

New Zealand.



ANALYSIS.

Title.

1. Short Title.
2. "Minister" defined. Consequential amendments.
3. Substitution of Statistician for Registrar-General.

Preliminary to the Election.

4. Section 35 of principal Act amended.
5. Inspection of Registrars' offices and rolls.
6. Electoral census.
7. Returning Officer to make declaration.
8. Section 41 of principal Act amended.
9. Applications by naturalized British subjects to be verified.
10. Section 43 of principal Act amended.
11. Section 45 of principal Act amended.
12. Section 46 of principal Act amended.
13. Registrars of Marriages to furnish returns of certificates of marriage of adult women. Repeal.
14. Section 50 of principal Act amended.
15. Objections to enrolment. Repeal.
16. Section 53 of principal Act amended.
17. Objections to claims after writ issued. Repeal.
18. Section 56 of principal Act amended.
19. Justices may act for Magistrate in certain cases.
20. Section 60 of principal Act amended.
21. Registrar not to alter roll after six o'clock of day on which writ issued. Repeal.
22. Repeal.
23. Closing of general roll. Repeal.
24. Copies of roll to be supplied to Returning Officer. Repeal.

Electors' Rights.

25. Section 89 of principal Act amended.
26. Section 91 of principal Act amended.

Regulation of Elections.

27. Section 98 of principal Act amended. Sec-
- tion 102 of principal Act amended.
28. Section 104 of principal Act amended.

Nominations.

29. Section 105 of principal Act amended.
30. Section 107 of principal Act amended.

Contested Elections.

31. Section 110 of principal Act amended.

Candidates' Meetings.

32. Section 112 of principal Act amended.

Polling at Elections.

33. Section 114 of principal Act amended.
34. Section 119 of principal Act amended.
35. Scrutineer not to leave the booth.
36. Section 122 of principal Act amended.
37. Repeal.

Ballot-papers.

38. Ballot-paper to be marked.
39. Spoilt ballot-papers.

Absent Voters.

40. Voting-permit. Repeal.
41. Exercise of vote outside district of enrolment. Repeal.
42. Exercise of vote outside district of enrolment at second ballot or by-election.
43. Offences connected with voting-permits.
44. Voting-permits may be used at licensing poll.

Preliminary Count of the Votes.

45. Number of votes to be ascertained at the close of the poll. Repeal.
46. Section 137 of principal Act amended.
47. Deputies to make up books and papers in parcels. Repeal.

Scrutiny of the Rolls.

48. Scrutiny of the rolls by Returning Officer. Repeal.

Counting the Votes, and Declaration of the Poll.

49. Counting the ballot-papers. Repeal.
50. Licensing scrutineers may attend at scrutiny, &c.

Recount.

51. Ballot-papers and certificate to be compared on recount.

Purging the Roll.

52. Purging the roll after a general election. Repeals.
53. Notice to be sent to persons whose names are erased for not voting.

Disposal of Ballot-papers.

54. Section 151 of principal Act amended.

Illegal Practices.

55. Section 219 of principal Act amended.
56. Section 233 of principal Act amended.

Maori Representation.

57. Section 180 of principal Act amended.
 58. Section 181 of principal Act amended.
 59. Half-caste, when not entitled to vote. Dis-
 qualification of Maoris.
 60. Regulations for conduct of Maori electoral
 poll.
 61. Maori employes to have opportunity to vote.
 62. Counting the votes at polling-places.

63. Papers to be made up into parcels.
 64. Declaration of the poll.
 65. Power to maintain order.
 66. Maintenance of secrecy.
 67. Personation of voters.
 68. Provisions as to European representation to
 apply.
 69. Repeal.
 Schedule.

1910, No. 59.

Title.

AN ACT to amend the Legislature Act, 1908.

[3rd December, 1910.]

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 Legislature Amendment Act, 1910, and shall form part of and be read together with the Legislature Act, 1908 (hereinafter referred to as the principal Act).

"Minister" defined.

2. (1.) Section twelve of the principal Act is hereby amended by inserting therein the following: "Minister" means the responsible Minister of the Crown for the time being having charge of the Electoral Department.

Consequential amendments.

(2.) The principal Act is hereby amended by omitting the words "of Internal Affairs" from subsection four of section twenty-two, from subsection one of section thirty-nine, from subsection one of section seventy-five, from subsection seven of section eighty-two, and from section one hundred and seventy-four thereof.

(3.) Section eighteen of the Second Ballot Act, 1908, is hereby amended by omitting the words "of Internal Affairs" from subsections two and three thereof.

Substitution of Statistician for Registrar-General.

3. (1.) Section seventeen of the principal Act is hereby amended by omitting the word "Registrar-General," and substituting the words "the Statistician appointed under the Census and Statistics Act, 1910."

(2.) Section nineteen of the principal Act is hereby amended by omitting the word "Registrar-General," and substituting the word "Statistician."

Preliminary to the Election.

Section 35 of principal Act amended.

4. Subsection one of section thirty-five of the principal Act is hereby amended by inserting, after the word "naturalization" in paragraph (b), the words "in New Zealand."

Inspection of Registrars' offices and rolls.

5. The Chief Electoral Officer shall from time to time inspect the various Registrars' offices and the rolls kept by each Registrar, and forward to the Minister such recommendations for the more efficient conduct of such offices or the keeping of the rolls as he deems expedient.

Electoral census.

6. (1.) The Minister may from time to time direct that an electoral census be taken of every or any electoral district for the purpose of enrolling all persons qualified to be enrolled and who are not already enrolled in respect of the district for which any such census is taken.

(2.) Every master or mistress of any licensed publichouse, lodginghouse, or private dwellinghouse shall, on the application of

an enrolment officer appointed for the purposes of the compilation of the rolls, give all such information as to the names, occupations, and qualifications for enrolment of all persons residing or lodging in that house as the officer may request and the master or mistress is able to give.

(3.) Every person who on being requested as aforesaid fails to faithfully give such information is liable to a fine of five pounds.

7. Every Returning Officer and every substitute for a Returning Officer shall, before entering on the duties of his office, make and sign before a Justice of the Peace a declaration in the form numbered (2) in the Schedule hereto.

Returning Officer to make declaration.

8. Section forty-one of the principal Act is hereby amended by inserting, after the word "district" in subsection one, the words "or some person authorized in that behalf by the Registrar."

Section 41 of principal Act amended.

9. All applications for enrolment received by a Registrar from persons claiming to be British subjects by naturalization in New Zealand shall be verified by reference to the records caused to be kept by the Minister of Internal Affairs in compliance with the provisions of the Aliens Act, 1908.

Applications by naturalized British subjects to be verified.

10. (1.) Section forty-three of the principal Act is hereby amended by inserting, after the word "month," the words "immediately preceding his application."

Section 43 of principal Act amended.

(2.) The form numbered (1) in the Second Schedule to the principal Act is hereby repealed, and the form numbered (1) in the Schedule hereto substituted in lieu thereof.

11. Section forty-five of the principal Act is hereby amended as follows:—

Section 45 of principal Act amended.

- (a.) By omitting the word "five" wherever it occurs in subsections two and three, and substituting the word "three";
- (b.) By omitting the word "twenty-one" in subsection four, and substituting the word "ten"; and
- (c.) By inserting, after the word "Justice" in subsection four, the words "or the Clerk of the nearest Magistrate's Court."

12. Section forty-six of the principal Act is hereby amended as follows:—

Section 46 of principal Act amended.

- (a.) By inserting, after the words "notice thereof," the words "(by telegraph where necessary)"; and
- (b.) By adding at the end of the section the words "If the Registrar to whom the notice is transmitted finds that the name of the elector is not upon the roll of the district from which the elector claims transfer, he shall inform the Registrar who transmitted the notice of that fact, and by telegraph if necessary."

13. (1.) Every Registrar of Marriages shall, on or before the fifth day of every month, send to the Registrar of every electoral district any part whereof is comprised in the district for which he is the Registrar of Marriages, a correct return of all certificates of marriage issued by him during the preceding month in respect of adult women.

Registrars of Marriages to furnish returns of certificates of marriage of adult women.

(2.) Every such return shall be in the form numbered (3) in the Schedule hereto, and shall set out in the manner indicated therein particulars as to the name, residence, and addition of every adult

woman to whom any such certificate refers, and also particulars as to the name, address, and occupation of the man whose name is mentioned in that certificate.

(3.) On receipt of any such return the Registrar to whom it is sent shall forthwith by registered letter request the elector to state whether the marriage has been solemnized, and (if so) whether she is still residing within the electoral district; and on receipt of a statement by the elector that the marriage has been so solemnized the Registrar shall remove the maiden or former name of the elector from the roll, and, if she still possesses the necessary residential qualification, shall insert her married name in its proper alphabetical order, together with the correct address and addition.

(4.) If for any reason such alteration is not made in the roll before the issue of the writ, then the elector, if otherwise qualified, shall be entitled to vote in respect of her former name as appearing on the roll.

(5.) The return through the Post Office of a registered letter as mentioned in subsection three of this section shall be deemed sufficient proof that the person to whom it is addressed has left the district, and the name shall be removed from the roll forthwith.

Repeal.

(6.) This section is in substitution for section forty-nine of the principal Act, and that section is hereby accordingly repealed.

Section 50
of principal Act
amended.

14. Section fifty of the principal Act is hereby amended by adding at the end of subsection one the words "and to make all necessary alterations in the occupations, additions, or addresses of electors of which he has been advised."

Objections
to enrolment.

15. (1.) Any name on a roll may be objected to, either by an elector registered on the same roll or by the Registrar.

(2.) If the objection is by an elector the following provisions shall apply:—

- (a.) The objection shall be in writing lodged with the Registrar setting forth the grounds thereof, and may be in the form numbered (5) in the Second Schedule to the principal Act.
- (b.) On receipt of any such objection the Registrar shall forthwith give notice in writing to the person objected to, setting forth the objection and the grounds thereof.
- (c.) If the person objected to does not, within ten days after the service of such notice, cause his name to be removed from the roll, or satisfy the Registrar that he is entitled to have his name retained on the roll, the Registrar shall apply to a Magistrate, Justice, or Clerk of the nearest Magistrate's Court, who shall forthwith issue a summons in the form numbered (6) in the said Second Schedule.
- (d.) The Registrar shall also give notice in writing to the objector of the time and place appointed for the hearing.
- (e.) If at the time and place appointed for the hearing the objector, or some person appointed in writing by him, fails to appear, the case shall be dismissed.
- (f.) It shall be the duty of the Registrar also to appear, but the case may be determined in his absence.

- (g.) The Registrar may, if he thinks fit, and the objector so requests in writing, appear for the objector at the hearing.
- (h.) The person objected to may, on the hearing of the objection, either—
- (i.) Appear in person or by some person appointed in writing by him; or
 - (ii.) Forward by post, addressed to the Registrar, a statement made by him, and signed before another elector of the same district, setting forth reasons for his remaining on the roll.
- (i.) If the person objected to fails either to appear or to forward a statement as aforesaid the Magistrate shall make an order that his name be removed from the roll.
- (j.) If the objector appears, and the person objected to either appears or forwards a statement as aforesaid, the Magistrate shall hear and determine the objection, and shall direct the Registrar to retain the name on the roll or to remove it therefrom, or to make such amendment of the roll as may be necessary to give effect to such determination.
- (k.) In any such proceedings the burden of producing evidence in support of the objection shall be on the objector and not on the Registrar.
- (l.) If any such objection is in the opinion of the Magistrate vexatious, or frivolous, or unreasonable, he may order the objector to pay the costs or part of the costs of the hearing, and a reasonable allowance to the person objected to, and any such order may be enforced in the same manner as an order of the Magistrate's Court.
- (m.) No grounds of objection shall be entertained except those specifically stated in the summons.
- (n.) If any objection is on the ground that the person objected to has been convicted of any of the offences mentioned or referred to in section thirty-eight of the principal Act, the objector shall specify in his notice of objection the Court and approximate date at which the conviction was had, and, if he fails so to do, the objection shall not be entertained.
- (o.) The Registrar, on receipt of any such last - mentioned objection, shall request the Clerk of the Court where the person objected to is stated to have been convicted either to contradict the statement or to furnish a certificate of the conviction under the seal of the Court.
- (p.) The said Clerk shall comply with such request, and any such certificate shall, unless the person objected to satisfies the Registrar that he has received a free pardon, or has undergone the sentence or punishment to which he was adjudged for the offence for which he was convicted, be sufficient warrant to the Registrar to remove from the roll the name of the person so certified to have been convicted.

(3.) If the objection is by the Registrar the following provisions shall apply:—

- (a.) The Registrar shall give notice in writing to the person objected to of the grounds of the objection, and that unless notice of appeal is given within a time stated (being not less than seven days) the name of the elector will be removed from the roll without further proceedings.
 - (b.) The notice of objection shall be in the form numbered (4) in the Schedule hereto, and a form of notice of appeal shall be annexed thereto.
 - (c.) If the person objected to does not within the time stated in the notice cause his name to be removed from the roll, or satisfy the Registrar that he is entitled to have his name retained on the roll, or fails to give notice of appeal, the Registrar shall remove the name forthwith.
 - (d.) If notice of appeal is duly given, the Registrar shall (unless he is satisfied as to the right of the person objected to to have his name retained on the roll) set down the objection for hearing before a Magistrate, who shall appoint a time and place for the hearing.
 - (e.) The Registrar shall give notice to the person objected to of the time and place so appointed.
 - (f.) If at the time and place appointed for the hearing the Registrar fails to appear, the objection shall be dismissed.
 - (g.) The person objected to may, on the hearing of the objection, either—
 - (i.) Appear in person or by some person appointed in writing by him; or
 - (ii.) Forward by post, addressed to the Registrar, a statement made by him, and signed before another elector of the same district, setting forth reasons for his remaining on the roll.
 - (h.) If the person objected to fails either to appear or to forward a statement as aforesaid the Magistrate shall make an order that his name be removed from the roll.
 - (i.) If the Registrar appears, and the person objected to appears or forwards a statement as aforesaid, the Magistrate shall hear and determine the objection, and shall direct the Registrar to retain the name on the roll or to remove it therefrom, or to make such amendment of the roll as may be necessary to give effect to such determination.
 - (j.) No grounds of objection shall be entertained except those specifically stated in the notice of objection.
- (4.) No notice of objection under this section shall be entertained unless the summons or the notice of objection, as the case may be, is served on the person objected to in sufficient time to admit of the same being determined by a Magistrate before the issue of a writ for an election in the district to which it relates; and the name of any person objected to shall not be removed from the roll, notwithstanding such objection, until the objection has been determined,

(5.) The form numbered (6) in the Second Schedule to the principal Act is hereby amended by inserting, after the word "Justice," the words "or Clerk of the Magistrate's Court."

(6.) This section is in substitution for sections fifty-one and fifty-two of the principal Act, which sections are hereby accordingly repealed. Repeal.

16. Section fifty-three of the principal Act is hereby amended by adding at the end of subsection one the words "and also" Section 53
of principal Act
amended.

"(e.) The name of every person objected to who is proved, to the satisfaction of the Magistrate, not to possess the full qualification for enrolment as stated in section thirty-five hereof."

17. (1.) Not later than two clear days after the issue of a writ for an election, either the Registrar or an elector may object to any claim received by the Registrar within the twenty-one days preceding the issue of the writ. Objections
to claims after
writ issued.

(2.) If the objection is by an elector, he shall give notice thereof to the Registrar in writing, setting out the grounds of his objection.

(3.) Where any such objection is made, whether by the Registrar or by an elector, the Registrar shall forthwith apply to the Magistrate for a special sitting of the Court for the purpose of hearing and determining the validity of the claim so objected to, and the Magistrate shall hold such special sitting, but not later than four days after the issue of the writ; and notice of the time and place of the special sitting shall be given by the Registrar to the person objected to, and if the objector is an elector, to that elector.

(4.) If an elector objecting to any claim, or an agent appointed in writing by him, does not appear at the special sitting of the Court, the objection shall be dismissed. It shall be the duty of the Registrar also to appear, but the objection may be determined in his absence.

(5.) If any claim so objected to is proved, the Magistrate shall order the Registrar to place the name of the claimant in alphabetical order upon an extra supplementary roll for the district and not upon the general roll, and such extra supplementary roll shall be printed forthwith as a roll separate from the general or ordinary supplementary roll, but shall be deemed to form part of the electoral roll.

(6.) If any objection made by an elector under this section is in the opinion of the Magistrate vexatious, or frivolous, or unreasonable, he may order the objector to pay the costs or part of the costs of the hearing, and a reasonable allowance to the person objected to, and any such order may be enforced in the same manner as an order of the Magistrate's Court.

(7.) This section is in substitution for section fifty-four of the principal Act, which section is hereby accordingly repealed. Repeal.

18. Section fifty-six of the principal Act is hereby amended as follows:— Section 56
of principal Act
amended.

(a.) By inserting, after the word "Justice" in subsection one, the words "or Clerk of the Magistrate's Court";

(b.) By adding at the end of subsection two the words "or it may be sent to him through the post by a registered electoral-notice letter"; and

(c.) By repealing subsection three.

Justices may act for Magistrate in certain cases.

19. The powers and duties imposed on a Magistrate under the principal Act or this Act may, in the event of the Magistrate himself being unable to act, be exercised and performed by any two Justices nominated by telegraph or otherwise by the Magistrate; and the Justices so nominated shall act accordingly when notified by the Clerk of the Court so to do.

Section 60 of principal Act amended.

20. Section sixty of the principal Act is hereby amended by repealing paragraph (b) of subsection one, and substituting the following:—

“(b.) The name of every person of whose identity he is satisfied and whose name appears on the monthly list of deaths supplied to the Registrar by any Registrar of Births and Deaths; and

“(bb.) The name of every adult woman of whose identity he is satisfied, whose name appears on the monthly return of certificates of marriage issued by any Registrar of Marriages, and who is proved to the satisfaction of the Registrar to have left the district.”

Registrar not to alter roll after six o'clock of day on which writ issued.

21. (1.) Except as provided in section sixty of the principal Act or in section seventeen hereof, it shall not be lawful for any Registrar to enter on or to remove from the roll of any electoral district the name of any person after six o'clock in the afternoon of the day of the issue of a writ for the election of a member for the said district.

(2.) Every Registrar who offends against the provisions of this section is liable to a fine not exceeding twenty pounds for every name so improperly entered on or removed from the roll.

Repeal.

(3.) This section is in substitution for section sixty-six of the principal Act, and that section is hereby repealed accordingly.

Repeal.

22. Section sixty-seven of the principal Act is hereby repealed.

Closing of general roll.

23. (1.) In every year in which a general election is to be held the general roll in every district shall be closed on a date to be fixed by the Governor in Council, and after that date no names shall be added to the general roll of any district until after that election.

(2.) As soon as practicable after the closing of the general roll the Chief Electoral Officer shall cause a general roll to be printed for every district, containing the names, numbered consecutively in alphabetical order, of all persons whose names are lawfully on the roll of the district.

(3.) The general roll shall be in the form numbered (7) in the Second Schedule to the principal Act.

Repeal.

(4.) Section seventy of the principal Act is hereby repealed.

Copies of roll to be supplied to Returning Officer.

24. (1.) Printed copies of the general roll of a district, showing thereon all alterations made since the closing of that roll and certified as correct by the Registrar, shall be supplied by him to the Returning Officer of the district as the same are required from time to time for the purpose of conducting any election.

Repeal.

(2.) This section is in substitution for section seventy-seven of the principal Act, which section is hereby accordingly repealed.

Electors' Rights.

Section 89 of principal Act amended.

25. Section eighty-nine of the principal Act is hereby amended by omitting from subsection five the words “kept by the Registrar,”

and substituting the words "forwarded by the Registrar to the Returning Officer."

26. (1.) Paragraph (b) of section ninety-one of the principal Act is hereby repealed, and the following substituted therefor:—

Section 91
of principal Act
amended.

"(b.) The Collector shall thereupon fill up a blank ballot-paper with the names of the candidates of the aforesaid district, and enter on both the counterfoil and the back of the ballot-paper a number (called a consecutive number) beginning with the number one in the case of the first ballot-paper issued by him, and on all succeeding ballot-papers issued by him the numbers shall be consecutive, so that no two ballot-papers issued by him shall bear the same number; on the counterfoil of the ballot-paper he shall also write his initials and the number of the elector's right in respect of which the ballot-paper is given, and shall then, on both the counterfoil and the back of the ballot-paper, place his official mark, and shall give the ballot-paper to the voter."

(2.) Paragraph (h) of the said section ninety-one is hereby repealed, and the following substituted therefor:—

"(h.) The Returning Officer, on receiving a ballot-paper transmitted to him as mentioned in paragraph (c) of this section, shall open the outer envelope only, and compare the signature of the voter on his application for the ballot-paper enclosed therein with the signature on the original application for an elector's right made by that voter, and, if he finds that the signatures correspond, shall allow the vote, and shall place, unopened, the envelope containing the ballot-paper in a ballot-box provided for the purpose; and such envelope shall remain unopened until after the close of the poll, when it shall be opened by the Returning Officer in the presence of scrutineers, and the vote duly recorded, and the ballot-paper placed amongst the ballot-papers recorded at the principal polling-place; but if he finds that the signatures do not correspond, he shall not allow the vote, and shall set aside, unopened, the envelope containing the ballot-paper after having marked across the envelope the words "Rejected as informal."

Regulation of Elections.

27. (1.) Section ninety-eight of the principal Act is hereby amended by omitting the word "twenty-one" in subsection three, and substituting the word "twenty-eight."

Section 98
of principal Act
amended.

(2.) Section one hundred and two of the principal Act is hereby amended by omitting the word "twenty-one" in subsection two, and substituting the word "twenty-eight."

Section 102
of principal Act
amended.

28. (1.) Section one hundred and four of the principal Act is hereby amended by omitting the word "ten" wherever it occurs, and by substituting the word "twelve."

Section 104 of
principal Act
amended.

(2.) The form numbered (14) in the Second Schedule to the principal Act is hereby repealed, and the form numbered (5) in the Schedule hereto is substituted therefor,

Nominations.

Section 105
of principal Act
amended.

29. Section one hundred and five of the principal Act is hereby amended as follows:—

- (a.) By omitting the words “five o’clock in the afternoon of the eighth day” in subsection one, and substituting the words “noon of the tenth day”;
- (b.) By repealing subsection six; and
- (c.) By omitting all the words of subsection seven down to and inclusive of the word “nominated,” and substituting the words “Immediately on the close of the nominations in any district the Returning Officer shall forward to the Chief Electoral Officer, at Wellington, by telegraph or other expeditious means, the names of the several candidates nominated who have not withdrawn as hereinafter mentioned.”

Section 107
of principal Act
amended.

30. Section one hundred and seven of the principal Act is hereby amended as follows:—

- (a.) By omitting the words “five clear days before the day of polling” in subsection one, and substituting the words “the time limited for making nominations”;
- (b.) By omitting all the words of subsection two after the words “hereinafter mentioned”; and
- (c.) By repealing subsections three and four.

Contested Elections.

Section 110
of principal Act
amended.

31. (1.) Section one hundred and ten of the principal Act is hereby amended by omitting all the words of subsection two after the words “large characters,” and substituting the words “and where two or more candidates have the same surname, they shall be distinguished on the ballot-papers by the addition in smaller characters of their Christian names and such other matter as may be necessary to distinguish them.”

(2.) The form numbered (17) in the Second Schedule to the principal Act is hereby repealed, and the form numbered (6) in the Schedule hereto substituted in lieu thereof.

Candidates’ Meetings.

Section 112
of principal Act
amended.

32. Section one hundred and twelve of the principal Act is hereby amended by repealing subsection three, and substituting the following:—

“(3.) For the purposes of this section “candidate” means any man who has declared his intention of becoming a candidate either by advertisement in a newspaper or by circular, or by announcement at a public meeting, or by signifying in the manner hereinbefore prescribed his consent to be nominated as a candidate; but does not include a duly nominated candidate who has withdrawn.”

Polling at Elections.

Section 114
of principal Act
amended.

33. Section one hundred and fourteen of the principal Act is hereby amended by inserting, after the word “over” in subsection one, the words “no additional polling-places shall be appointed and.”

34. (1.) Section one hundred and nineteen of the principal Act is hereby amended by inserting, after the word "Justice," the words "or Postmaster, or another Deputy Returning Officer."

Section 119
of principal Act
amended.

(2.) The form numbered (18) in the Second Schedule to the principal Act is hereby amended by inserting, after the word "Justice," the words "or Postmaster, or Deputy Returning Officer."

35. Any scrutineer appointed under section one hundred and twenty of the principal Act who during the hours of polling leaves the polling-booth to which he is appointed, without having first obtained the permission of the Deputy Returning Officer, shall not be entitled to re-enter the booth or to resume his scrutiny.

Scrutineer
not to leave
the booth.

36. Subsection one of section one hundred and twenty-two of the principal Act is hereby amended by omitting the word "three," and substituting the word "seven"; and by inserting, before the word "scrutineer," the word "secretary."

Section 122
of principal Act
amended.

37. Subsection one of section one hundred and twenty-five of the principal Act is hereby repealed.

Repeal.

Ballot-papers.

38. (1.) Before giving a ballot-paper to an elector the Deputy Returning Officer shall enter on both the counterfoil and the back of the ballot-paper a number (called a consecutive number) beginning with the number one in the case of the first ballot-paper issued by him, and on all succeeding ballot-papers issued by him the numbers shall be consecutive, so that no two ballot-papers issued in any booth shall bear the same number; on the counterfoil of the ballot-paper he shall also write his initials, and the number appearing on the roll against the name of the elector to whom the ballot-paper is to be given; on both the counterfoil and the back of the ballot-paper he shall place his official mark, and then draw a line in pencil or ink through the number and name of the elector on the roll as evidence that the elector has tendered his vote.

Ballot-paper
to be marked.

(2.) Every Deputy Returning Officer who fails faithfully to perform any duty imposed on him by this section, by reason whereof any of the requirements of this section are not effectively fulfilled, is liable to a fine of ten pounds.

(3.) This section is in substitution for section one hundred and twenty-nine of the principal Act, which section is hereby accordingly repealed.

39. (1.) Any voter who before depositing his ballot-paper in the ballot-box satisfies the Deputy Returning Officer that he has spoiled it by inadvertence may be supplied with a fresh ballot-paper, but only after the spoiled one has been returned to the Deputy Returning Officer.

Spoilt
ballot-papers.

(2.) The Deputy Returning Officer shall cancel such spoiled ballot-paper by writing across the face thereof the words "Spoilt by voter, and a fresh ballot-paper issued in lieu thereof," and shall affix his initials thereto, and shall retain the spoiled ballot paper in his possession until the close of the poll.

Absent Voters.

40. (1.) An elector of any district may, at any time during the six months preceding the issue of the writ, apply in writing (in the

Voting-permit.

form numbered (7) in the Schedule hereto) to any Registrar for a voting-permit authorizing him to record his vote outside the district in which he is enrolled, at any polling-place appointed under the principal Act, and such application shall be attested by a Registrar of Electors, a Justice of the Peace, a Postmaster, or other responsible Government officer.

(2.) If the application is made to any Registrar other than the Registrar of the district in which the applicant is enrolled, the Registrar to whom it is made shall forward it to the Registrar of the district in which the applicant is enrolled, and shall (by telegraph, if necessary) inform that Registrar of the particulars of the application.

(3.) On receipt of such application or telegraphic advice the Registrar of the district in which the applicant is enrolled, on being satisfied of the good faith of the applicant and that the applicant's name is on the roll of the district, shall issue to him a voting-permit in the form numbered (21) in the Second Schedule to the principal Act, and shall without delay forward the voting-permit to the applicant.

(4.) The voting-permits issued by any Registrar shall be numbered consecutively, beginning with the number one, and the Registrar shall prepare a list of all such permits, and append a copy of the list to every copy of the supplementary roll issued to the Returning Officer and his deputies.

(5.) The original signed applications on which any voting-permit has been issued shall be forwarded by the Registrar to the Returning Officer for the purpose of verifying the signatures as hereinafter mentioned.

(6.) A voting-permit shall not remain in force for any period exceeding twelve months from the date thereof.

(7.) The removal, under the provisions of the principal Act, of the name of the holder of a voting-permit from the roll of the district in which he was registered shall *ipso facto* annul and cancel his voting-permit; but in the event of his being again registered either in the same or any other district he may obtain a new permit.

(8.) Any person who loses his voting-permit shall, on application to the Registrar who issued it, and on making a declaration in the form numbered (8) in the Schedule hereto, be entitled to have a duplicate of the permit granted to him.

(9.) This section is in substitution for section one hundred and thirty-three of the principal Act, and that section is hereby accordingly repealed.

41. (1.) For the purpose of exercising his vote the holder of a voting-permit shall apply, at any time between the opening and closing of the poll, to any Deputy Returning Officer outside the district in which he is enrolled, and shall deliver his voting-permit to the Deputy Returning Officer, and sign an application (in the form numbered (9) in the Schedule hereto) for a ballot-paper for the district in which he is enrolled.

(2.) The Deputy Returning Officer shall thereupon fill up a blank ballot-paper with the names of the candidates for the district for which the holder of the voting-permit is entitled to vote, and enter

Repeal.

Exercise of vote
outside district of
enrolment.

on both the counterfoil and the back of the ballot-paper a number (called a consecutive number) beginning with the number one in the case of the first ballot-paper issued by him under this section, and on all succeeding ballot-papers so issued the numbers shall be consecutive, so that no two ballot-papers issued by him under this section shall bear the same number; on the counterfoil of the ballot-paper he shall also write his initials, the number of the voting-permit, and the name of the electorate in respect of which the ballot-paper is given, and shall then, on both the counterfoil and the back of the ballot-paper, place his official mark, and shall give the ballot-paper to the voter.

(3.) The holder of the permit shall mark the ballot-paper in the manner prescribed by the principal Act, and shall return the same to the Deputy Returning Officer, who shall enclose it in an envelope addressed to the Returning Officer of the district for which the vote is exercised, and, having fastened up the envelope, shall enclose it, together with the application for a ballot-paper, in a second envelope similarly addressed, and shall forthwith post it to its address, and every such letter shall go free by post.

(4.) The Deputy Returning Officer shall then indorse the voting-permit with a note of the exercise thereof, and shall sign and date such indorsement, and then return the permit to the voter.

(5.) Immediately a vote is recorded as mentioned in this section the Deputy Returning Officer shall transmit, by telegraph or other expeditious means, to the Returning Officer of the district for which the vote was exercised a statement of the name, address, and occupation or description of the elector who has recorded his vote, and the number of his voting-permit.

(6.) On receipt of any such statement the Returning Officer shall place on the roll against the name of the holder of the voting-permit a note indicating that he has exercised his vote under the voting-permit.

(7.) The Returning Officer on receiving a ballot-paper transmitted to him as aforesaid shall open the outer envelope only, and compare the signature of the voter on his application for the ballot-paper enclosed therein with the signature on the original application for a voting-permit made by that voter, and if he finds that the signatures correspond shall (unless the voting-permit has been cancelled or has expired) allow the vote, and shall place, unopened, the envelope containing the ballot-paper in a ballot-box provided for the purpose; and such envelope shall be opened by the Returning Officer in the presence of such of the scrutineers as choose to be present, the vote duly recorded, and the ballot-paper placed amongst the ballot-papers recorded at the principal polling-place. If the Returning Officer finds that the signatures do not correspond, or that the voting-permit has been cancelled or has expired, he shall not allow the vote, and shall set aside, unopened, the envelope containing the ballot-paper, after having marked across the envelope the words "Rejected as informal."

(8.) If for any reason the holder of a voting-permit applies to vote at any polling-place within the district in which he is enrolled, he shall, before receiving a ballot-paper, deliver his voting-permit to the Deputy Returning Officer, who shall indorse it with a statement

that the holder has recorded his vote, and then return the permit to the voter.

Repeal.

(9.) This section is in substitution for sections one hundred and thirty-four and one hundred and thirty-five of the principal Act, and those sections are hereby accordingly repealed.

Exercise of vote outside district of enrolment at second ballot or by-election.

42. (1.) If the holder of a voting-permit issued for a district in which a second ballot is required to be taken, or in which a by-election is held, desires to exercise his permit, he shall, for the purpose of recording his vote, apply to any Postmaster to have a ballot-paper issued to him, and shall deliver his voting-permit to that Postmaster, and sign an application in the form numbered (9) in the Schedule hereto.

(2.) The Postmaster shall thereupon proceed in the manner prescribed by the last preceding section in the case of applications to a Deputy Returning Officer, and shall give to the holder of the voting-permit a ballot-paper, and afterwards deal with the same and the application in the manner prescribed by that section.

Offences connected with voting-permits.

43. Every person is liable to a fine of fifty pounds or to imprisonment for six months who—

- (a.) Wrongfully obtains a voting-permit or a duplicate of a voting-permit; or
- (b.) Having wrongfully obtained the same, records his vote thereunder; or
- (c.) Claims to record his vote by virtue of any voting-permit or duplicate of a voting-permit not issued to him; or
- (d.) Permits a voting-permit or a duplicate of a voting-permit issued to him to be used by any other person.

Voting-permits may be used at licensing poll.

44. A voting-permit shall be applicable to the licensing poll taken under the Licensing Act, 1908, and the provisions of sections forty-one to forty-three hereof shall, *mutatis mutandis*, apply accordingly:

Provided that the marked voting-paper issued for the licensing poll shall be placed in the first envelope mentioned in subsection three of section forty-one hereof, along with the marked ballot-paper issued for the electoral poll.

Preliminary Count of the Votes.

Number of votes to be ascertained at the close of the poll.

45. (1.) Every Deputy Returning Officer, at the polling-place at which each presides, shall, as soon as practicable after the close of the poll, make up into a parcel the certified copies of the roll supplied to him on which the fact of any person having received a ballot-paper has been noted, together with all the counterfoils of ballot-papers that have been issued to voters, and such parcel shall be sealed by the Deputy Returning Officer and by such scrutineers as are present and desire to do so.

(2.) The Deputy Returning Officer shall then in the presence of such of the scrutineers as choose to be present (including the scrutineers appointed under section nineteen of the Licensing Act, 1908), and the poll-clerks (if any), but of no other person, open the ballot-boxes, and, taking therefrom all the ballot-papers therein, proceed to ascertain the number of votes recorded for each candidate.

(3.) The Deputy Returning Officer shall set aside as informal all ballot-papers which do not clearly indicate the candidate for whom the elector desired to vote.

(4.) This section is in substitution for section one hundred and thirty-six of the principal Act, and that section is hereby accordingly repealed. Repeal.

46. Section one hundred and thirty-seven of the principal Act is hereby amended by adding at the end thereof the words "and transmit the result by telegraph or other expeditious means to the Returning Officer." Section 137
of principal Act
amended.

47. (1.) Each Deputy Returning Officer, immediately after ascertaining the number of votes recorded for the several candidates as mentioned in section forty-five hereof, shall make up into separate parcels— Deputies to make
up books and papers
in parcels.

(a.) The used ballot-papers, together with (but in a separate enclosure) the ballot-papers set aside as informal under section forty-five hereof, but not including those set aside under section one hundred and thirty-two of the principal Act :

(b.) The ballot-papers set aside under the said section one hundred and thirty-two :

(c.) The unused and spoilt ballot-papers :

(d.) All books, rolls, and papers kept and used by him during the polling, except the certified copies of the roll supplied to him on which the fact of any person having received a ballot-paper has been noted : and

(e.) (i.) A list of the total number of votes received by each candidate, and of the number of ballot-papers set aside under section forty-five hereof as informal (signed by the Deputy Returning Officer and also by such of the scrutineers as are present and consent to sign the same) ; and

(ii.) An account, in the prescribed form (signed as aforesaid), in which the Deputy Returning Officer charges himself with the number of ballot-papers originally delivered to him, the number thereof delivered to and used by voters, the number of spoilt ballot-papers, the number of ballot-papers set aside under section one hundred and thirty-two of the principal Act, and the number of ballot-papers not delivered to and used by voters.

(2.) Each parcel made up pursuant to section forty-five hereof, or this section, shall be sealed by the Deputy Returning Officer with his own seal, and by such scrutineers present as desire to affix their seals, and shall be indorsed by the Deputy Returning Officer with a description of the contents thereof, the name of the district, the name of the polling-place, and the date of the polling, and such indorsement shall be signed by the Deputy Returning Officer.

(3.) The Deputy Returning Officer shall (except where he is himself the Returning Officer) with all possible despatch deliver all the separate parcels mentioned herein, together with the parcel mentioned in section forty-five hereof, to the Returning Officer.

(4.) This section is in substitution for sections one hundred and thirty-eight and one hundred and thirty-nine of the principal Act, and those sections are hereby accordingly repealed. Repeal.

Scrutiny of the Rolls.

Scrutiny
of the rolls by
Returning Officer.

48. (1.) The Returning Officer shall make arrangements for a scrutiny of the rolls as soon as practicable after the close of the poll, and shall give notice in writing to each of the candidates or their scrutineers of the time and place at which he will commence the scrutiny.

(2.) No person other than the Returning Officer and his assistants, and one person appointed as scrutineer by each candidate for the purpose, shall be present at the scrutiny.

(3.) No candidate shall act as scrutineer under this section.

Repeal.

(4.) This section is in substitution for section one hundred and forty of the principal Act, and that section is hereby accordingly repealed.

Counting the Votes, and Declaration of the Poll.

Counting the
ballot-papers.

49. (1.) On completion of the scrutiny directed by the last preceding section the Returning Officer, with such assistance as he deems necessary, and in the presence of such of the scrutineers appointed under the last preceding section as are present, and also in the presence of some Justice (who shall attend at the request of the Returning Officer), shall select one of the parcels of used ballot-papers as described in paragraph (a) of section forty-seven hereof, and, having taken the ballot-papers therefrom, shall mark each such paper on the back with a number in arithmetical series, beginning with the number one, and so that no two ballot-papers in that parcel shall bear the same number.

(2.) When the ballot-papers from the parcel so selected have been marked as aforesaid, the Returning Officer shall make a record of the last number marked, and shall then, in the presence of the scrutineers and Justice as aforesaid, deal with the ballot-papers as follows:—

(a.) He shall reject as informal—

(i.) Any ballot-paper that does not bear the official mark if there is reasonable cause to believe that it was not issued to a voter by any Deputy Returning Officer; and

(ii.) Any ballot-paper whereon anything not authorized by this Act is written or marked by which the voter can be identified; and

(iii.) Any ballot-paper that does not clearly indicate the candidate for whom the elector desired to vote:

Provided that no ballot-paper shall be rejected merely on the ground of some informality in the manner in which it has been dealt with by the elector, if it is otherwise regular, and if in the opinion of the Returning Officer the intention of the elector in voting is clearly indicated.

(b.) The Returning Officer shall then count the number of votes received by each candidate, and the number of votes rejected as informal, and compare the result of such count with the list made by the Deputy Returning Officer at the preliminary count as prescribed by paragraph (e) of section forty-seven hereof, and shall, where

necessary, amend such list; and every such list shall be initialled by the Returning Officer and the Justice attending.

(c.) The Returning Officer shall then make up and seal the parcel anew, and indorse thereon a memorandum specifying the number of ballot-papers contained in the parcel, the number of votes received by each candidate, the number of informal votes, and the name of the booth at which the votes were recorded; and such indorsement shall be signed by the Returning Officer and the Justice attending.

(3.) After the ballot-papers from one parcel have been dealt with in the manner aforesaid, those from the remaining parcels shall be successively dealt with in like manner, the marking of the ballot-papers to commence with the number one in the case of each parcel.

(4.) The absent-voters' ballot-papers and the seamen's ballot-papers shall then be dealt with in like manner, after which they shall be sealed up together, and indorsed in the manner hereinbefore described.

(5.) When all the ballot-papers have been dealt with in the prescribed manner, the Justice attending shall sign a certificate stating the total number of the ballot-papers used at the election, and such certificate shall be preserved by the Returning Officer for production when required.

(6.) Where at any count of the ballot-papers under this section the numbering of the ballot-papers extends beyond one day, the Justice attending shall give his certificate day by day showing the progress of such numbering and describing the parcels counted in his presence.

(7.) When all the ballot-papers have been dealt with in the manner hereinbefore prescribed, the Returning Officer shall ascertain the total number of votes received by each candidate, and shall publicly declare (in the form numbered (22) in the Second Schedule to the principal Act) the result of the poll.

(8.) This section is in substitution for sections one hundred and forty-four and one hundred and forty-five of the principal Act, and those sections are hereby accordingly repealed.

50. Each two persons selected by the Returning Officer under section nineteen of the Licensing Act, 1908, may, at any time before or at the counting of the votes recorded at the licensing poll, appoint not more than two persons to act as scrutineers thereat in the interests of the persons whom they respectively represent, and may also at any time appoint not more than two persons to act as scrutineers in the same interests at any scrutiny or recount in connection with the said poll; and the persons so appointed may act accordingly.

Repeal.

Licensing scrutineers may attend at scrutiny, &c.

Recount.

51. (1.) At any recount made under section one hundred and forty-seven of the principal Act the Returning Officer shall produce to the Magistrate all the used ballot-papers, together with the certificate mentioned in section forty-nine hereof stating the total number of ballot-papers used at the election.

Ballot-papers and certificate to be compared on recount.

(2.) If on comparing the number of ballot-papers stated in the certificate with the ballot-papers used at the election the Magistrate finds that any of the used ballot-papers have been lost, stolen, or in any way interfered with during the interval between the official count and the recount, the official count made by the Returning Officer shall be deemed to be correct, and the result of the election declared accordingly.

Purging the Roll.

Purging the roll after a general election.

52. (1.) The Returning Officer, after the day of polling at any general election and before sealing up the certified copies of rolls received from the several Deputy Returning Officers, shall mark a fair copy of the roll so as to indicate clearly thereon the name of every voter who has voted at that election, and shall write the words "Candidate" or "Prohibited from voting," as the case may be, opposite the names of such persons as were candidates or were prohibited by law from voting at that election; and shall indorse on the said copy a certificate that the names of the persons who voted at the election are correctly indicated thereon.

(2.) Where a second ballot is taken the Returning Officer shall in the same manner mark a copy of the roll so as to indicate every voter who voted at that ballot, and shall deal with that copy in the manner provided in the last preceding subsection.

(3.) The Returning Officer shall transmit to the Registrar of the district every copy so marked and certified as aforesaid, and the Registrar shall in the month of April next ensuing erase from the official roll the names of all the electors (other than the names of candidates and of persons prohibited from voting) who are not indicated on the copies received from the Returning Officer as having voted at either the first or the second ballot.

(4.) The Registrar shall keep and produce to the Magistrate, on any revision of the roll, the marked copy or copies of the roll received from the Returning Officer; and such copies shall be sufficient evidence that any person not marked thereon as having voted did not vote at that general election either at the first or at the second ballot, as the case may be.

(5.) Every Returning Officer or Registrar is liable to a fine of ten pounds who fails to faithfully perform any duty imposed on him by this section if by reason thereof the name of any person is wrongfully retained on the roll or is wrongfully erased from the roll.

(6.) Nothing in the last preceding subsection shall affect the liability of any Registrar under section eighty-six of the principal Act, but so that in no case shall any Registrar be punished twice for the same offence.

Repeals.

(7.) This section is in substitution for section one hundred and fifty of the principal Act and section nineteen of the Second Ballot Act, 1908, and those sections are hereby accordingly repealed.

Notice to be sent to persons whose names are erased for not voting.

53. It shall be the duty of the Registrar who erases the name of any person from the roll as prescribed by the last preceding section to forthwith post to that person a notice in the form numbered (10) in the Schedule hereto.

Disposal of Ballot-papers.

54. Section one hundred and fifty-one of the principal Act is hereby amended by omitting all the words of paragraph (a) down to and including the words "unused ballot-papers," and substituting the following: "He shall enclose in one separate packet all the sealed parcels of used ballot-papers, including the absent-voters' and seamen's ballot-papers, and all counterfoils corresponding to those ballot-papers; in another all parcels of unused and spoilt ballot-papers."

Section 151
of principal Act
amended.

Illegal Practices.

55. Section two hundred and nineteen of the principal Act is hereby amended by inserting, before the word "agent" in paragraph (a), the word "secretary."

Section 219
of principal Act
amended.

56. Section two hundred and thirty-three of the principal Act is hereby amended by omitting the word "thirty" in subsection three, and substituting the word "fifteen."

Section 233
of principal Act
amended.

Maori Representation.

57. Section one hundred and eighty of the principal Act is hereby amended by omitting all the words of subsection two after the words "hereinafter mentioned."

Section 180 of
principal Act
amended.

58. Section one hundred and eighty-one of the principal Act is hereby amended by omitting the words "(not being registered under Part II of this Act)."

Section 181 of
principal Act
amended.

59. (1.) A half-caste who is registered under Part II of the principal Act, or who having been so registered has within the preceding twelve months voted at an election under Part III of that Act, shall not be entitled to vote at an election of members under Part IV of that Act.

Half-caste, when not
entitled to vote.

(2.) A Maori of unsound mind, or a Maori convicted of an offence punishable by death or by imprisonment for one year or upwards within any part of His Majesty's dominions, or convicted in New Zealand as a public defaulter, or under the Police Offences Act, 1908, as an idle and disorderly person or as a rogue and vagabond, unless such offender has received a free pardon, or has undergone the sentence or punishment to which he was adjudged for such offence, shall not be entitled to vote.

Disqualification of
Maoris.

(3.) The Registrar of the Supreme Court or Clerk of the Court at which any person is convicted as aforesaid shall, not later than the fifth day of the month succeeding the conviction, forward to the Returning Officer of the district in which the offender was residing a statement showing the name, place of abode, and occupation or description of such offender, and the offence of which he was convicted.

(4.) The name of every Maori disqualified as aforesaid shall be entered on a list by the Returning Officer, and a copy of such list supplied to every Deputy Returning Officer on the occasion of his presiding at a poll as hereinafter mentioned.

60. (1.) All elections of Maori members shall be conducted according to the following regulations:—

Regulations for
conduct of Maori
electoral poll.

- (a.) There shall be one Returning Officer, appointed by the Governor, for each electoral district; and the said Returning Officer shall have power to appoint, on the occasion of any election, such Deputy Returning Officers as he deems necessary for the effective taking of the poll at every polling-booth.
- (b.) Every such Returning Officer or Deputy Returning Officer may at any time before the close of the election appoint, in writing, a substitute to act for him in case and so long as he is prevented by illness or other sufficient cause from attending or continuing to attend to the duties of his office.
- (c.) Every such substitute while so acting shall have all the powers, functions, and liabilities of his principal.
- (d.) Every Returning Officer and Deputy Returning Officer, and every substitute appointed hereunder, shall, before acting in his office, make and subscribe before a Justice or Postmaster the declaration set forth in the form numbered (11) in the Schedule hereto.
- (e.) Polling-places shall be appointed in each electoral district by the Governor, and notice of the places appointed shall be published in the *Kahiti* and *Gazette* at least eight days previous to the day of nomination.
- (f.) A polling-place shall not be appointed—
 - (i.) Unless the Governor is first satisfied that the place to be appointed is convenient for at least ten electors to record their votes thereat; or
 - (ii.) In any house licensed for the sale of spirituous or fermented liquors, or in any premises belonging to any such house.
- (g.) The Governor may appoint any primary school to be a polling-place, and in every such case it shall be the duty of the Committee of that school to place the same at the free disposal of the Returning Officer from four o'clock in the afternoon of the day preceding the election until eight o'clock in the evening of the day of the election.
- (h.) The cost of cleaning such school after use as a polling-place, and of repairing any damage, shall be defrayed by the Returning Officer out of moneys to be appropriated by Parliament.
- (i.) After the issue of a writ for an election in any district, and until such election is over, no additional polling-places shall be appointed, and no change shall be made in the polling-places appointed for that district, unless a polling-place becomes unavailable for the purpose for which it was appointed, or unless such election cannot be held without some such change being made.
- (j.) The Clerk of the Writs, when authorized by the Governor so to do, shall issue a writ in the form numbered (12) in the Schedule hereto, specifying the day and place of nomination, and the day on which the poll, if required, shall take place.

- (k.) The writ shall be forwarded to each Returning Officer, and a copy thereof shall be published in the *Kahiti* and *Gazette*, and posted in such public places as is thought desirable by the Returning Officer.
- (l.) Any adult male Maori who is not disqualified under section fifty-nine hereof may, with his consent, be nominated as a candidate for election for any Maori electoral district in the form numbered (13) in the Schedule hereto, signed by not less than two electors of that district, and given or transmitted to the Returning Officer so as to reach him not later than noon on the day of nomination.
- (m.) The consent of any such person to be nominated may be signified to the Returning Officer by letter sent by post or affixed to the nomination-paper, or by an ordinary message by telegraph, which shall be deemed to be delivered in time if delivered at the telegraph-office for transmission within the time hereinbefore limited.
- (n.) Each candidate shall be nominated by a separate nomination-paper in such manner as, in the opinion of the Returning Officer, is sufficient to identify the candidate.
- (o.) No elector may nominate more than one candidate.
- (p.) After nominations close, the Returning Officer shall immediately forward to the Chief Electoral Officer at Wellington, by telegraph or other expeditious means, the names of the several candidates nominated; and the Chief Electoral Officer shall forthwith publish the same in the *Kahiti* and *Gazette*.
- (q.) Every candidate, or some person on his behalf, shall, at the time of sending to the Returning Officer his consent to be nominated, deposit with or remit to the said officer the sum of ten pounds, which sum shall be retained by the Returning Officer until after the official declaration of the poll.
- (r.) 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 Consolidated Fund; but otherwise, or if he withdraws as hereinafter mentioned, it shall be returned to the person who paid it.
- (s.) Any candidate may withdraw, not later than noon on the day of nomination, by giving or transmitting by letter to the Returning Officer a notice in the form numbered (14) in the Schedule hereto, signed by the candidate, and attested by a Justice or Postmaster.
- (t.) The Returning Officer shall forthwith notify the Chief Electoral Officer, by telegraph or other expeditious means, of the fact of such withdrawal.
- (u.) A candidate giving such notice shall not be capable of being elected, and no votes shall be given for him by any elector.
- (v.) If only one candidate is nominated, the Returning Officer shall, by public notice on or before the day appointed for taking the poll, declare that candidate to be duly elected.

- (w.) The name of the person so declared to be elected shall be indorsed on the writ by the Returning Officer as the person duly elected in pursuance thereof, and the writ shall be returned by him forthwith to the Clerk of the Writs, to be by him forwarded to the Speaker; and the Returning Officer shall forthwith publish a notice of the result of the election in the *Kahiti* and *Gazette*.
- (x.) If more than one candidate has been duly nominated, the Returning Officer shall forthwith announce the day on which the poll will be taken, being the day fixed by the writ as aforesaid; and on that day the poll shall be taken at the places appointed as aforesaid, and shall commence at nine o'clock in the forenoon of the day appointed, and shall close at four o'clock in the afternoon of the same day, unless otherwise ordered by the Returning Officer.
- (y.) When a poll is required as aforesaid, the Returning Officer shall forthwith cause to be printed a supply of voting-papers in the form numbered (15) in the Schedule hereto, and shall supply to each Deputy Returning Officer a sufficient number of such voting-papers, together with any printed matter, stationery, or writing materials, that he may consider necessary for the efficient conduct of the poll.
- (z.) The Returning Officer may appoint such clerks as are necessary for the effective taking of the poll, and shall arrange that every Deputy Returning Officer shall have associated with him on the day of the poll a Maori or half-caste, hereinafter referred to as an associate, whose duty it shall be to assist the Deputy Returning Officer in the manner hereinafter prescribed, and in any other way if so required by such Deputy.
- (aa.) Each candidate, or, if he omits to do so, his nominators together, may, by writing under his or their hands, appoint one scrutineer for each booth to be present after the closing of the poll at the counting of the votes given to each candidate, but at no other time.
- (bb.) Every associate, clerk, and scrutineer shall make and subscribe before the Deputy Returning Officer, Justice, or Postmaster the declaration in the form numbered (16) in the Schedule hereto; and every such declaration shall, before any such person commences his duties, be delivered to the Deputy Returning Officer at the polling-place for which that person is appointed.
- (cc.) On the day of the poll the electors shall enter the polling-booth one by one, and each elector, when requested to do so by the Deputy Returning Officer or his associate, shall state his full name, tribe, hapu, and abode. The Deputy Returning Officer (or his associate as above mentioned) shall write such information on the counterfoil of the voting-paper, after which the elector shall be requested to state the name of the candidate for whom he desires

to vote; and, the elector having done so, the Deputy Returning Officer shall write such candidate's name upon the voting-paper, and, having affixed his name or initials thereto, shall pass it to his associate, who shall place his name or initials on such voting-paper as witness.

- (*dd.*) On every such voting-paper the Deputy Returning Officer shall enter a number (called a consecutive number), which shall correspond to a like number on the counterfoil, and shall, in the case of the first voting-paper dealt with, begin with the number one, and appear consecutively upon every succeeding voting-paper, so that no two voting-papers dealt with in any booth shall bear the same number.
- (*ee.*) Before recording any such vote as aforesaid, the Deputy Returning Officer or his associate may put to the person proposing to vote any or all of the following questions:—
- (i.) Are you a *bona fide* resident of the [*Name of district*] Maori Electoral District?
 - (ii.) Are you twenty-one years of age or over that age?
 - (iii.) Have you already voted at this election in your own or any other name?
 - (iv.) Are you registered on any European roll?
 - (v.) Are you disqualified from voting by reason of any of the provisions of section fifty-nine of the Legislature Amendment Act, 1910?
- (*ff.*) If the first two questions are not answered absolutely in the affirmative, and the third, fourth, and fifth questions absolutely in the negative, the person to whom such questions are put shall not be permitted to vote.
- (*gg.*) No person not actually engaged in voting shall be allowed to remain in the polling-booth except the Deputy Returning Officer and his associate and clerks, and as many constables as the Deputy Returning Officer thinks necessary to keep order.
- (*hh.*) No person shall speak to any voter in a polling-booth either before or after such voter has given his vote, except only the Deputy Returning Officer or his associate, who may ask the questions he is authorized to ask, and give such general directions as may assist any voter to give his vote.

(2.) Every person who offends against paragraphs (*gg*) or (*hh*) of this section is liable for each such offence to a fine not exceeding twenty pounds, and may be at once removed from the booth by order of the Deputy Returning Officer.

61. Every person who employs any Maori who is entitled to vote shall afford him a reasonable opportunity of recording his vote, and every employer who fails so to do is liable to a fine not exceeding five pounds.

Maori employee to have opportunity to vote.

62. (1.) Every Deputy Returning Officer, at the polling-place at which he presides, shall, as soon as practicable after the close of the poll, in the presence of such of the scrutineers as choose to be present, and of the associate and clerks (if any), but of no other persons,

Counting the votes at polling-places.

ascertain the number of votes recorded for each candidate, and forthwith announce the result of the voting at the polling-booth of which he is in charge.

(2.) Every Deputy Returning Officer shall, as soon as he has ascertained the result of the voting at the booth of which he is in charge, forthwith transmit by telegraph or other expeditious means such information to the Returning Officer.

(3.) The Deputy Returning Officer shall then make up a list of the total number of votes received by each candidate, and every such list shall be verified by the signatures of the Deputy Returning Officer and associate, and also by the signatures of such of the scrutineers as are present and consent to sign the same.

Papers to be made up into parcels.

63. The Deputy Returning Officer shall make up into a parcel all the voting-papers (used and unused), stationery, writing-materials, and documents relating to the poll (including the list referred to in the last preceding section); and, having sealed and addressed such parcel, shall thereupon deliver it to the Returning Officer.

Declaration of the poll.

64. (1.) The Returning Officer shall, as soon as conveniently may be after the closing of the poll, and in the presence of such scrutineers as choose to be present, ascertain the numbers polled for each candidate, and shall sign a notice and declaration stating the number of votes polled for each candidate, and declare the person found to have received the greatest number of votes to be duly elected; and shall deal with the writ in the same manner as is prescribed in paragraph (w) of section sixty hereof, and shall publish a notice of the result of the poll in the *Kahiti* and *Gazette*.

(2.) If two or more candidates have received an equal number of votes the Returning Officer shall give a casting-vote.

Power to maintain order.

65. (1.) The Returning Officer or his deputy shall have power to appoint a sufficient number of officers to keep order, and to make and enforce such regulations for insuring the orderly, effective, and impartial conduct of the election as he thinks fit.

(2.) All constables shall aid and assist the Returning Officer and his deputies in the performance of their several duties.

Maintenance of secrecy.

66. (1.) Every officer, clerk, scrutineer, associate, and constable in attendance in a polling-booth shall maintain and aid in maintaining the secrecy of the voting in such booth, and shall not communicate to any person, except for some purpose authorized by law, before or after the poll is closed, any information likely to defeat the secrecy of the poll.

(2.) No person, except as hereinbefore provided, shall interfere with or attempt to interfere with a voter when engaged in recording his vote, or otherwise attempt to obtain in the polling-booth information as to the candidate for whom any voter in such booth is about to vote or has voted, or communicate at any time to any person any information obtained in a polling-booth as to the candidate for whom any voter at such booth is about to vote or has voted.

(3.) Every person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular voting-paper.

(4.) Every person who offends against this section is liable, on summary conviction before two Justices, to six months' imprisonment with or without hard labour.

67. (1.) Every Deputy Returning Officer may, without any other warrant than this Act, cause to be arrested and taken before a Justice any person reasonably suspected of committing or attempting to commit at a polling-place any act of personation. Personation of voters.

(2.) It shall be the duty of the Returning Officer to institute a prosecution against any person whom he believes to have committed the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence by any person, at the election for which he is Returning Officer.

(3.) Every person who commits the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence, is liable to two years' imprisonment with or without hard labour.

(4.) The costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the Court.

(5.) Every person commits the offence of personation who at any election applies to vote in the name of some other person, living or dead, or of a fictitious person, or who, having voted once at any such election, applies again at the same election to vote in his own name.

68. The provisions of the principal Act and of this Act in regard to elections of European members of Parliament shall apply to elections of Maori members, unless they are inconsistent with the provisions of this Act relating to Maori representation, in which case they shall be read with such modifications as are necessary to meet the different circumstances of the two elections. Provisions as to European representation to apply.

69. Section one hundred and eighty-five of the principal Act is hereby repealed. Repeal.

(3.) RETURN OF CERTIFICATES OF MARRIAGE OF ADULT WOMEN.

Section 18 (2).

RETURN of Adult Women in respect of whom Certificates of Marriage have been issued by the Registrar of Marriages at _____ during the Month of _____, 19 _____.

No. on Roll.	Full Name, Address, and Addition of Woman to whom Certificate relates (Surnames first, to be placed in Alphabetical Order).	Full Name, Address, and Occupation of Man to whom Certificate relates (Surnames first).

_____, Registrar of Marriages.

(4.) REGISTRAR'S OBJECTION TO ENROLMENT.

Section 15 (3).

Electoral District of _____

To _____

TAKE notice that I object to the retention of your name on the electoral roll of the above district on the following grounds:—

[Here state grounds.]

Unless the annexed notice of appeal is signed by you and returned to me within _____ days from this date, your name will be removed from the roll.

Dated this _____ day of _____, 19 _____.

_____, Registrar.

Notice of Appeal.

To the Registrar for the Electoral District of _____

Take notice that I appeal from your objection to the retention of my name on the roll of the _____ Electoral District on the following grounds:—

[Here state grounds.]

Dated this _____ day of _____, 19 _____.

[Signature and Address.]

(5.) NOTICE OF POLLING-DAY.

Section 28 (2).

In pursuance of the Legislature Act, 1908, I, _____, Returning Officer for the Electoral District of _____, do hereby give notice that, by virtue of a writ bearing date the _____ day of _____, 19 _____, under the hand of the Clerk of the Writs, an election will be held for the return of a qualified person to serve as member for the said district; and that the latest hour for receiving nominations of candidates will be noon on the _____ day of _____, 19 _____; and that the poll, if necessary, will be taken at the several polling-places of the said district on the _____ day of _____, 19 _____.

Every man desirous of becoming a candidate must be nominated by not less than two electors of the district, by a nomination-paper as prescribed by section 105 of the said Act, delivered to the Returning Officer on or before noon on the _____ day of _____, 19 _____.

The following are the polling-places for the Electoral District of _____:—

[Insert list of polling-places.]

Dated this _____ day of _____, 19 _____.

_____, Returning Officer.

Section 31 (2).

(6.) BALLOT PAPER.

*(Front.)***BROWN.****JONES.****ROBINSON.****WILLIAMS, JAMES.****WILLIAMS, JOHN.****DIRECTIONS.**

THE voter is to strike out the name of every candidate for whom he does not intend to vote, by drawing a line through the name with a pen or pencil.

The voter must take care not to leave uncanceled the name of more than one candidate, or this paper will be invalid.

The ballot-paper is to be folded up so that the contents cannot be seen, and, having shown the official mark on the back to the Returning Officer, the ballot-paper is to be put in the ballot-box by the voter.

This ballot-paper is not to be taken out of the polling-booth.

(Back.)

Consecutive No. :

To be entered here and also on the top left-hand corner of the back of ballot-paper.

No. on Roll :

To be entered here **only**.

Stamp across the perforation so that the number of the booth shall appear on both the counterfoil and the ballot-paper.

Official

Mark.

Initials of
Deputy Returning Officer :

Section 40 (1).

(7.) APPLICATION FOR ABSENT-VOTER'S PERMIT

Electoral District of

I, [*Name in full*], being a registered elector whose name is on the electoral roll for the above-named district, apply to have a voting-permit issued to me; and I declare that I have reason to believe that on polling-day I shall be absent from the above district.

Signed and declared before me, this _____ day of _____, 19 _____ .

E. F.,

Registrar of Electors [*or Justice of the Peace, Postmaster, or other responsible Government Officer, as the case may be*].

(8.) DECLARATION OF LOSS OF ABSENT-VOTER'S PERMIT.

Section 40 (8).

I, [Name in full], do hereby declare that I am the [Name of declarant] whose name is on the electoral roll for the Electoral District of _____, and that I have not parted with my absent-voter's permit to any person for any purpose, and that the same has been lost, mislaid, or destroyed.

[Signature.]

Signed and declared before me, this _____ day of _____, 19 _____.

E. F.,

Registrar for the Electoral District of _____.

(9.) ABSENT-VOTER'S APPLICATION FOR BALLOT-PAPER.

Sections 41 (1),
42 (1).

To the Deputy Returning Officer at the _____ polling-booth, Electoral District of _____
[or other person to whom application is made.]

I, [Name in full], hereby claim to have a ballot-paper issued to me for the purpose of voting at the election now being held for the Electoral District of _____; and I declare that I am the person named in the absent-voter's permit herewith, No. _____, and am still entitled to vote at such election

Dated at _____, this _____ day of _____, 19 _____.

[Signature.]

Signed and declared before me, this _____ day of _____, 19 _____.

_____, Deputy Returning Officer,

[Name of polling-place and electoral district].

(10.) NOTICE TO ELECTOR OF ERASURE OF NAME.

Section 53.

To _____.

I, E. F., Registrar of Electors for the District of _____, hereby notify you that, in pursuance of section 51 of the Legislature Amendment Act, 1910, your name has been erased from the electoral roll for that district, in consequence of your not having voted at the election held on the _____ day of _____, 19 _____.

If you desire to be reinstated on the said electoral roll you must lodge a new claim to be enrolled, in the manner provided by the Legislature Act, 1908.

Dated this _____ day of _____, 19 _____.

E. F.,
Registrar.

(11.) DECLARATION BY RETURNING OFFICER, DEPUTY RETURNING OFFICER, OR SUBSTITUTION AT MAORI ELECTION.

Section 60 (1) (a).

I, A. B., Returning Officer [or one of the Deputy Returning Officers, or substitute] for the _____ Maori Electoral District, do solemnly declare that I will faithfully perform the duties of such office to the best of my ability, and that I will not do anything forbidden by section 66 of the Legislature Amendment Act, 1910, which has been read to me.

Signed and declared before me, this _____ day of _____, 19 _____.

A. B.

C. D.,

Justice [or Postmaster].

* This section must be read to the declarant by the person taking the declaration.

Section 60 (1) (j).

(12.) WRIT FOR MAORI ELECTION.

To the Returning Officer for the Maori Electoral District.
 IN pursuance of section 60 of the Legislature Amendment Act, 1910, I hereby authorize and require you to proceed according to law to the election of a member of Parliament to serve in the House of Representatives for the Maori Electoral District.

I further direct that you cause the nominations for the said member to be received at not later than noon on the day of , and, in the event of the election being contested, that the poll shall be taken on the day of , 19 .

You are further required to indorse on this writ the name of the person so elected, and to return the writ to me on or before the day of , 19 .

Dated at , this day of , 19 .

A. B.,
 Clerk of the Writs.

Section 60 (1) (l).

(13.) NOMINATION-PAPER FOR MAORI CANDIDATE.

To the Returning Officer for the Maori Electoral District.
 WE, the undersigned electors of the Maori Electoral District, do hereby nominate A. B., of [*Residence and occupation*], with his consent, as a candidate at the election of a member of Parliament for the aforesaid Maori electoral district, the poll wherefor is appointed for the day of , 19 .

Dated at , this day of , 19 .

C. D. } [*Full names, residences, and occupations*
 E. F. } [*of two or more electors nominating.*]

I, A. B., do hereby consent to the above nomination.

A. B., of [*Residence and occupation*].

Section 60 (1) (s).

(14.) NOTICE OF WITHDRAWAL OF MAORI CANDIDATE.

To the Returning Officer for the Maori Electoral District.
 I, THE UNDERSIGNED, hereby give notice that I withdraw as a candidate at the election of a member of Parliament for the Maori Electoral District.

Dated at , this day of , 19 .

[*Signature.*]

Signed in the presence of—

C. D.,
 Justice [*or Postmaster*].

