

MILITARY TRAINING POLL BILL

EXPLANATORY NOTES

Clause 1: Short Title.

Clause 2: Special poll of electors on proposal for compulsory military training.—This clause provides for the taking of a poll in every European and Maori electoral district on the proposal that provision be made for compulsory military training.

The date of the poll is to be fixed by Order in Council.

The form of the voting-paper is set out in the Schedule. It will show the electoral district and contains the two lines—

I vote FOR compulsory military training.

I vote AGAINST compulsory military training.

For electors in Maori electoral districts the voting-paper is to be printed both in English and in Maori.

Clause 3: Application of provisions of Licensing Act, 1908, and of Electoral Act, 1927.—*Subclause (1)* applies to the poll all the law relating to a general licensing poll, except as specially modified by this Bill.

This means that the whole of the usual law as to elections (including the machinery for the taking of the poll and all preliminary matters, such as the appointment of Returning Officers and other officers, the provision of polling-booths and voting-papers, and other preparations) will apply as if the poll were a licensing poll.

This is the way in which the gaming and special licensing polls were provided for last year.

In particular the subclause makes the necessary financial provision for the poll, because one of the provisions of the Licensing Act, 1908, which is applied (section 14 (1) (n)) provides for the expenses to be defrayed out of moneys to be appropriated by Parliament.

Subclause (2) of *clause 3* provides that the day of the poll shall not be a half-holiday, but that—

(a) Workers are to be allowed time off to vote, up to two hours, without loss of pay:

(b) Liquor is not to be sold in hotels between noon and 7 p.m.

Subclause (3) provides for the poll closing in all electorates at 7 p.m. Normally a poll in a Maori electorate closes at 5 p.m.

Subclause (4) enables a Maori elector to vote at any European polling-booth in his electorate or at a Maori polling-booth, whichever is the more convenient.

Subclause (5) enables Maori electors to vote as absent voters.

Subclause (6) provides that last year's amendment as to the registration and voting of Maoris is not to apply to this poll. This is necessary because the new Maori rolls could not be ready in time for the poll. The result is that Maoris will vote in the same manner as they have voted in all previous polls.

Clause 4: Electoral rolls.—This clause provides for using at the poll the ordinary electoral rolls for European electorates, that is to say—the general and supplementary rolls used at the last general election, plus the supplementary roll used at the gaming and licensing polls last year, plus a further supplementary roll to be prepared for this poll.

Subclause (2) provides for the latest supplementary roll to be closed on a date to be fixed by Order in Council, and for the provisions of the law as to the closing of the roll to apply as if that date were the date of the issue of a writ for a Parliamentary election.

Subclause (4) of *Clause 4* provides that the general and supplementary rolls used at the poll will be used for any by-election during the present session, together with any supplementary roll prepared for the by-election.

Clause 5: Declaration of result of poll.—This clause requires the Returning Officer of each electoral district to count the votes and send the results to the Chief Electoral Officer, who is to declare the total number of valid votes recorded throughout New Zealand for and against the proposal.

The number of informal votes is also to be ascertained, and the final result of the poll is to be gazetted.

Clause 6: Regulations.—This clause empowers the Governor-General to make regulations for the purposes of the Act.

The Bill is in the same terms as the Gaming Poll Act of last year, except for minor modifications.

Right Hon. Mr. Fraser

MILITARY TRAINING POLL

ANALYSIS

Title.	3. Application of provisions of Licensing Act, 1908, and of Electoral Act, 1927.
1. Short Title.	4. Electoral rolls.
2. Special poll of electors on proposal for compulsory military training.	5. Declaration of result of poll.
	6. Regulations. Schedule.

A BILL INTITULED

AN ACT to Provide for a Poll Relating to Compulsory Military Training.

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

1. This Act may be cited as the Military Training Poll Act, 1949. Short Title.

2. (1) On a day to be fixed by the Governor-General by Order in Council there shall be taken a poll of the electors of each electoral district constituted under the Electoral Amendment Act, 1945, and of each Maori electoral district constituted under Part IV of the Electoral Act, 1927, upon the proposal that provision be made for compulsory military training. Special poll of electors on proposal for compulsory military training. 1945, No. 10 See Reprint of Statutes, Vol. VI, p. 542

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

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

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

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

1946, No. 40

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

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

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

“(2) It shall not be lawful to sell intoxicating liquors in any licensed premises between the hours of twelve o’clock noon and seven o’clock in the evening on the day of the poll.”

(3) In every electoral district the poll shall close at seven o’clock in the evening.

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

(5) Any elector of a Maori electoral district, whether or not he is registered as an elector, may vote as an absent voter under section one hundred and thirty-nine of the Electoral Act, 1927, at any polling-place outside that district, whether European or Maori.

1948, No. 71

(6) Part I of the Electoral Amendment Act, 1948 (which relates to the registration of Maori electors and to Maori representation generally), shall not apply to

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the poll; and, subject to the foregoing provisions of this section, the law in force immediately before the passing of that Act shall apply to the poll as if Part I of that Act had not been passed.

5 **4.** (1) Subject to the provisions of this section, the **Electoral rolls.**
roll of electors for each European electoral district at the poll shall be the roll as provided by the Electoral Act, 1927.

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

20 (3) The rolls to be used in each district for the purposes of the poll shall be the general and supplementary rolls used at the last general election, together with the supplementary roll prepared for the poll taken
25 under the Gaming Poll Act, 1948, and a further supplementary roll to be prepared by the Registrar of Electors of each district and to include the names of all electors registered by him after the closing of the rolls for the gaming poll and remaining on the roll for the district at its closing under subsection *two* of this section. **1948, No. 19**

30 (4) In every district the general roll and every supplementary roll used at the poll directed by this Act, amended as required by the Electoral Act, 1927, together with any supplementary roll prepared after that poll, shall be the roll to be used at any by-election held before the first general election held after the passing of this Act.

35 **5.** (1) As soon as practicable after the close of the poll in each district the Returning Officer shall count the **Declaration of result of poll.**
votes recorded for and against the proposal, and shall reject all informal votes.

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

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

- (a) The total number of valid votes recorded at the poll throughout New Zealand for the proposal; 5
and
(b) The total number of valid votes recorded at the poll throughout New Zealand against the proposal.

(4) The Chief Electoral Officer shall notify in the *Gazette* the numbers of the votes as finally ascertained by him and the result of the poll as determined thereby. 10

Regulations.

6. The Governor-General may from time to time, by Order in Council, make all such regulations as he deems necessary or expedient for the purpose of giving full effect to the provisions of this Act and for the due administration thereof. 15

Schedule.

SCHEDULE

FORM OF VOTING-PAPER

Electoral District of

I vote FOR compulsory military training.
I vote AGAINST compulsory military training.

Directions

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

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

The voting-paper so marked is to be folded up so that the contents cannot be seen, and placed by the voter in the ballot-box, or (in the case of an absentee vote) handed back to the Deputy Returning Officer.

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