



ANALYSIS

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1948, No. 19

Title.

AN ACT to Provide for a Poll Relating to Off-course Betting on Horse-races. [22nd October, 1948]

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

Short Title.

1. This Act may be cited as the Gaming Poll Act, 1948, and shall be read together with and deemed part of the Gaming Act, 1908.

See Reprint of Statutes, Vol. III, p. 516

Special poll of electors on proposal for off-course betting.

1945, No. 10

See Reprint of Statutes, Vol. VI, p. 542

2. (1) On a day to be fixed by the Governor-General by Order in Council, there shall be taken a poll of the electors of each electoral district constituted under the Electoral Amendment Act, 1945, and of each Maori electoral district constituted under Part IV of the Electoral Act, 1927, upon the proposal that provision be made for off-course betting on horse-races, through the totalizator, by means to be provided by the New Zealand Racing Conference and the New Zealand Trotting Conference.

(2) The proposal shall be submitted in the form in the Schedule to this Act:

Provided that the voting-paper given to any elector of a Maori electoral district shall be printed both in the English language and in the Maori language.

3. (1) Subject to the provisions of this Act and of any regulations made under this Act, and subject to all necessary modifications, the poll shall be taken in the same manner as if it were a general licensing poll taken simultaneously with a general election of members of Parliament, and the provisions of the Licensing Act, 1908, and of the Electoral Act, 1927, shall, as far as they are applicable and subject as aforesaid, apply accordingly.

Application of provisions of Licensing Act, 1908, and of Electoral Act, 1927.

See Reprint of Statutes, Vol. IV, p. 234; Vol. VI, p. 469

(2) In each Maori electoral district the poll shall close at seven o'clock in the afternoon.

(3) The day of the poll shall not be a half-holiday, and section one hundred and twenty-eight of the Electoral Act, 1927 (as amended by section twenty-six of the Statutes Amendment Act, 1946), shall apply to the poll as if the following subsection had been substituted for subsections one and three:—

1946, No. 40

“(1) The employer of every worker shall on the day of the poll allow the worker to leave his work for a reasonable time for the purpose of recording his vote, and no deduction shall be made from any remuneration payable to the worker in respect of any time, not exceeding one hour, occupied in recording his vote as aforesaid.”

(4) Any elector of a Maori electoral district, instead of voting at a Maori polling-place, may vote at any European polling-place within that district in the same manner as if it were a Maori polling-place.

(5) Any elector of a Maori electoral district may vote as an absent voter under section one hundred and thirty-nine of the Electoral Act, 1927, as applied by section sixteen of the Statutes Amendment Act, 1941, at any polling-place outside that district, whether European or Maori.

1941, No. 26

4. (1) Subject to the provisions of this section, the roll of electors for each electoral district at the poll shall be the roll as provided by the Electoral Act, 1927.

Electoral rolls.

See Reprint of Statutes, Vol. VI, p. 469

(2) For the purposes of the poll the roll in each district shall be deemed to be closed at six o'clock in the afternoon of a day to be fixed by the Governor-General by Order in Council, and that day shall in each district be deemed to be equivalent to the day of the issue of a writ for the election of a member for the district.

(3) The rolls to be used in each district for the purposes of the poll shall be the general and supplementary rolls used at the last election of a member of Parliament for the district, amended as required by the Electoral Act, 1927, together with a further supplementary roll to be prepared by the Registrar of Electors of each district and to include the names of all electors registered by him after the closing of the rolls for the last election of a member of Parliament for the district and remaining on the roll for the district at its closing under subsection two of this section.

(4) In every district the general roll and every supplementary roll used at the poll directed by this Act, together with any supplementary roll prepared after that poll, shall be the roll to be used at any by-election held before the first general election held after the passing of this Act.

Declaration of
result of poll.

5. (1) As soon as practicable after the close of the poll in each district the Returning Officer shall count the votes recorded for and against the proposal, and shall reject all informal votes.

(2) Immediately after he has counted the votes he shall send to the Chief Electoral Officer a statement of the number of informal votes, and of the total number of valid votes recorded, and of the number of valid votes recorded for and against the proposal.

(3) As soon as the the Chief Electoral Officer has received the said statements from all Returning Officers he shall ascertain and declare—

(a) The total number of valid votes recorded at the poll throughout New Zealand for the proposal; and

(b) The total number of valid votes recorded at the poll throughout New Zealand against the proposal.

(4) The Chief Electoral Officer shall notify in the *Gazette* the numbers of the votes as finally ascertained by him and the result of the poll as determined thereby.

6. The Governor-General may from time to time, Regulations. by Order in Council, make all such regulations as may be deemed necessary or expedient for the purpose of giving full effect to the provisions of this Act and for the due administration thereof.

SCHEDULE

Schedule.

FORM OF VOTING-PAPER

Electoral District of

PROPOSAL FOR OFF-COURSE BETTING

(Proposal that Provision be Made for Off-course Betting on Horse-races, Through the Totalizator, by Means to be Provided by the New Zealand Racing Conference and the New Zealand Trotting Conference)

I vote FOR the proposal.

I vote AGAINST the proposal.

Directions

THE voter must strike out one line, leaving untouched the line which shows the way he wishes to vote.

If the voter strikes out both lines or fails to strike out one of the lines, the voting-paper will be void, and his vote will not be recorded.

The voting-paper so marked is to be placed by the voter in the ballot-box.

The voter is not allowed to take this voting-paper out of the polling-booth.