



ANALYSIS

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1993, No. 86

An Act to provide for the holding, in conjunction with the 1993 general election, of a referendum on proposals for the reform of the electoral system

[17 August 1993]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Electoral Referendum Act 1993.

Binding Referendum

2. Binding referendum of electors on proposals for electoral reform—(1) On the day appointed in 1993 for the taking of the poll (in this Act called the electoral poll) of the electors of each electoral district for the return of a member of Parliament for the district, a binding referendum of the electors of each such district shall be taken on proposals about the electoral system.

(2) The proposals about the electoral system that are the subject of the binding referendum shall be submitted in the voting paper in form 1 in the Schedule to this Act.

Cf. 1990, No. 3, s. 4 (1), (2)

3. Application of Electoral Act 1956—(1) Subject to the provisions of this Act and of any regulations made under this Act, the provisions of the Electoral Act 1956 and of any regulations made under that Act shall, as far as they are applicable and with the necessary modifications, apply as if the binding referendum were a poll of the electors of each electoral district for the return of a member of Parliament for the district, and the binding referendum shall be taken in the manner prescribed by that Act for the taking of such a poll of the electors of each electoral district.

(2) The provisions of the Electoral Act 1956 and of any regulations made under that Act shall, unless the context otherwise requires, apply, for the purposes of the binding referendum, as if all references to the ballot paper were references to the voting paper.

(3) No writ shall be issued under the Electoral Act 1956 for the conduct of the binding referendum.

Cf. 1990, No. 3, s. 2 (4) (a)

4. Provisions subject to which binding referendum to be taken—For the purposes of conducting the binding referendum,—

(a) The Returning Officer of the electoral district shall be the Returning Officer, and the Deputy Returning Officers appointed by the Returning Officer for the taking of the electoral poll shall be the Deputy Returning Officers, for the taking of the binding referendum:

(b) The poll clerks, interpreters, and ushers appointed for the taking of the electoral poll shall, by virtue of being so appointed, be, in addition, poll clerks, interpreters and ushers for the taking of the binding referendum:

- (c) The polling booths in each electoral district for the taking of the electoral poll shall be the same as those used for the taking of the binding referendum.

Cf. 1990, No. 3, s. 3 (a), (c), (d)

Scrutineers

5. Nomination of scrutineers by electors in favour of proposal—Any 10 or more electors who are in favour of either of the proposals described under the heading “VOTING SYSTEM PROPOSALS” in form 1 in the Schedule to this Act may by nomination paper under their hands nominate any 2 specified persons to appoint one scrutineer to act at each polling booth in the district in the interests of all electors who are in favour of that proposal.

Cf. 1991, No. 152, s. 6

6. Form of nomination paper—The nomination paper shall be in form 2 in the Schedule to this Act.

Cf. 1991, No. 152, s. 7

7. Nomination paper to be lodged with Returning Officer—The nomination paper shall be lodged with the Returning Officer of the electoral district not later than the twelfth day before polling day, and shall be open to public inspection.

Cf. 1991, No. 152, s. 8

8. Returning Officer to select fit persons to appoint scrutineers—On a day to be publicly notified by the Returning Officer for the electoral district, being not earlier than the tenth day nor later than the fifth day before polling day, the Returning Officer shall publicly consider all the nomination papers duly lodged, and, after hearing all objections, select 2 fit persons to appoint one scrutineer to act at each polling booth in the interests of all electors as aforesaid; and the persons so selected may appoint accordingly.

Cf. 1991, No. 152, s. 9

9. Selection to be in writing—The selection shall be by writing under the hand of the Returning Officer, and shall be in form 3 in the Schedule to this Act.

Cf. 1991, No. 152, s. 10

10. Appointments of scrutineers to be in writing—The appointment shall in each case be by writing under the hands of the persons selected, and shall be in form 4 in the Schedule to this Act.

Cf. 1991, No. 152, s. 11

11. Powers and rights of scrutineers—(1) Every scrutineer so appointed shall, for the purpose of the binding referendum, have all the powers and rights of a scrutineer under the Electoral Act 1956, and shall make a declaration in form 1 in the First Schedule to the Electoral Act 1956 (which form shall be used with all necessary modifications).

(2) Without limiting subsection (1) of this section, a scrutineer so appointed—

- (a) May be present at the office of the Registrar of Electors when the Registrar of Electors is performing his or her duties under section 110 of the Electoral Act 1956 (as applied by this Act) in relation to declarations in respect of special votes, but not more than one such scrutineer per proposal shall be present at the office of the Registrar of Electors at any time; and
- (b) May be present at the scrutiny of the rolls conducted by the Returning Officer under section 112 of the Electoral Act 1956 (as applied by this Act), but only one such scrutineer per proposal, or such greater number as is permitted by the Returning Officer, shall be present at the scrutiny of the rolls at any time.

Cf. 1991, No. 152, s. 12

12. Remuneration of scrutineers not expenses of referendum—The remuneration (if any) of the scrutineers shall not be paid out of money appropriated by Parliament for the purpose of conducting the binding referendum.

Cf. 1991, No. 152, s. 13

Official Publicity Campaign

13. Supply of computer tapes—(1) Section 64B of the Electoral Act 1956 shall, for the purposes of the binding referendum, apply as if, for subsections (4) and (5), there were substituted the following subsections:

“(4) The Chief Registrar shall supply the information described in subsections (1) and (2) of this section if—

“(a) The person seeking the information supplies the Chief Registrar with a computer tape, disk, or diskette that complies with the prescribed requirements; and

“(b) The request for the information is otherwise in accordance with regulations made under this Act.

“(5) The information supplied pursuant to subsections (1) and (2) of this section shall be supplied to any person who is charged with responsibilities in relation to the conduct of the official publicity campaign to be conducted on behalf of the Government of New Zealand before the taking of the binding referendum and who wishes to obtain the information for the purposes of that campaign.

“(5A) The information supplied pursuant to subsections (1) and (2) of this section shall be supplied free of charge.”

(2) Nothing in this section derogates from the rights conferred, by section 64B (5) of the Electoral Act 1956, on candidates or persons acting on behalf of political parties.

The Ballot

14. Method of voting—Every voter at the binding referendum shall vote by marking the voting paper with a tick within the circle immediately after the proposal for which the voter wishes to vote.

Cf. 1991, No. 152, s. 15 (1)

15. Procedure after close of poll—(1) Section 111 (1) of the Electoral Act 1956 shall, for the purposes of the binding referendum, have effect as if, for subparagraphs (ii) and (iii) of paragraph (a), there were substituted the following subparagraphs:

“(ii) All the counterfoils of ballot and voting papers that have been issued to voters and all the unused ballot and voting papers; and

“(iii) All the spoilt ballot and voting papers.”

(2) Section 111 (1) of the Electoral Act 1956 shall, for the purposes of the binding referendum, have effect as if, for paragraph (e), there were substituted the following paragraphs:

“(e) He shall make up into separate parcels—

“(i) The used ballot papers, together with (but in separate bundles) the ballot papers set aside as informal, and the ballot papers and voting papers set aside under section 109 of this Act; and

“(ii) A certificate signed by the Deputy Returning Officer and by such of the scrutineers as are present and consent to sign it of the number of votes

received by each candidate, the number of ballot papers set aside as informal, the number of ballot papers and voting papers set aside under section 109 of this Act, the number of spoilt ballot and voting papers, the number of ballot papers delivered to special voters, the number of unused ballot papers, and the number of ballot papers originally delivered to the Deputy Returning Officer:

“(f) He shall make up into separate parcels—

“(i) The used voting papers, together with (but in separate bundles) the voting papers set aside as informal; and

“(ii) A certificate or certificates signed by the Deputy Returning Officer and such of the scrutineers as are present and consent to sign the certificate or certificates, which shall certify the number of votes recorded for each proposal, the number of voting papers set aside as informal, the number of voting papers delivered to special voters, the number of unused voting papers, and the number of voting papers originally delivered to the Deputy Returning Officer.”

(3) Section 111 of the Electoral Act 1956 shall, for the purposes of the binding referendum, apply as if, after subsection (3), there were added the following subsection:

“(4) The Deputy Returning Officer at each polling booth may defer the performance of the duties required by this section in connection with the votes cast at the binding referendum until the duties required by this section in respect of the electoral poll conducted on the same day have been completed.”

16. Counting the votes—Section 115 of the Electoral Act 1956 shall, for the purposes of the binding referendum, have effect as if, for subsection (1A), there were substituted the following subsection:

“(1A) The procedure set out in subsection (1) of this section need not be delayed until the inquiries under subsection (2) of section 113 of this Act, or the inquiries as to the qualifications of persons casting a special vote at the election, have been completed, and the used voting papers from any particular voting booth may be counted while any inquiries in respect of voting papers from that booth or in respect of the qualifications of persons casting a special vote at the referendum are being

completed, but the count shall not be completed until those inquiries have been completed.”

Cf. 1991, No. 152, s. 17

Declaration of Result by Returning Officer

17. Declaration of result of binding referendum—

(1) Where all the voting papers have been dealt with in accordance with section 115 of the Electoral Act 1956 (as applied by this Act), the Returning Officer, having ascertained the total number of votes recorded for each proposal described in the voting paper under the heading “VOTING SYSTEM PROPOSALS”, shall declare the result of the referendum in the electoral district by giving public notice of the total number of votes recorded for each proposal.

(2) Section 116 of the Electoral Act 1956 shall not apply in relation to the binding referendum.

Cf. 1991, No. 152, s. 18

Recount

18. Application to District Court Judge for recount—If any result of the binding referendum in any electoral district is disputed on the ground that the public declaration by the Returning Officer in accordance with section 17 (1) of this Act was incorrect, the following provisions shall apply:

- (a) Any 6 electors may, within 3 working days after the public declaration, apply to a District Court Judge for a recount of the votes:
- (b) Every such application shall be accompanied by a deposit of \$200 (which deposit is inclusive of goods and services tax):
- (c) The District Court Judge shall cause a recount of the votes to be commenced within 3 working days of receiving the application, and shall give notice in writing to the applicants and to any scrutineers appointed under section 10 of this Act of the time and place at which the recount will be made:
- (d) Section 117 (4) to (9) and section 118 of the Electoral Act 1956, so far as they are applicable and with the necessary modifications, shall apply to the recount.

Cf. 1991, No. 152, s. 19

Declaration of Result by Chief Electoral Officer

19. Declaration of result—(1) After the Returning Officer has made a public declaration in accordance with section 17 (1)

of this Act, and after the time for an application for a recount has elapsed, the Returning Officer shall send to the Chief Electoral Officer a statement of—

- (a) The number of informal votes cast in respect of the voting paper; and
- (b) The total number of valid votes cast in respect of the voting paper; and
- (c) The number of valid votes recorded for each proposal in the voting paper.

(2) On receipt of the statements from all Returning Officers and on or before the 28th day of February 1994, the Chief Electoral Officer shall ascertain the total number of valid votes cast for each of the voting system proposals.

(3) If a majority of the valid votes cast favour the proposal to introduce the proposed mixed member proportional system as provided in the Electoral Act 1993, that proposal is carried.

(4) In the event that the majority of valid votes cast favour the proposal to retain the present (first-past-the-post) system as provided in the Electoral Act 1956 or in the event that there is a tie between the 2 voting system proposals, the proposal to retain the present (first-past-the-post) system as provided in the Electoral Act 1956 is carried.

(5) After ascertaining the results of the referendum in accordance with the provisions of this section, the Chief Electoral Officer shall declare, by notice in the *Gazette*,—

- (a) The results of the referendum; and
- (b) Whether the proposal to introduce the proposed mixed member proportional system as provided in the Electoral Act 1993 is carried.

Cf. 1991, No. 152, s. 20

Petitions

20. Sections of Electoral Act 1956 applied—(1) The sections of the Electoral Act 1956 described in subsection (2) of this section, as far as they are applicable and with the necessary modifications, shall apply to a petition for an inquiry under section 21 of this Act.

(2) The sections of the Electoral Act 1956 referred to in subsection (1) of this section are sections 158 to 160, 161, 162 (1), (2), (4), (5), 166, 167, 168, 173 to 181, 182 (1) (a) and (b), and 183.

Cf. 1991, No. 152, s. 22

21. Petition for inquiry—(1) Where any 50 electors in an electoral district are dissatisfied with the result of the binding referendum in their district, they may, within 20 working days after the Returning Officer has made a public declaration in accordance with section 17 (1) of this Act, file a petition in the High Court for an inquiry as to the conduct of the referendum or of any person connected with it.

(2) If the petition complains of the conduct of a Returning Officer or Registrar of Electors, the person complained of shall be a respondent to the petition.

(3) The petition shall allege the specific grounds on which the complaint is founded, and no other grounds than those stated shall be investigated, except by leave of the Court and upon reasonable notice being given, which leave may be given upon such terms and conditions as the Court considers just:

Provided that evidence may be given that the total number of votes cast for any proposal was higher or lower than that given in the public declaration made pursuant to section 17 (1) of this Act.

(4) Such petition shall be in form 5 in the Schedule to this Act, or to the like effect, and shall be filed in the registry of the High Court nearest to the place where the referendum was held. The Registrar of the Court shall forthwith send a copy of the petition to the Returning Officer.

(5) The petition shall be served as nearly as may be in the manner in which a statement of claim is served, or in such other manner as may be prescribed by rules of Court.

Cf. 1991, No. 152, s. 23

Rolls and Declarations

22. Common use of rolls and declarations—(1) It shall be lawful, for the purposes of conducting the binding referendum, to use the same copies of—

- (a) Any main or supplementary roll; or
- (b) Any master roll; or
- (c) Any certified roll,—

as are used in connection with the poll of electors in each electoral district for the return of a member of Parliament and Part IV of the Electoral Act 1956 shall apply accordingly.

(2) For the purposes of conducting the binding referendum, it shall not be necessary to require any elector wishing to cast a special vote to complete any additional statement or declaration, if he or she completes the appropriate statement or declaration required by the Electoral Regulations 1993 to be

completed by a special voter who wishes to cast a vote at a poll of electors in an electoral district for the return of a member of Parliament.

Miscellaneous Provisions

23. Interfering with or influencing voters—(1) Every person commits an offence and shall be liable on summary conviction to a fine not exceeding \$5,000 who, at the binding referendum,—

- (a) In any way interferes with any elector, either in the polling booth or while the elector is on the way to the polling booth, with the intention of influencing the elector or advising the elector as to the elector's vote:
- (b) At any time on the day on which the referendum is held before the close of the poll in or in view or hearing of any public place holds or takes part in any demonstration or procession having direct or indirect reference to the binding referendum, by any means whatsoever:
- (c) At any time on the day on which the referendum is held before the close of the poll makes any statement having direct or indirect reference to the binding referendum, by means of any loudspeaker or public address apparatus or cinematograph or television apparatus:

Provided that this paragraph shall not restrict the publication by radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989 of—

- (i) Any advertisement placed by the Chief Electoral Officer or a Returning Officer; or
 - (ii) Any non-partisan advertisement broadcast, as a community service, by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989; or
 - (iii) Any news in relation to the binding referendum:
- (d) At any time before the close of the poll, conducts in relation to the binding referendum a public opinion poll of persons voting before the day on which the referendum is held:
 - (e) At any time on the day on which the referendum is held before the close of the poll, conducts a public opinion poll in relation to the binding referendum:
 - (f) At any time on the day on which the referendum is held before the close of the poll, or at any time on any of

the 3 days immediately preceding that day, prints or distributes or delivers to any person any thing being or purporting to be in imitation of the voting paper to be used at the poll, together with any direction or indication as to the proposal for which the elector should or should not vote, or in any way containing any such direction or indication, or having thereon any matter likely to influence any vote:

(g) At any time on the day on which the referendum is held before the close of the poll exhibits in or in view of any public place, or publishes or distributes or broadcasts,—

(i) Any statement advising or intended or likely to influence any elector as to the proposal for which the elector should or should not vote; or

(ii) Any statement advising or intended or likely to influence any elector to abstain from voting; or

(iii) Any name, emblem, slogan, or logo identified with any political party or with any proposal to which the binding referendum relates or with any proponent of any such proposal; or

(iv) Any ribbons, streamers, rosettes, or items of a similar nature in colours that are identified with any political party or with any proposal to which the binding referendum relates or with any proponent of any such proposal:

Provided that this paragraph shall not apply to any statement, name, emblem, slogan, or logo in a newspaper published before 6 p.m. on the day before the day on which the referendum is held:

Provided also that where any statement, name, emblem, slogan, or logo which does not relate specifically to the binding referendum and which is so exhibited before the day on which the referendum is held in a fixed position and in relation to the New Zealand or regional or campaign headquarters (not being mobile headquarters) of a political party or of a proponent of a proposal to which the binding referendum relates, it shall not be an offence to leave the statement, name, emblem, slogan, or logo so exhibited on the day on which the referendum is held:

Provided further that this paragraph shall not restrict the publication of the name of any political party or of any proponent of a proposal to which the

binding referendum relates in any news which relates to the binding referendum and which is published in a newspaper or other periodical or in a radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989:

Provided further that this paragraph shall not apply to ribbons, streamers, rosettes, or items of a similar nature, that are worn or displayed by any person (not being an electoral official) on his or her person or on any vehicle in colours that are identified with any political party or with any proposal to which the binding referendum relates or with any proponent of any such proposal or to a lapel badge worn by any person (not being an electoral official):

- (h) At any time on the day on which the referendum is held before the close of the poll prints or distributes or delivers to any person any card or paper (whether or not it is an imitation voting paper) having thereon the proposals to which the binding referendum relates or any of them:
 - (i) Exhibits or leaves in any polling booth any card or paper having thereon any direction or indication as to how any person should vote or as to the method of voting:
 - (j) Subject to any regulations made under this Act, at any time on the day on which the referendum is held before the close of the poll, within, or at the entrance to, or in the vicinity of, any polling place,—
 - (i) Gives or offers to give any person any written or oral information derived from a main or supplementary roll as to any name or number on the main roll or any supplementary roll being used at the election:
 - (ii) Permits or offers to permit any person to examine any copy of the main roll or any supplementary roll being used at the election.
- (2) It shall be a defence to a prosecution for an offence against subsection (1) (g) of this section that relates to the exhibition in or in view of a public place of a statement, name, emblem, slogan, or logo, if the defendant proves that—
 - (a) The exhibition was inadvertent; and
 - (b) The defendant caused the exhibition to cease as soon as the defendant was notified by a Returning Officer or a Deputy Returning Officer that the exhibition was taking place.

(3) Nothing in this section shall apply to any official statement or announcement made or exhibited under the authority of this Act or the Electoral Act 1956.

(4) Section 127 of the Electoral Act 1956 shall not apply in relation to the binding referendum.

Cf. 1991, No. 152, s. 28

24. Power to remove statements, names, emblems, slogans, or logos—(1) The Returning Officer may at any time on the day on which the referendum is held before the close of the poll cause to be removed or obliterated—

- (a) Any statement advising or intended or likely to influence any elector as to the proposal for which the elector should or should not vote; or
- (b) Any statement advising or intended or likely to influence any elector to abstain from voting; or
- (c) Any name, emblem, slogan, or logo identified with any political party or with any proposal to which the binding referendum relates or any proponent of any such proposal,—

which is exhibited in or in view of any public place.

(2) Nothing in subsection (1) (c) of this section shall apply to ribbons, streamers, rosettes, or items of a similar nature which are worn or displayed by any person (whether on his or her person or on any vehicle) in colours that are identified with any political party or with any proposal to which the binding referendum relates or with any proponent of any such proposal or to a lapel badge worn by any person.

(3) Nothing in subsection (1) of this section shall apply to a statement, name, emblem, slogan, or logo which does not relate specifically to the binding referendum and which was so exhibited before the day on which the referendum is held in a fixed position and in relation to the New Zealand or regional or campaign headquarters (not being mobile headquarters) of a political party or of a proponent of a proposal to which the binding referendum relates.

(4) All expenses incurred by the Returning Officer in carrying out the power conferred by subsection (1) of this section may be recovered by the Returning Officer from the persons by whom or by whose direction the statement, name, emblem, slogan, or logo was exhibited, as a debt due by them jointly and severally to the Crown.

(5) Section 127A of the Electoral Act 1956 shall not apply in relation to the binding referendum.

Cf. 1991, No. 152, s. 29

25. Offences—(1) Every person commits an offence and shall be liable on summary conviction to a fine not exceeding \$2,000 who, at the binding referendum,—

- (a) Except in accordance with any regulations made under the Electoral Act 1956 or this Act in relation to special voters, obtains possession of or has in his or her possession any voting paper other than the one given to him or her by the Returning Officer or Deputy Returning Officer for the purpose of recording his or her vote, or retains any voting paper in his or her possession after leaving the polling booth; or
- (b) Does or omits to do an act (other than an act to which section 23 of this Act applies) that if done or omitted to be done at an electoral poll would be an offence under the Electoral Act 1956.

(2) Section 126 (g) of the Electoral Act 1956 shall not apply in relation to the binding referendum.

Cf. 1991, No. 152, s. 30

26. Regulations—The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) Applying, with or without modifications, for the purposes of this Act, any of the following provisions:
 - (i) The provisions of sections 111 to 115, and of sections 121 to 123, and of section 147A, of the Electoral Act 1956:
 - (ii) The provisions of any regulations made under the Electoral Act 1956:
- (b) Prescribing forms for the purposes of this Act:
- (c) Prescribing the time at which, and the manner in which, special voters may vote (whether at a polling place or not and whether in or outside New Zealand) at the binding referendum:
- (d) Prescribing conditions upon or subject to which special voters may vote at the binding referendum:
- (e) Prescribing, for the purposes of the binding referendum, different methods of voting for different classes of special voters:

(f) Providing for such other matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration.

Cf. 1991, No. 152, s. 31

SCHEDULE

FORMS

Form 1

VOTING PAPER

Section 2 (2)

OFFICIAL MARK
OFFICIAL MARK

.....
[Consecutive Number]

..... Electoral District

Directions

(Read carefully before voting)

1. You may vote for only one proposal.
2. If you wish to vote, vote by putting a tick in the circle immediately after the proposal you choose.
3. After voting, fold this voting paper so that its contents cannot be seen and place it in the ballot box.
4. If you spoil this voting paper, return it to the officer who issued it and apply for another.
5. You must not take this voting paper out of the polling booth.

SCHEDULE—continued
Form 1—continued
VOTING PAPER—continued
VOTING SYSTEM PROPOSALS

If 50 percent or more of votes in this referendum are for the retention of the present First-Past-The-Post System, there will be no change to the method of electing members of the House of Representatives.

If a majority of votes in this referendum are for the proposed Mixed Member Proportional System as provided in the Electoral Act 1993, that Act will come into force and the next general election of members of the House of Representatives will be conducted using that system.



Vote Here

I vote for the present FIRST-PAST-THE-POST SYSTEM as provided in the Electoral Act 1956.	<input type="radio"/>
I vote for the proposed MIXED MEMBER PROPORTIONAL SYSTEM as provided in the Electoral Act 1993.	<input type="radio"/>

TICK ONE PROPOSAL

NOTE*

This form shall have a counterfoil in form 9 in the First Schedule to the Electoral Act 1956.

*Not to be printed as part of the form. _____

SCHEDULE—continued

Section 6

Form 2

NOMINATION OF SCRUTINEERS FOR PURPOSES OF BINDING REFERENDUM

1. For the purposes of the binding referendum to be taken in the Electoral District on the day of 1993, we, the undersigned electors of the district, hereby nominate [*Full names, addresses, and occupations of the 2 persons nominated*] as fit persons to appoint one scrutineer to act at each polling booth in the interest of all electors who are in favour of the [*Specify proposal*].
2. In support of our nomination we hereby severally, each for himself or herself, solemnly and sincerely declare that we are, and we believe each of the persons nominated to be, honestly in favour of the proposal.

We severally make this solemn declaration conscientiously believing the same to be true, and by virtue of the Oaths and Declarations Act 1957.

Signature, Address, and Occupation

Severally declared by each of the [Number] declarants whose signatures are subscribed hereto, this day of 1993, before me—

.....
J.P. [Solicitor,
or, as the case may be].

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

NOTE—Not less than 10 electors must sign.



SCHEDULE—continued

Form 3

Section 9

RETURNING OFFICER'S SELECTION FOR PURPOSES OF BINDING REFERENDUM

Having considered the nominations duly lodged in this behalf, and having heard all objections thereto, I hereby select [Full names, addresses, and occupations of the 2 persons selected, etc., (as above)] as fit persons to appoint one scrutineer to act at each polling booth at the binding referendum for the ... Electoral District on the day of 1993, in the interest of all electors who are in favour of the [Specify proposal].

Dated at this day of 1993.

....., Returning Officer.

Form 4

Section 10

APPOINTMENT OF SCRUTINEERS FOR PURPOSES OF BINDING REFERENDUM To the Returning Officer

For the purposes of the binding referendum for the Electoral District to be taken on the day of 1993, we, the undersigned, being duly authorised in this behalf, hereby appoint the persons named in the Schedule hereto to act as scrutineers at the polling booths named in the Schedule, in the interest of all electors who are in favour of the [Specify proposal].

SCHEDULE

Scrutineer [Full name, address, and occupation of the scrutineer]	Polling Booth [Name of polling booth]
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Dated at this day of 1993.

[Signatures of the 2 persons
authorised to appoint].

SCHEDULE—continued

Section 21 (4)

Form 5

PETITION FOR INQUIRY AS TO RESULT OF BINDING REFERENDUM

In the matter of the binding referendum held in the Electoral District on the day of 1993.

The petition of the undersigned electors of the Electoral District, namely, A.B., of, C.D., of, etc.

1. Your petitioners state that the binding referendum was held on the day of 1993, and that the Returning Officer has given public notice that the total number of votes recorded for the proposal that [*Specify*] was [*Specify*].
2. And your petitioners say that [*State the facts and grounds on which the petitioners rely*].

Wherefore your petitioners pray that it may be determined that the total number of votes cast for the proposal was higher (*or* lower) than that given in the public notice [*or* that the referendum was void].

A.B.,
C.D.,
etc.

This Act is administered in the Department of Justice.
