

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

*Legislative Council,
July 27th, 1869.*

Provincial Elections Amendment.

ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Power to Provincial Councils to provide for formation of new Electoral Rolls in certain cases.</p> | <p>3. Validity of certain Electoral Rolls declared.
4. Amendment of Form 2 in Schedule to "Regulation of Elections Act 1858."
5. This Act not to apply to elections of Superintendents of new Provinces.</p> |
|---|--|

A BILL INTITULED

AN ACT to amend "The Provincial Elections Act 1858" Title.
and to remove doubts as to the validity of certain
Elections of Members of Provincial Councils.

WHEREAS by "The Provincial Elections Act 1858" in this Act Preamble.
referred to as "the said Act" it is enacted that a Registration
Officer to be appointed by the Governor for every Province in New
Zealand shall as soon as the Electoral Rolls for the House of Repre-
5 sentatives shall have been completed form therefrom Electoral Rolls
for the election of the Superintendent of such Province and of the
Members of the Provincial Council thereof And whereas Provincial
Councils do in exercise of their undoubted power frequently pass Bills
10 for altering or affecting the extent of the several Electoral Districts
represented in such Councils or establishing new or other such
districts And whereas doubts have been raised whether it is
competent for Registration Officers appointed under "The Provincial
Elections Act 1858" to form Electoral Rolls for the election of
15 Members of Provincial Councils more than once in each year or at any
other time in any year than as soon as the Electoral Rolls for the
House of Representatives shall have been formed and it is expedient
that such doubts should be set at rest and to enable Registration
Officers appointed under the said Act to form Electoral Rolls for the
20 election of Members of Provincial Councils at other times than
those prescribed by the said Act

BE IT THEREFORE 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 shall be "The Provincial Elections Short Title.
25 Act Amendment Act 1869."

Power to Provincial Councils to provide for formation of new Electoral Rolls in certain cases.

2. It shall be lawful for the Provincial Council of any Province in any Bill passed by it altering or affecting the extent of any of the several Electoral Districts now or hereafter to be established for the election of Members of such Provincial Council or establishing new or other such districts to provide that before a time to be therein named new Rolls shall be formed for the Electoral Districts the extent of which shall be altered or affected or for the Electoral Districts which shall be established thereby. And it is hereby provided that if such Bill shall be assented to by the Governor the Registration Officer of such Province shall notwithstanding that he may have already formed Electoral Rolls for such Province under the said Act form new Rolls for those districts for which in any such Provincial Acts or Ordinances it may be provided that new Rolls shall be formed and such Rolls shall be formed within the time limited for the purpose in such Provincial Act or Ordinance and in the manner provided by the fourth section of "The Provincial Elections Act 1858" by such Registration Officer from the Electoral Rolls for the House of Representatives for the time being in force and such new Rolls shall continue in force until new Rolls shall have been formed for such districts under the third section of the said Act.

Validity of certain Electoral Rolls declared.

3. In any case in which any Registration Officer of any Province appointed under the said Act shall upon the alteration or new establishment of any Electoral District for the election of a Member or Members of the Provincial Council of such Province have formed a new Electoral Roll for such district in the manner provided by the said Act notwithstanding that Electoral Rolls for such Province shall have been already formed under the third section of the said Act every such new Roll shall be deemed to have been legally made and to have been valid from the making thereof and shall be deemed to have continued in force until new Rolls had been formed under the third section of the said Act and unless Rolls shall be formed before the passing of this Act and after the formation of such new Roll have been formed under the said third section of the said Act for such Province such new Roll so formed shall continue in force until Rolls shall be formed for such Province under the said third section of the said Act.

Amendment of Form 2 in Schedule to "Regulation of Elections Act 1858."

4. Whereas by "The Regulation of Elections Act 1858" it is enacted that whenever a Writ for the election of a Member of the House of Representatives shall be received by any Returning Officer he shall give a certain notice in the Form numbered two in the Schedule to that Act. And whereas by "The Provincial Elections Act 1858" it is enacted that subject to certain provisions therein contained every election of the Superintendent or of a Member of a Provincial Council of a Province shall be conducted in manner prescribed by "The Regulation of Elections Act 1858". Be it enacted that from and after the passing of this Act all Writs for the election of Superintendents and Members of Provincial Councils issued by the Governor shall be under the Public Seal of the Colony and it shall not be necessary for the Governor to sign the same and there shall be substituted for the words in the said Form "hand of His Excellency the Governor" the words "Public Seal of the Colony". And it is further declared and enacted that every Writ heretofore issued by the Governor for the election of a Superintendent of any Province or of a Member of a Provincial Council of a Province either under the hand of the Governor without the Public Seal or only under the Public Seal of the Colony and not under the hand of the Governor shall be deemed to have been as valid as if such Writ had been made and passed under the Public Seal of the Colony and under the hand of the Governor.

This Act not to apply to elections of Superintendents of new Provinces.

5. Nothing in this Act shall apply to the election of Superintendents of Provinces established under "The New Provinces Act 1858."