

Rt. Hon. R. J. Seddon.

ELECTORAL ACT AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Subsection (2) of section 6 of principal Act amended.</p> <p>3. When residence in district not deemed interrupted by absence.</p> <p>4. Such persons entitled to be registered on roll.</p>	<p>5. Where voters at polling-place less than fifty, ballot-box to be sent to principal polling-place for counting.</p> <p>6. Penalty on Returning Officer or Registrar if roll not properly corrected.</p> <p>7. Other liability of Registrar not affected.</p> <p>8. Penalty on Returning Officer for neglect of duty under section 100.</p>
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A BILL INTITULED

AN ACT to further amend the Law relating to the Election of Members of the House of Representatives. 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 Electoral Act Amendment Act, 1899," and it shall be read with and be deemed to form part of "The Electoral Act, 1893" (hereinafter called "the principal Act"). Short Title.

2. Subsection two of section six of the principal Act (defining the residential qualification) is hereby amended by omitting the words "the registration of his vote," and substituting in lieu thereof the words "his registration on the roll of the district." Subsection (2) of section 6 of principal Act amended.

3. Whenever a person's name is or heretofore has been expunged or erased from the roll of a district, whether, under section forty-four of the principal Act, by reason of absence from the colony, or, under section one hundred and twenty-six thereof, by reason of not having voted, then for the purpose of fulfilling the residential qualification his residence in a district shall not be deemed to be or to have been interrupted by absence therefrom in either of the cases following, that is to say :—

(1.) In the case of a person who is absent from the colony on public business; or

(2.) In the case of a person who is absent from the colony otherwise than on public business: Provided that, in this case, the total period of such absence does not exceed three years from the date on which his name was expunged or erased as aforesaid, and that during such period he has not permanently left the colony and permanently established his residence elsewhere than in the colony.

Such persons entitled to be registered on roll.

4. Any such person shall, whilst absent from the colony as aforesaid, or at any time within three months after his return to the colony from such absence, be entitled to be registered, in respect of the residential qualification, on the roll of the district within which he possessed the residential qualification at the time when his name was expunged or erased as aforesaid. 5

Where voters at polling-place less than fifty, ballot-box to be sent to principal polling-place for counting.

5. In any case where at any polling-place (hereinafter referred to as "minor polling-place") the Deputy Returning Officer finds from the marked roll that the total number of voters does not exceed fifty, he shall not open the ballot-box or proceed to ascertain the number of votes for each candidate, as prescribed by section one hundred and twelve of the principal Act, but in lieu of so doing the following provisions shall apply:— 10

(1.) In the presence of such of the scrutineers and poll clerks as choose to be present (but of no other person), the said Deputy shall securely close the slit of the locked ballot-box by gumming thereon a memorandum, signed and sealed as hereinafter provided, and shall then enclose the locked box, together with its key, in a mail-bag or other safe receptacle, which shall be sealed up by the said Deputy, and also by such of the scrutineers as choose to affix their seals. 15

(2.) Such memorandum shall specify the name of the minor polling-place and the number of the voters who, according to the roll, have voted, and shall be signed and sealed by the said Deputy, and also by such of the scrutineers as choose to affix their signatures and seals. 25

(3.) The sealed mail-bag or other receptacle containing the ballot-box and its key shall be forthwith transmitted by the said Deputy to the Returning Officer at the principal polling-place. 30

(4.) Forthwith upon receipt thereof the Returning Officer shall, in the presence of such of the scrutineers and poll-clerks of the principal polling-place as choose to be present (but of no other person), open the ballot-box and proceed to ascertain the number of votes for each candidate, and otherwise act in relation thereto and to the ballot-papers in the same manner in all respects as if he were presiding at the minor polling-place: 35

Provided nevertheless as follows:— 40

(1.) Neither the name of the minor polling-place nor the number of votes given thereat for any candidate shall be in any way disclosed or made public by the Returning Officer or any Deputy Returning Officer, scrutineer, or poll-clerk. 45

(2.) In making up and announcing the result of the poll the Returning Officer shall include under the head of "minor polling-places" the total number of votes given for each candidate at all the minor polling-places.

6. In every case where any Returning Officer or Registrar fails or neglects to faithfully perform any duty imposed on him by section one hundred and twenty-six of the principal Act, and by reason 50

Penalty on Returning Officer or Registrar if roll not properly corrected.

thereof the name of any elector or voter is wrongfully retained on the roll, or is wrongfully erased from the roll, such Returning Officer or Registrar is liable to a penalty not exceeding *ten* pounds.

5 7. Nothing in the *last-preceding* section contained shall affect the liability of any Registrar under section one hundred and fifty-nine of the principal Act: Other liability of Registrar not affected.

Provided that in no case shall any Registrar be punished twice for the same offence.

10 8. In every case where any Returning Officer fails or neglects to faithfully perform any duty imposed on him by section one hundred of the principal Act, and by reason thereof any of the requirements of that section are not effectively fulfilled, the Returning Officer is liable to a penalty not exceeding *ten* pounds: Penalty on Returning Officer for neglect of duty under section 100.

Provided that in so far as relates to the duty of securing the corner of the ballot-paper by gum or otherwise it shall be a sufficient defence if he satisfies the Court that he took all reasonable precautions to secure the same.