



ANALYSIS

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1971, No. 67

An Act to amend the Electoral Act 1956

[27 November 1971

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Electoral Amendment Act 1971, and shall be read together with and deemed part of the Electoral Act 1956 (hereinafter referred to as the principal Act).

2. Polling in Chatham Islands—Section 24 of the principal Act is hereby amended by repealing subsections (3) to (5).

3. Disqualifications for registration—(1) Section 42 of the principal Act is hereby amended by repealing paragraph (a) of subsection (1), and substituting the following paragraphs:

“(a) Persons in respect of whom reception orders, other than temporary reception orders, under the Mental Health Act 1969 are in force:

“(aa) Persons who, having been found by a Court or a Judge to be under disability, or having been acquitted on account of insanity, within the mean-

ing of Part VA of the Criminal Justice Act 1954, are detained as special patients or committed patients in a hospital under the Mental Health Act 1969 pursuant to an order or direction under any of the provisions of sections 39G to 39I of the Criminal Justice Act 1954:

“(ab) Persons who, having been found by a Court, on conviction of any offence, to be mentally disordered, are detained as committed patients in a hospital under the Mental Health Act 1969 pursuant to an order under section 39J of the Criminal Justice Act 1954:”.

(2) The said section 42 is hereby further amended by adding to paragraph (b) of subsection (1) the words “or in any psychiatric hospital under section 43 of the Mental Health Act 1969”.

(3) The said section 42 is hereby further amended by inserting in subsection (2), after the words “reception order”, the words “, or any order under section 39G or section 39J of the Criminal Justice Act 1954,”.

4. Group polling places—(1) Section 91 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) In respect of each election, the Governor-General may also from time to time appoint any suitable building to be a group polling place for any 2 or more specified districts (whether or not it is within the limits of any of those districts), for the purpose of enabling electors of those districts to vote there on polling day; and may from time to time revoke, alter, or add to any such appointment.”

(2) Section 92 of the principal Act is hereby amended by adding the following as subsection (2):

“(2) At every group polling place appointed under subsection (1A) of section 91 of this Act, the polling booths, ballot boxes, rolls, voting papers, and cards required by subsection (1) of this section shall be provided in respect of each district for which the group polling place has been so appointed, and each such ballot box, roll, and card shall be marked with the name of the district to which it relates.”

5. Scrutineers—The principal Act is hereby amended by repealing section 95, and substituting the following section:

“95. (1) Each candidate may, by writing under his hand,

appoint 1 or more scrutineers for each polling booth at any election.

“(2) Every scrutineer shall, before being allowed to act, make a declaration in form 1 before the Returning Officer or the Deputy Returning Officer or a Justice of the Peace or a solicitor or a postmaster.

“(3) Where a candidate appoints only 1 scrutineer for any polling booth, and during the hours of polling the scrutineer leaves the polling booth to which he is appointed, without having first obtained the permission of the Returning Officer or the Deputy Returning Officer at that booth, he shall not be entitled to re-enter the booth or to resume his scrutiny.

“(4) Where a candidate appoints more than 1 scrutineer for any polling booth, the following provisions shall apply:

“(a) Not more than 1 scrutineer for that candidate shall be present in the booth at any time, whether during the hours of polling or after the close of the poll:

“(b) Each scrutineer for the time being present in the booth shall remain present for a period of at least 4 consecutive hours and may thereafter, during the hours of polling, be replaced by another scrutineer appointed by that candidate for that booth; but no scrutineer shall be obliged to remain present after the close of the poll:

“(c) If during the hours of polling and before the expiry of the said period of 4 hours any scrutineer leaves the polling booth to which he is appointed, without having first obtained the permission of the Returning Officer or the Deputy Returning Officer at that booth, he shall not be entitled to re-enter the booth or to resume his scrutiny; and no other scrutineer shall be entitled to take his place before the expiry of the said period of 4 hours:

“(d) If the Returning Officer or the Deputy Returning Officer at the booth permits a scrutineer, by reason of illness or any other special circumstances, to leave the booth during the hours of polling and before the expiry of the said period of 4 hours, another scrutineer for the same candidate may take his place.

“(5) Nothing in this Act shall render it unlawful for a scrutineer to communicate to any person information as to the names of persons who have voted.”

6. Maximum amount of election expenses—Section 139 of the principal Act is hereby amended by omitting from subsection (1) (as amended by section 7 (1) of the Decimal Currency Act 1964) the words “one thousand dollars”, and substituting the expression “\$1,500”.

This Act is administered in the Department of Justice.
