

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
5th August, 1936.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]
19th August, 1936.

Right Hon. Mr. Savage.

POLITICAL DISABILITIES REMOVAL.

ANALYSIS.

| Title. | | 3. Repeal. | |
|---|--|-----------------------------------|-----------------------------|
| 1. Short Title. | | 4. Certain associations may apply | part of their funds for the |
| 2. Public servants may become candidates for or be elected to Parliament. | | furtherance of political | objects. |

A BILL INTITULED

AN ACT to remove certain Disabilities that affect the Political Rights of Public Servants or that Prevent the Application for the Furtherance of Political
5 Objects of the Funds of Associations of Public Servants and other Workers. Title.

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

10 **1.** This Act may be cited as the Political Disabilities Removal Act, 1936. Short Title.

2. (1) Notwithstanding the provisions of section fifteen of the Electoral Act, 1927, a public servant within the meaning of that section shall not, by reason of the
15 fact that he is a public servant, be disqualified from being a candidate for a seat in the House of Representatives or from being elected as a member of Parliament. Public servants may become candidates for or be elected to Parliament.
See Reprint of Statutes, Vol. VI, p. 477

(2) If any public servant is elected a member of
20 Parliament he shall forthwith, on being declared so elected, be deemed to have vacated his office in the public service.

Struck out.

(3) Any public servant who is a candidate for a seat in the House of Representatives shall not be entitled to receive any salary in respect of any period during which he is absent from duty owing to his candidature but, except as provided by this subsection, his right to leave of absence or salary as a public servant shall not be affected.

5

New.

(3A) Any public servant who desires to become a candidate for a seat in the House of Representatives shall, on application, be granted special leave of absence for the purposes of his candidature. Such special leave shall commence not later than four weeks before the date fixed for the election, and, in the event of his nomination as a candidate, shall continue until the seventh day after that date, unless before the date fixed for the election he withdraws from the election. During the period of such special leave he shall not be required or permitted to carry out any of his official duties, nor shall he be entitled to receive any salary or other remuneration as a public servant in respect of such period or any part thereof. Except as provided in the foregoing provisions of this subsection, his rights as a public servant shall not be affected by his candidature.

10

15

20

25

Repeal.
1932, No. 11

Certain
associations
may apply
part of their
funds for the
furtherance of
political
objects.

3. Section fifty-nine of the Finance Act, 1932, is hereby repealed.

4. (1) Subject to the provisions of this section, the funds of any society may be applied in the furtherance of political objects if a majority of the members of the society so decide by a resolution for the time being in force, passed on a ballot of the members of the society taken in accordance with the rules of the society. ~~or with regulations made in that behalf under this section.~~

30

(2) Any such resolution may be at any time revoked by a subsequent resolution passed in the same manner as such first-mentioned resolution was passed.

35

(3) The provisions of this section shall apply to any society notwithstanding that there is no provision in the rules of the society authorizing the use of its funds for the furtherance of political objects.

40

(4) For the purposes of this section "society" means:—

- 5 (a) Any society of public servants consisting of not less than fifteen persons, and primarily associated for the purpose of protecting or furthering their interests in connection with their employment; or
- (b) An industrial union registered under the Industrial Conciliation and Arbitration Act, 1925; or
- 10 (c) A trade-union registered under the Trade-unions Act, 1908.
- See Reprint of Statutes, Vol. III, p. 939
Ibid., Vol. VIII, p. 734