to the Returning Officer.
5. Seal that envelope and then transmit or deliver it to reach the Returning Officer or any Deputy Returning Officer for the local government area before the close of the poll.

SCHEDULE—*continued*FORM 8—*continued*

ALTERNATIVE INSTRUCTIONS TO BE PRINTED ON FACE OF
INNER ENVELOPE (WHERE A DECLARATION ENVELOPE IS
USED)

ENVELOPE FOR VOTING PAPERS ONLY**Instructions to Special Voters**

1. Complete the declaration.
2. Mark the voting paper(s) to indicate how you wish to vote.
3. Place the voting paper(s) in this envelope and seal it.
4. Place this envelope (with your vote in it) in the envelope which has the declaration printed on it.
5. Seal that envelope and hand it to the Deputy Returning Officer or, if you have exercised your vote outside a polling booth, place it in the large envelope addressed to the Returning Officer and transmit or deliver that large envelope to reach the Returning Officer or any Deputy Returning Officer for the local government area before the close of the poll.

P. G. MILLEN,
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 replace the Local Elections and Polls (Special Voting) Regulations 1977.

The regulations are brought into line with the changes in the law effected by the Local Elections and Polls Amendment Act 1982 and by section 32 of the Local Government Amendment Act (No. 2) 1982.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 7 April 1983.

These regulations are administered in the Department of Internal Affairs.