

Regulations under the Kauri-gum Control Act, 1925.

CHARLES FERGUSSON, Governor-General
ORDER IN COUNCIL.

At the Government House at Wellington, this 30th day of August, 1926.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Kauri-gum Control Act, 1925 (hereinafter referred to as the said Act), and in pursuance and exercise of every other power enabling him in this behalf, 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 make the regulations hereinafter set forth, and declare that the said regulations shall take effect on the day of the publication thereof in the *Gazette*.

REGULATIONS.

1. (1.) THESE regulations may be cited as "The Kauri-gum Control Regulations, 1926."

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

"The Board" means the Kauri-gum Control Board :

"The Minister" means the Minister of Lands :

"Producers" means the holders of ordinary licenses or special licenses for the time being in force under the Kauri-gum Industry Act, 1908 :

"Producers' representatives" means the persons appointed as members of the Board by the Governor-General as representatives of producers on election in manner as hereinafter provided.

2. For the purposes of the election of producers' representatives as members of the Board there shall be appointed from time to time one or more Returning Officers, who shall make all arrangements necessary in connection therewith.

3. (1.) For the purpose of such election the Minister shall direct the preparation of separate rolls of such producers in each of the two subdivisions of kauri-gum districts described in the First Schedule hereto (hereinafter referred to as "electoral districts") as have been operating under renewed ordinary or renewed special licenses or under ordinary or special licenses that have been in force within each electoral district for a period of not less than three months prior to the date fixed for the election.

(2.) Such rolls shall be compiled from the registers of such licenses kept by Commissioners of Crown Lands pursuant to section 13 of the Kauri-gum Industry Act, 1908, and shall be closed at 4 o'clock on the fourteenth day next before the day on which any election is to be held, and shall continue to be closed until the election is completed.

4. (1.) Elections of producers' representatives as members of the Board shall close at four o'clock in the afternoon on such day as may be fixed in that behalf from time to time by the Minister.

(2.) Not earlier than four months nor later than three months before the date fixed for an election or the date of a vacancy by effluxion of time in the office of a producers' representative as a member of the Board the Returning Officer shall, by advertisement in one or more newspapers circulating in the electoral district, publicly notify—

(a.) The day and hour for the closing of nominations :

(b.) The number of candidates to be elected :

(c.) The day and hour for the closing of the election.

5. No person shall be eligible as a candidate for election as a producers' representative unless he is nominated in writing by at least two producers entitled to vote in terms of these regulations, and unless the nomination-paper, bearing the candidate's consent, is received by the Returning Officer before the nominations are closed.

6. (1.) A producer shall not be entitled to nominate candidates in an electoral district in which he is not entitled to vote.

(2.) No person may accept nomination as a candidate for more than one electoral district.

7. If the nomination-paper does not bear the written consent of the candidate nominated such consent may be given by him to the Returning Officer before the nominations are closed, and every nomination-paper shall be void in so far as concerns any candidate whose written consent is not duly given as aforesaid.

8. The form of nomination may be in the Form No. 1 in the Second Schedule hereto, or to the effect thereof.

9. Every nomination-paper shall be accompanied by a deposit of £5, which shall be retained by the Returning Officer until after the official declaration of the poll. If the total number of votes received by any unsuccessful candidate is

less than one-fourth of the total number of votes received by the successful candidate, the deposit shall be forfeited and paid into the Board's account established under section 21 of the Kauri-gum Control Act, 1925, but otherwise it shall be returned to the person who paid it.

10. Nominations shall close at 4 o'clock on the fortieth day before the day fixed for the election.

11. If only one nomination is received in respect of an electoral district, the Returning Officer shall forthwith declare the candidate so nominated to be duly elected, and shall by advertisement in the *Gazette* notify the name of the person elected, and shall notify to the Minister the name of the person elected. In all other cases he shall as soon as the nominations are closed prepare and post to each elector at his address as appearing on the roll a printed voting-paper containing in alphabetical order of surnames a list of all the duly nominated candidates for whom such elector is entitled to vote, and such voting-paper shall bear the number of the voter on the roll and be in the Form No. 2 in the Second Schedule hereto.

12. Each voter shall indicate his vote by drawing a line through the names of all the candidates for whom he does not desire to vote, and shall then sign the voting-paper on the back thereof and post or deliver the same to the Returning Officer in a closed and stamped envelope bearing on the outside the word "Voting-paper." Where a voter is unable to read or write he may sign the voting-paper by affixing his mark in the presence of a Justice of the Peace or of a Postmaster, and a voting-paper with such signature witnessed accordingly shall be deemed to be valid.

13. The voting-paper (whether delivered or posted to the Returning Officer) must be received by him not later than 4 o'clock in the afternoon of the day fixed for the closing of the election at such address as may be fixed and notified by him.

14. A voting-paper shall be informal in any of the following cases :—

(a.) If it is not duly signed by the voter :

(b.) If more than one candidate's name is left uncanceled :

(c.) If the voter votes more than once at the same election :

(d.) If it does not reach the Returning Officer before the time fixed for closing of the poll.

15. Each candidate may by writing under his hand appoint one scrutineer who may be present at the examination of voting-papers, and the counting of the votes by the Returning Officer.

16. Each Returning Officer, his assistants and scrutineers, shall, before entering upon their duties as such, make and sign the declaration set forth in the Form No. 3 of the Second Schedule hereto.

17. On the day after the day of the poll the Returning Officer shall cause to be opened and examined all voting-papers duly delivered to him or received by him through the post as aforesaid, and, after rejecting all informal voting-papers, shall ascertain and announce the candidate for the electoral district who has received the greatest number of votes, and shall by advertisement in the *Gazette* notify the names of the persons elected, the number of valid votes recorded for each candidate, the total number of votes rejected as informal, and shall notify to the Minister the names of the persons elected.

18. If by reason of an equality of votes given for two or more candidates the election is not complete, the Returning Officer shall complete the election by lot in such manner as he thinks fit.

19. The Returning Officer shall, immediately after counting the votes, seal up all voting-papers and transmit the same to the Clerk of the nearest Magistrate's Court, who shall keep the same for six months thereafter, and shall not open such packet or permit the same to be opened except on the order of some Court of competent jurisdiction, and shall at the end of six months effectually destroy the same.

20. If any dispute or question arises touching the regularity or validity of any election held hereunder, such dispute or question may be determined by a Stipendiary Magistrate in the manner provided by sections 58 to 67 of the Local Elections and Polls Act, 1925, all the provisions of which shall, with the necessary modifications, apply.

21. No producers' representative on the Board shall, during his term of office, enter into business as a buyer or exporter of kauri-gum or acquire any interest in such business. A breach of this rule by such a representative shall be deemed to be a ground for his removal from office under the power given by subsection (5) of section 3 of the said Act.

22. (1.) There shall be paid by way of levy on all kauri-gum exported from New Zealand on and after such date as may hereafter be fixed by Order in Council (whether such kauri-gum is subject to the control of the Board or not) such charges as may be fixed by the Board not exceeding 1½ per centum of the value of the gum so exported.