

said Act, doth hereby modify the provisions of section 5 of the said Act to the extent set forth in the Schedule hereto, and doth declare that this Order in Council shall have effect as from date of publication in the *Gazette*.

SCHEDULE.

1. By substituting the word "four" for "five" in paragraph (b) of subsection (2) of section 5.
2. By inserting the word "Canterbury" before the word "Nelson" in paragraph (c) of subsection (3) of section 5.
3. By suspending the operation of paragraph (d) of subsection (3) of section 5.

F. D. THOMSON,
Clerk of the Executive Council.

Regulations prescribing the Manner of taking the Votes of Producers for the Purpose of Election of Members of the New Zealand Fruit-export Control Board.—Notice No. Ag. 2515.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 6th day of August, 1925.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Fruit Control Act, 1924, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby revoke the Order in Council made and gazetted on the twenty-second day of December, one thousand nine hundred and twenty-four, making regulations prescribing the manner of taking the votes of producers for the purpose of the election of members of the New Zealand Fruit-export Control Board, and in lieu thereof doth hereby make the following regulations. And doth order that such revocation shall take effect and the regulations hereby made come into force on the date of the publication hereof in the *Gazette*.

REGULATIONS.

1. PRELIMINARY.

(1.) THESE regulations may be cited as "The Fruit-export Control Board Election Regulations, 1925."

(2.) In these regulations, where not inconsistent with the context,—

"The Board" means the New Zealand Fruit-export Control Board:

"The said Act" means the Fruit Control Act, 1924:

"The Minister" means the Minister of Agriculture:

"Producer" means any person carrying on business as a producer of fruit for sale and being the occupier of an orchard registered under the Orchard and Garden Diseases Act, 1908, from which at least one hundred cases of fruit the produce of that orchard were exported from New Zealand in the year immediately preceding the year in which an election is held:

"Roll" includes any roll of producers in a provincial district as described in Regulation No. 3 hereof.

(3.) Unless the contrary intention appears, expressions used herein have the same meanings as in the said Act.

2. RETURNING OFFICER.

For the purpose of taking votes of producers and of conducting elections and polls under the said Act the Minister shall appoint a Returning Officer, who shall make all necessary arrangements.

3. ROLLS.

(1.) For the purpose of the election of producers' representatives the Returning Officer shall prepare separate rolls of producers in the provincial districts (as varied by subsection (1) of section (2) of the said Act) in respect of which an election is necessary.

(2.) Such rolls shall contain in alphabetical order the surnames of the producers entered thereon, together with their first names and addresses so far as known to the Returning Officer, and the names entered shall be numbered consecutively.

(3.) Such rolls shall be compiled from the nominal list of exporters of fruit in the possession of the Department of Agriculture, but the Returning Officer may exclude from the rolls the name of any person appearing in the said list whom he has reason to believe nevertheless not qualified to vote as a producer at the next succeeding election, and may add to

the rolls the name of any person not appearing in the said list whom he has reason to believe qualified so to vote.

(4.) Where one of two or more persons is entitled to vote in respect of the joint occupation of any orchard the Returning Officer shall enter on the roll the name of such one of the said persons as he shall think fit, but at any time before the closing of the roll on application in writing signed either by the person whose name is so entered or by a majority of the persons appearing jointly to occupy the said orchard the name of some other one of the said persons may be inserted on the roll in lieu of the name first inserted.

(5.) The entry of the name of any person entitled to vote by virtue of the provisions of subsection (4) or subsection (5) of section 35 of the said Act shall be followed by the words "appointed by [*Name of corporate body or firm*]."

(6.) The said rolls shall be deposited in the Head Office of the Department of Agriculture not later than the 10th day of August in every year and shall be open to public inspection during ordinary office hours for a period of three weeks thereafter.

(7.) Any person may, from time to time during the said period of three weeks, lodge with the Returning Officer an objection in writing under his hand to any roll on either of the following grounds:—

(a.) That any person whose name is on such roll is at the time of lodging the objection not qualified to vote as a producer at the next succeeding election.

(b.) That any person whose name is not on such roll is qualified so to vote and is entitled to have his name placed on the roll.

(8.) The Returning Officer shall, without the necessity of calling upon or hearing any objector or person affected, decide the matter of such objection, and make such amendment of the roll as may be necessary in consequence of his decision.

(9.) At the expiration of the said period of three weeks the rolls shall be closed, and no further alteration shall be made therein until the completion of the election for which such rolls were prepared.

4. NOMINATIONS.

(1.) No person shall be eligible for election as a producers' representative unless he has been nominated by one or more producers, and he has accepted nomination in writing or by telegraph.

(2.) The form of nomination shall be in the form No. 1 in the Schedule hereto, or to the effect thereof.

(3.) The last day and hour for receiving nominations shall be the 17th day of August in each year at noon.

(4.) Nothing in these regulations shall prevent the Returning Officer from accepting a nomination-paper made out in such form as, in his opinion, is sufficient to identify the candidate and at least one nominator.

(5.) No producer shall be entitled to nominate more than one person for election.

(6.) A producer shall not be entitled to nominate a person for election as a producers' representative for a provincial district in which such producer is not entitled to vote.

(7.) If no more persons are so nominated as producers' representatives than are required to fill the vacant positions on the Board, such persons shall be deemed to have been duly elected, and shall be declared elected by the Returning Officer by notice in the *Gazette*.

5. POLLS.

(1.) If more persons are so nominated than are required to fill the vacant positions on the Board, the Returning Officer shall cause voting-papers to be printed in the form No. 2 in the Schedule hereto.

(2.) The Returning Officer shall forward by post, addressed to each voter at the address appearing on the roll, a voting-paper in the said form No. 2, 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 is forwarded.

(3.) On proof to his satisfaction by statutory declaration or otherwise that a voter has not received his voting-paper in due course of post, the Returning Officer may issue a further voting-paper to such 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 clause.

(4.) No voting-paper shall be valid unless it is received by the Returning Officer in the envelope issued with such voting-paper as aforesaid.

(5.) Voting-papers may be delivered to the Returning Officer by hand or sent by post addressed as provided by the said form No. 2.

(6.) The poll shall close at noon on the 7th day of September in the year for which the election is held, and no voting-paper shall be valid which is not received by the Returning Officer at or before noon on that day.