

Serial Number 1949/178

THE RABBIT BOARD POSTAL-VOTING REGULATIONS 1949

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 23rd day of
November, 1949

Present :

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Rabbit Nuisance Act, 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

PART I—PRELIMINARY

1. These regulations may be cited as the Rabbit Board Postal-voting Regulations 1949.
2. These regulations shall come into force on the 12th day of December, 1949.
3. In these regulations, unless the context otherwise requires,—
 - “ The said Act ” means the Rabbit Nuisance Act, 1928 :
 - “ Board ” means a Rabbit Board established under the said Act :
 - “ District ” means the district within the jurisdiction of a Board :
 - “ Election ” includes both a general election and an election to fill an extraordinary vacancy on a Board :
 - “ Poll ” means a poll on a proposal to be submitted to the vote of the ratepayers of any district :
 - “ Public notice ” means publication in a newspaper commonly circulating in the district, and, if there is no such newspaper, publication by placards posted in conspicuous places throughout the district :
 - “ Roll ” means the roll of electors or ratepayers for a rabbit district for the time being in force pursuant to the provisions of the said Act :
 - “ Voter ” means an elector in respect of any election, or a ratepayer in respect of any poll.
4. The Rabbit Board Postal-voting Regulations 1942* are hereby revoked.
5. The provisions of these regulations shall apply in every case in which an election or a poll is conducted by a system of postal voting instead of by ballot in accordance with the provisions in that behalf of the Local Elections and Polls Act, 1925.

* Statutory Regulations 1942, Serial number 1942/100, page 231.

6. Except so far as other provision is made by these regulations, the provisions of the Local Elections and Polls Act, 1925, shall apply to elections or polls conducted by a system of postal voting.

7. All resolutions and generally all acts of authority which originated or had effect under the regulations hereby revoked and are of continuing effect at the time of the coming into force of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

PART II—ADOPTION OF SYSTEM

8. Any Board may by resolution decide that any specified election or poll or all elections or polls thereafter held be conducted by a system of postal voting.

9. Any such resolution may from time to time be rescinded.

10. No such resolution or rescinding resolution shall have any application to an election or poll in respect of which the Returning Officer shall at the time of the passing thereof have already given the notice prescribed by section 7 of the Local Elections and Polls Act, 1925, or by section 54 of that Act.

11. The Returning Officer appointed by the Minister of Agriculture to hold the first election of members of the Board of a newly constituted rabbit district pursuant to subsection (1) of section 49 of the said Act may, with the approval of the Minister, decide that such election be conducted by a system of postal voting.

PART III—STEPS PRIOR TO ELECTION OR POLL

12. There shall be set out in the ratepayers' list opposite the name of every person enrolled therein the full postal address of such person.

13. Where a voter is entitled to exercise more than one vote the Returning Officer shall write on the roll against the name of such voter a number denoting the number of votes which such voter is entitled to exercise.

14. Notwithstanding anything contained in section 7 of the Local Elections and Polls Act, 1925, the Returning Officer shall, not less than twenty-eight clear days before the day appointed for any election, give public notice thereof, and shall in such notice appoint a place within the district, and a day not less than fourteen nor more than twenty-one days (exclusive of the day of election) before the election for the nomination of candidates.

15. Notwithstanding anything contained in section 54 of the Local Elections and Polls Act, 1925, the Returning Officer shall, not less than fourteen days nor more than twenty-one clear days before the day appointed for any poll on any proposal, give public notice thereof, and shall in such notice state that the poll will be taken by postal ballot.

PART IV—ELECTIONS OR POLLS

16. If in respect of any election the number of candidates nominated exceeds the number of vacancies then to be filled, the Returning Officer shall forthwith give notice of the day on which the poll for that election is to be taken and of the names of the several candidates, and shall in such notice state that such poll will be taken by postal ballot.

17. The Returning Officer shall cause voting-papers to be printed—
- (a) In the case of an election, in the form numbered 1 in the Schedule hereto ; or
 - (b) In the case of a poll, in the form numbered 2 or 3 in the said Schedule, as the case may require.

18. The Returning Officer shall forward by post, addressed to each voter at the address appearing on the roll, such number of voting-papers as is equivalent to the number of votes which such voter is entitled to exercise, together with an envelope addressed to the Returning Officer and bearing on its face the consecutive number appearing on the roll against the name of the voter to whom the voting-paper or voting-papers is or are forwarded, and bearing also such marks or statement as will serve to identify it as an envelope issued in connection with the particular election or poll.

19. On proof to his satisfaction by statutory declaration or otherwise that a voter has not received his voting-paper or voting-papers in due course or post, or that any voting-paper received by a voter or its addressed envelope was accidentally destroyed before being used, the Returning Officer may issue a further voting-paper or voting-papers, as the case may be, to that voter in such manner as he thinks fit, together with an envelope addressed as aforesaid and bearing on its face the number aforesaid, with an additional distinguishing-mark to indicate its issue under this regulation.

20. No voting-paper shall be valid unless it is received by the Returning Officer in the envelope issued with such voting-paper as aforesaid and unless such voting-paper is delivered to the Returning Officer at or before six o'clock in the afternoon of the day appointed for the taking of the poll on any proposal or in respect of any election.

21. Voting-papers duly enclosed in the official addressed envelope may be delivered to the Returning Officer by hand or by post.

22. Delivery into the private receiving-box of the Returning Officer at a post-office shall be deemed delivery to the Returning Officer, but delivery to any officer of the post-office or other person shall not be deemed delivery to the Returning Officer.

PART V—RESULT OF ELECTION OR POLL

23. Forthwith upon the closing of the poll the Returning Officer shall, in the presence of such scrutineers as are present, compare the numbers on the envelopes received with the numbers on the roll, and shall reject any envelope not appearing to him to be issued in connection with the particular election or poll or not appearing to him to contain the genuine voting-paper of a person enrolled as a voter, and shall then obliterate every number and distinguishing-mark on the remaining envelopes.

24. The Returning Officer shall then open the remaining envelopes and shall make up and provisionally announce the total number of votes received by each candidate at the election or the result of any poll.

SCHEDULE

Form No. 1 (Regulation 17 (a))

VOTING-PAPER

*The [Insert name of Board] Rabbit Board*GENERAL ELECTION OF [*Insert number of members fixed pursuant to section 37 of the Act*] MEMBERS

Or,—

ELECTION OF MEMBER(S) TO FILL EXTRAORDINARY VACANC(Y)(IES)

ARMSTRONG, Thomas	
BURTON, Charles	
HORNBY, William	
MACKENZIE, Donald (of Bell Road)	
McKENZIE, John (of Gordon Road)	
SHAW, Thomas	

Directions

The voter is to mark a cross in the square set opposite the name of each candidate for whom he desires to vote.

Not more than candidates are to be voted for. If a voter marks more than crosses, this voting-paper will be invalid.

The voter, after marking this voting-paper, is to enclose and seal it (together with other voting-papers (if any) sent to him for marking) in the accompanying official addressed envelope, which he is then to transmit to the Returning Officer, [*Name of Board*] Rabbit Board, at so as to be delivered at his office at or before six o'clock in the afternoon of day, the day of, 19... A voting-paper not transmitted in the official envelope will be invalid.

Form No. 2 (Regulation 17 (b))

VOTING-PAPER

*The [Insert name of Board] Rabbit Board*PROPOSAL TO [*State full particulars of the proposal*]

FOR THE PROPOSAL	
AGAINST THE PROPOSAL	

Directions

If the voter desires to vote for the proposal, he must mark a cross in the square at the end of the line "For the proposal". If he desires to vote against the proposal, he must mark a cross in the square at the end of the line "Against the proposal".

The voter, after marking this voting-paper, is to enclose and seal it (together with other voting-papers (if any) sent to him for marking) in the accompanying official addressed envelope, which he is then to transmit to the Returning Officer, [*Name of Board*] Rabbit Board, at, so as to be delivered at his office at or before six o'clock in the afternoon of day, the day of, 19... A voting-paper not transmitted in the official envelope will be invalid.

SCHEDULE—continued

Form No. 3 (Regulation 17 (b))

The [Insert name of Board] *Rabbit Board*

PROPOSAL TO RAISE A SPECIAL LOAN UNDER THE LOCAL BODIES' LOANS ACT, 1926

[Insert full particulars of the notice required by section 10 of that Act, and any statements required by the Local Government Loans Board]

FOR THE PROPOSAL	
AGAINST THE PROPOSAL	

Directions

If the voter desires to vote for the proposal, he must mark a cross in the square at the end of the line " For the proposal ". If he desires to vote against the proposal, he must mark a cross in the square at the end of the line " Against the proposal ".

The voter after marking this voting-paper is to enclose and seal it (together with other voting-papers (if any) sent to him for marking) in the accompanying addressed envelope, which he is then to transmit to the Returning Officer, [*Name of Board*] *Rabbit Board* at so as to be delivered at his office at or before six o'clock in the afternoon of day, the day of, 19... A voting-paper not transmitted in the official envelope will be invalid.

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

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 1st day of December, 1949.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 4800.)