

*Principal Elections*

NEW ZEALAND.

*Provincial Elections*



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

No.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Provincial Councils may divide Provinces into Electoral Districts.</li> <li>2. Electors of Superintendents.</li> <li>3. Electors of Members of Provincial Council.</li> <li>4. Electoral Rolls.</li> <li>5. Mode of conducting Elections.</li> </ol> | <ol style="list-style-type: none"> <li>6. Mode of determining controverted Elections.</li> <li>7. Writ of Mandamus to lie in all cases where applicable.</li> <li>8. "Corrupt Practices Act, 1858," applicable to Provincial Elections.</li> <li>9. Application of Act.</li> <li>10. Short Title.</li> </ol> |
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A BILL to amend the Law relating to the Elections of Superintendents of Provinces, and Members of Provincial Councils. Title

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

1.—DIVISION OF PROVINCES INTO ELECTORAL DISTRICTS.

I. It shall be lawful for the Superintendent of every Province, with the advice and consent of the Provincial Council thereof, from time to time to divide such Province into Electoral Districts for the Election of Members of the Provincial Council, and any such division from time to time to annul and alter :  
^ Provided always that until any such division shall be made, the

Provincial Councils may divide Provinces into Electoral Districts.

*also*  
Provided always that every Bill for such purpose shall be reserved for the signification of the Governor's pleasure thereon.

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Electoral Districts existing at the time of the passing hereof in any Province shall continue to be the Electoral Districts for the Election of Members of the Provincial Council of such Province.

2.—QUALIFICATION OF ELECTORS.

Electors of Superintendents.

*R*

II. Every man who shall be registered as an Elector for the House of Representatives shall be entitled to vote at Elections of the Superintendent of any and every Province, in which there shall be situate any tenements or hereditaments, in respect of which he is so registered as an Elector.

Electors of Members of Provincial Council.

*R*

III. Every man who shall be registered as an Elector for the House of Representatives shall be entitled to vote for Members of the Provincial Council for every Electoral District in which there shall be situate any tenements or hereditaments, in respect of which he is so registered as an Elector.

*Mr Easts motion  
motion  
4 clause  
to amend the  
Bill Electoral Rolls*

3.—REGISTRATION OF ELECTORS.

*R* ~~IV~~ The Electoral Rolls for the House of Representatives shall be conclusive evidence of the right of the persons, whose names shall be thereon as Electors, to vote at Elections of Superintendents of Provinces, and Members of the Provincial Councils as hereinbefore provided.

4.—CONDUCT OF ELECTIONS.

Mode of conducting Elections.

*b* ~~V~~ Every Election of the Superintendent, or of a Member of the Provincial Council, of a Province, shall be conducted in manner prescribed by a Proclamation bearing date the 5th day of March, 1853, given under the hand of Sir George Grey, the then Governor of New Zealand, and issued under the Public Seal thereof, until other provisions shall be made in that behalf by a Law to be passed by the General Assembly of New Zealand, or by the Superintendent and Provincial Council of such Province: Provided always, that for the Election of a Superintendent of a Province, the whole of such Province shall be deemed to be one Electoral District, and one Writ only shall be issued for such Election, and shall be addressed to the Principal Returning Officer of the Capital Town of the Province, who shall hold the nomination at such Capital Town.

*Mr Hall motion  
or any other law now  
in force for that  
purpose*

*RC as amended*

5.—CONTROVERTED ELECTIONS, ETC.

Mode of determining controverted Elections.

*7* ~~VI~~ The right of any person claiming to hold the office of Superintendent, or to be a Member of a Provincial Council, shall be determined on information in the nature of a Quo Warranto, and by no other mode, except in such cases as are provided for by the 11th Section of the "Constitution Act."

*Postponed*

Writ of Mandamus to lie in all cases where applicable.

*8* VII. The Writ of Mandamus shall lie in respect of Superintendents of Provinces, and Provincial Councils, and Members thereof, in all cases whatsoever to which such a mode of proceeding is applicable.

*Postponed*

## 6.—CORRUPT PRACTICES.

VIII. An Act passed by the General Assembly of New Zealand intituled "The Corrupt Practices Act, 1858," shall be deemed to apply to any Election of Superintendent of a Province, and of any Member of a Provincial Council of any Province.

IX. This Act shall apply to every Province now, or to be at any time hereafter established, in the Colony of New Zealand.

X. This Act may, for all purposes, be cited as "The Provincial Elections Act, 1858."

Act  
to  
tions.

Application of Act

Short Title.

*Clause IV.*

*repealed.*

Every person who shall be entitled to vote at any Election of a member of Provincial Council of any Province, shall be qualified to be elected a Member of such Council, or to be elected Superintendent of ~~that~~ such Province.