

Hon. Mr. Rolleston.

Canterbury Rivers Act 1870 Amendment.

ANALYSIS.

<p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Repeal. 3. District subdivided into eight divisions. 4. New Board constituted. 5. Governor to regulate first elections. 6. Election by ratepayers. 7. Duration of office of members of Board. 8. Election of members of the Board. 9. Members of Board re-eligible. 10. Casual vacancies. 11. Vacancies not to affect proceedings. 12. Extraordinary vacancies. 13. Penalty for acting as a member, being incapacitated. 14. Validity of proceedings not to be affected by irregularities. 	<ol style="list-style-type: none"> 15. Board not dissolved by all the seats of the Board becoming vacant. 16. Electors. 17. Votes of electors. 18. Returning Officers. 19. Governor to appoint Returning Officers in certain cases. 20. Returning Officer to convene meeting for election. 21. Returning Officer to preside. Mode of nomination. Poll, if demanded. Declaration of election, if no poll demanded. 22. Contested election. 23. Conduct of business. 24. Annual election of Chairman.
--	---

A BILL INTITULED

AN ACT to alter the Constitution of the Board of Conservators of the South Waimakariri River District. Title.

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

1. The Short Title of this Act is “The Canterbury Rivers Act 1870 Amendment Act, 1879;” and it shall be deemed to be incorporated with “The Canterbury Rivers Act, 1870” (hereinafter called “the said Act”). Short Title.

2. Section four of the said Act is hereby repealed; but this repeal shall not affect the past operation of the said Act, and the members of the Board of Conservators of the South Waimakariri District in office at the time of the passing of this Act shall continue in office until the new Board constituted under this Act comes into office. Repeal.

Sections nine to eighteen, both inclusive, of the said Act shall not be deemed to apply to the constitution of the Board of Conservators of the South Waimakariri District.

District subdivided
into eight divisions.

3. As soon as conveniently may be after the passing of this Act, the Governor shall, by Proclamation, divide the aforesaid district into eight subdivisions, each of which shall be a subdistrict: Provided that the four districts constituted under "The Christchurch District Drainage Act, 1875," named respectively the North-East Christchurch District, the South-East Christchurch District, the North-West Christchurch District, and the South-West Christchurch District, shall be subdistricts under this Act. The remainder of the district shall be subdivided into four subdistricts, whose respective areas shall be as nearly as may be in the proportion of the value of the rateable property therein.

New Board con-
stituted.

4. The Board of Conservators shall consist of nine members, of whom the Mayor for the time being of the City of Christchurch shall be one by virtue of his office, and the remainder shall be elected, one for each subdistrict, in manner hereinafter mentioned.

Governor to regulate
first elections.

5. The Governor, by warrant under his hand, shall make regulations for making out lists of the voting ratepayers for the several subdistricts, and for conducting the elections of the first members of the Board, and may appoint fit persons to conduct such elections, and shall fix the polling places for every such election; and if from any cause whatever a member shall not be elected for any one or more of the subdistricts respectively, the Governor shall forthwith nominate a member or members, who shall be the first member or members of the Board for such subdistricts respectively failing to elect as aforesaid, and shall hold office in all respects as if he or they had been elected members.

Election by rate-
payers.

6. The ratepayers of each of the subdistricts constituted under this Act shall, on such day or days as the Governor shall appoint in that behalf, elect one person being a ratepayer in respect of property within the several subdistricts respectively to be the first members of the Board for the several subdistricts respectively; and for this purpose a ratepayer shall be defined to be a person who has during the year immediately preceding such election been rated for Municipal or Road Board purposes in respect of property situate within the several subdistricts respectively.

At such election each such ratepayer shall have the right to vote according to the scale hereinafter mentioned.

Duration of office of
members of Board.

7. The first members of the Board shall vacate their offices on the first Tuesday in the month of January, in the year of our Lord one thousand eight hundred and eighty-four, and the members of every Board succeeding the first Board shall hold their offices for four years, and shall vacate the same on the first Tuesday in the month of January in every fourth year, and the offices of vacating members shall be filled up by an equal number of qualified persons, to be elected as herein mentioned.

Election of members
of the Board.

8. In each of the several subdistricts, the ratepayers aforesaid of such districts respectively shall, for their several and respective subdistricts, on the first Tuesday in January in the year of our Lord one thousand eight hundred and eighty-four, and the first Tuesday in January in every succeeding fourth year, and in the manner hereinafter mentioned, elect from the ratepayers aforesaid of the subdistrict one person to be a member of the Board.

Members of Board
re-eligible.

9. Every member of the Board going out of office shall be re-eligible.

Casual vacancies.

10. Any casual vacancy occurring in the Board for any of the subdistricts shall be filled up by a duly qualified person, upon a day to be appointed by the Board, in the manner herein provided for the

periodical election of members, but any person so chosen shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

11. During any vacancy in the Board, the continuing members shall act as if such vacancy had not occurred, and no act of the Board shall be invalid on account of any such vacancy. Vacancies not to affect proceedings.

12. If a member of the Board is adjudged bankrupt, or applies to take the benefit of any Act for the relief or protection of insolvent debtors, or compounds with his creditors, such person shall cease to be a member of the Board, and his office shall thereupon become vacant. Extraordinary vacancies.

13. Any person who acts as a member of the Board without being duly qualified, or after he has become disqualified, shall incur a penalty not exceeding fifty pounds sterling, and in any proceeding for the recovery of such penalty the burden of proving qualification shall be upon the person against whom such proceeding is taken. Penalty for acting as a member, being incapacitated.

14. All acts done by any meeting of the Board, of any committee of the Board, or by any person acting as a member of the Board, shall, notwithstanding it may be afterwards discovered that there was some defect in the election or appointment of any such Board or persons acting as aforesaid, or that they or any of them were or was disqualified, be as valid as if every such person had been duly elected or appointed and was qualified to be a member. Validity of proceedings not to be affected by irregularities.

15. If from any cause whatever all the offices or seats of the Board shall become vacant, the Board shall not thereby be dissolved, but members thereof shall be forthwith elected for the several sub-districts respectively as aforesaid, at such times and places and in such manner as may be prescribed by the Governor in that behalf. Board not dissolved by all the seats of the Board becoming vacant.

16. The electors for members of every Board succeeding the first Board for the several subdistricts respectively shall be the persons who have during the year immediately preceding such election been rated in manner hereinbefore mentioned, and have paid all rates due from them at the time of the election. Electors.

17. Each elector shall vote according to the following scale, that is to say,— Votes of electors.

If the property in respect of which he is entitled to vote be rated upon a rateable value of less than fifty pounds, he shall have one vote.

40 If such rateable value amount to fifty pounds and be less than one hundred pounds, he shall have two votes.

If it amount to one hundred pounds and be less than two hundred pounds, he shall have three votes.

If it amount to two hundred pounds and be less than three hundred pounds, he shall have four votes.

45 If it amount to or exceed three hundred pounds, he shall have five votes.

18. After the election of the first members of the Board, all elections of members of the Board for any and every of the several subdistricts shall be held by and before such person or persons as the Board shall from time to time have appointed to hold elections in and for the several subdistricts respectively, and such person or persons may be called the Returning Officer or Officers for such subdistricts respectively. Returning Officers.

19. If at any time, from any default of the Board, or from any reason whatever, there is no Returning Officer for any subdistrict, or such Returning Officer is unwilling or unable to act, the Governor may, on the application of any elector, appoint a Returning Officer for such subdistrict. Governor to appoint Returning Officers in certain cases.

20. On every occasion of the election of any new members of the Board for any of the subdistricts, the Returning Officer for such sub- Returning Officer to convene meeting or election.

district shall convene a meeting of the electors thereof for the purpose of such election, and shall give at least seven clear days' notice of such meeting, and of the time and place at which it is to be held, by advertisement in some one or more of the newspapers circulating in the district.

5

Returning Officer to preside.

21. The Returning Officer for each subdistrict shall preside and regulate the proceedings at such meeting, and at any such meeting as aforesaid any person or persons may, if he or they consent thereto, be nominated by any elector and seconded by any other elector as a member or members of the Board. If more candidates are proposed than the number to be elected a poll may be demanded, and shall be taken in manner hereinafter mentioned, but if not, or if no poll is demanded, a declaration by the Returning Officer presiding at any such meeting that the candidate or candidates is or are elected a member or members of the Board for any such sub-

Mode of nomination.

Poll, if demanded.

Declaration of election, if no poll demanded.

Contested election.

22. When a poll is demanded, the Returning Officer shall direct the same to be taken at such place or places within his subdistrict on such day not exceeding seven clear days from the day appointed for the election as he may determine. Votes must be given personally. The poll shall be opened at nine o'clock of the forenoon of the appointed day, and shall close at six o'clock in the afternoon of the same day. The Returning Officer shall cause to be entered in the polling books the name and address of every voter and the manner in which he votes. At the close of the poll the Returning Officer shall sum up the votes, and as soon as possible publish the name or names of the candidate or candidates elected, by advertisement in some one or more newspaper or newspapers circulating in the district.

Conduct of business.

23. The Board shall have an office wherein to hold their meetings and transact business in some convenient place within their jurisdiction; and shall cause proper minutes to be taken and kept of the proceedings of each meeting.

Annual election of Chairman.

24. The Board shall hold its first meeting after election at a time and place to be fixed by the Mayor of the City of Christchurch; and at such first meeting, and afterwards annually, in the month of January in each year, the Board shall appoint one of their number to be Chairman of the Board for the year following such choice.