



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, FEBRUARY 14, 1929.

Published by Authority.

WELLINGTON, FRIDAY, FEBRUARY 15, 1929

Music-teachers Registration Act, 1928. — Regulations for the First Election of Members of the Music-teachers Registration Board.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 11th day of February, 1929.

Present :

THE RIGHT HONOURABLE SIR J. G. WARD, PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities vested in him by the Music-teachers Registration Act, 1928, and all other powers and authorities 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 set forth in the Schedule hereto for the first election of members of the Music-teachers Registration Board by members of the incorporated societies of professional music-teachers or musicians recognized for the purpose; and, with the like advice and consent, doth prescribe that this Order shall come into force on the first day of January, one thousand nine hundred and twenty-nine.

SCHEDULE.

REGULATIONS FOR THE FIRST ELECTION OF MEMBERS OF THE MUSIC-TEACHERS REGISTRATION BOARD BY MEMBERS OF RECOGNIZED INCORPORATED SOCIETIES OF PROFESSIONAL MUSIC-TEACHERS OR MUSICIANS.

1. In this Schedule—

“Act” means the Music-teachers Registration Act, 1928:
 “Board” means the Music-teachers Registration Board constituted under the Act:

“Election” means the first election of members of the Music-teachers Registration Board constituted under the Act:

“Elector” means a person whose name duly appears on the electoral roll at the time when it is closed for the purposes of the election:

“Recognized society” means an incorporated society of professional music-teachers or musicians recognized for the purpose of the election by the Minister under section 3 (6) of the Act:

“District” means one of the four districts into which New Zealand is divided by section 3 (4) of the Act for the purpose of elections of members of the Board.

2. For the purpose of the election the Secretary of the Education Department shall be the Returning Officer.

3. The secretaries of recognized societies shall forward to the Returning Officer, in order to reach him on or before the 8th day of March, 1929, lists showing the names and addresses of all persons who on the 28th day of February, 1929, are members of the respective societies.

4. Immediately after the 8th day of March, 1929, the Returning Officer shall group the names of members shown in the lists referred to in the preceding clause into the districts specified in section 3 (4) of the Act, and the names as so arranged shall form the electoral roll for the election:

Provided that the Returning Officer shall, in addition to the said names, place on the electoral roll the name of any person who shall, prior to the time upon which it is directed that nominations shall close as set out in subclause (4) of clause 7 hereof, prove to the satisfaction of the Returning Officer that he was, on the 28th day of February, 1929, a member of a recognized society.

5. The roll shall at all reasonable times be open to inspection in the hands of the Returning Officer by any person whose name is entered therein, and by any person representing to the Returning Officer that he is entitled to have his name entered therein.

6. Any question that arises touching the right of any person to have his name entered in or retained on the roll shall be decided by the Returning Officer, and his decision shall be final.

7. (1) The Returning Officer shall, by advertisement in at least one newspaper circulating in each district, publicly notify not later than the 1st day of March, 1929—

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

(b) The total number of candidates to be elected in each district:

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

(2) Every candidate shall be nominated in writing by one or more electors entitled to vote for his election. Each elector may nominate any number of candidates not exceeding two.

(3) Every nomination-paper shall be in the form or to the effect of the following:—

I, [Name and address], being a member of an incorporated society recognized under section 3 (6) of the Music-teachers Registration Act, 1928, and entitled to vote in the first election of members of the Music-teachers Registration Board, hereby nominate [Name and address] as a candidate for such first election to be held on the 1st day of April, 1929.

Dated this day of March, 1929.

[Signature of nominator.]

I hereby consent to my nomination.

[Signature of candidate.]

(4) Nominations shall close at 4 o'clock on the afternoon of the 15th day of March, 1929.

(5) A nomination-paper shall be informal—

(a) If it is not made and signed by a person entitled to vote in the election:

(b) If it is received after the time at which nominations close:

(c) If it does not bear the consent of the candidate in writing.

(6) Any question that arises touching the validity of a nomination-paper, whether by reason of form, execution, time of receipt, or otherwise howsoever, shall be decided by the Returning Officer, and his decision shall be final.

8. If in any district the number of duly nominated candidates does not exceed two, the Returning Officer shall forthwith declare the candidates so nominated to be duly elected for such district.

9. In all other cases the Returning Officer shall as soon as the nominations are closed prepare and post to each elector in any district concerned, at his address as appearing in 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 be in the form or to the effect following:—

VOTING-PAPER FOR USE AT FIRST ELECTION TO BE HELD ON THE 1ST DAY OF APRIL, 1929, OF MEMBERS OF THE MUSIC-TEACHERS REGISTRATION BOARD FOR THE [Name of District] DISTRICT.

Candidates.

[Set out in alphabetical order of surnames the full name of every duly nominated candidate.]

Directions.

The number of candidates to be elected is two.

The voter must draw a line through the name of every candidate for whom he does not intend to vote.

The number of candidates whose names are left uncanceled must not exceed two.

The voting-paper must be posted or delivered to the Returning Officer in a closed envelope bearing on the outside the word "Voting-paper," and on the inside of the flap of the envelope the signature of the voter. If posted to the Returning Officer it must be posted on or before the 1st day of April, 1929, and, if delivered to him, must be delivered at his office in the Education Department, Government Buildings, Wellington, before the 1st day of April, 1929, or not later than 4 o'clock in the afternoon of that day.

10. When posting any voting-paper the Returning Officer shall enclose for the return of the voting-paper an envelope addressed to himself, with a place inside the flap for the signature of the voter.

11. The poll shall close at 4 o'clock on the afternoon of the 1st day of April, 1929; but all voting-papers shall be included and counted which are not informal and are received by the Returning Officer in due course of post before 4 o'clock on the 8th day of April, 1929.

12. A voting-paper shall be informal in any of the following cases, that is to say—

(a) If the elector votes more than once at the same election;

(b) If the candidates whose names are left uncanceled exceed in number the total number of candidates for whom the elector is entitled to vote;

(c) If in any other way the paper fails to indicate for whom the vote is intended to be given;

(d) If, being delivered to the Returning Officer, otherwise than by post, the sealed envelope containing the voting-paper is not delivered at his office before the close of the poll;

(e) If, having been forwarded by post, the sealed envelope containing the voting-paper is not received at the office of the Returning Officer before 4 o'clock on the 8th day of April, 1929, or if, from the post-mark on the envelope or otherwise, the Returning Officer is satisfied that it was not posted until after 4 o'clock on the afternoon of the 1st day of April, 1929;

(f) If there is reasonable cause to believe that it was not issued to the voter by the Returning Officer; or

(g) If the voter fails to place his signature on the inside of the flap of the envelope.

13. The Returning Officer shall decide whether a voting-paper is invalid or informal, whether by reason of the time of receipt or delivery, or by reason of the fact that the voter's intention is not indicated, or for any other reason; and his decision shall be final.

14. On the 9th day of April, 1929, the Returning Officer shall open and examine 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 for each district the two candidates who have received the greatest number of votes, and shall declare such candidates to be elected.

15. If by reason of an equality of votes given for two or more candidates the election in any district is not complete, the Returning Officer shall decide by lot, in the presence of the Director of Education, which candidate or candidates shall be elected, and thereby complete such election.

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

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

(c) Forthwith after the completion of the election the Returning Officer shall, by notice in the *New Zealand Gazette* and by advertisement in a newspaper circulating in each district, notify as to such district the names of the persons elected, the number of valid votes recorded for each candidate, and the total number of votes rejected as informal.

(d) The Returning Officer and every clerk or other person employed by him and every scrutineer shall be required faithfully and impartially to perform the duties of their offices, and shall not, directly or indirectly, make known the state of the poll, or give or pretend to give any information by which the state of the poll may be known before the final declaration thereof by the Returning Officer, or make known for which candidate any voter has voted, or communicate to any person any information likely to defeat the secrecy of the ballot.

17. If a candidate informs the Returning Officer in writing not later than 4 o'clock on the 22nd day of March, 1929, that he retires from the election, the Returning Officer shall give due notice to the electors in the district concerned; and if by such retirement the number of candidates is reduced to the number of vacancies to be filled the Returning Officer shall publicly declare the remaining candidates to be duly elected; but if the said number of candidates is not so reduced the poll shall proceed, but the person so retiring shall not be capable of being elected.

18. The Returning Officer shall be the sole and absolute judge of the regularity and propriety of all matters connected with the election, and the election shall not be called in question on the ground that a voting-paper or an addressed envelope was not posted to any elector, or that a voting-paper from any elector was not received by the Returning Officer, or that a voting-paper prepared by the Returning Officer was irregular in form, or that any vote was irregularly cast, or that any votes were wrongly computed, or that any other irregularity occurred in connection with the election, unless in the opinion of the Returning Officer (whose decision shall be final) such irregularity materially affected the result of the election or occurred otherwise than in good faith.

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