

The Qualification of Electors' Bill

NEW ZEALAND.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

No.

ANALYSIS:

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| <p>Title.</p> <p>1. Qualification for Electors of Members of House of Representatives.
Freeholders.
Leasholders.
Householders.</p> <p>2. Joint Interests.</p> <p>3. Provision as to Trustees and Mortgagees.</p> | <p>4. Aliens or persons convicted of certain offences disqualified.</p> <p>5. Qualification for Members of the House of Representatives.</p> <p>6. Member ceasing to possess qualification not to be incapable of holding his seat.</p> <p>7. Interpretation.</p> <p>8. Short title.</p> |
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A BILL to amend the Law relating to the Qualification of Electors and 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:—

I. The Members of the House of Representatives shall be chosen by the Votes of the Inhabitants of the Colony who may be qualified as hereinafter mentioned, that is to say, every man of the age of 21 years and upwards— Qualification for Electors of Members of House of Representatives.

1. Having a Freehold Estate in possession, situate within the District for which the Vote is to be given, of the value of £50, whether subject or not to any incumbrance or charge, and of or to which he has been seized or entitled, either at Law or in Equity, for six months at least at the time of Registration, Freeholders.

Leaseholders.

2. Or, ^{Occupying} having a Leasehold Estate ~~in possession~~, situate within such District, of the ~~clear~~ annual value of £10, held upon a Lease, granted for a term of not less than 3 years, under which he has been in ~~possession~~ ^{possession} for 6 months at least at the time of Registration,

Householders.

3. Or, being a Householder within such District occupying a Tenement of the ~~clear~~ annual value of £5, and having resided within such District and occupied a Tenement therein of such value for six months at least at the time of Registration—

shall, if duly registered according to the Law for the time being in force for the Registration of Electors, be entitled to vote for Members of the House of Representatives for such District: Provided always that no Estate, House, Tenement, or Hereditament, shall be deemed to confer any qualification as aforesaid, unless the same be held or occupied by Title derived from or through the Crown.

II. When any Freehold, or Leasehold Hereditaments, or House, or Tenement, ^{is} or are held, or occupied by more than one person, each of such Freeholders, Leaseholders, Householders, or ~~Occupiers~~ shall be deemed to possess a qualification, provided that the value of his individual share or interest be sufficient to confer a qualification under this Act.

Provision as to Trustees and Mortgagees.

III. No Trustee or Mortgagee shall be deemed to possess a qualification for or by reason of any Trust, or Mortgage Estate, unless he be in actual possession or receipt of the rents and profits of the Estate, but the Mortgagor or cestui que Trust in such possession or receipt, shall be deemed to be qualified for the same Estate, notwithstanding such Trust or Mortgage.

Aliens or persons convicted of certain offences disqualified.

IV. Provided always, that no person shall be entitled to be Registered as an Elector who is an Alien, or who at any time theretofore shall have been attainted or convicted of any Treason, Felony, or Infamous Offence within any part of Her Majesty's Dominions, unless he shall have received a free pardon, or shall have undergone the sentence or punishment to which he shall have been adjudged for such Offence.

Qualification for Members of the House of Representatives.

V. Every man who shall be duly qualified and registered as an Elector of the House of Representatives in any part of the Colony shall be qualified to be elected a Member of the said House for any Electoral district within the Colony.

Member ceasing to possess qualification not to be incapable of holding his seat.

VI. If a Member of the House of Representatives shall after his Election cease to possess a qualification as herein prescribed, he shall not by reason only of his ceasing to possess such qualification be deemed incapable of continuing to hold his Seat, but shall continue to hold the same until he shall cease to be a Member from some other cause according to the law for the time being in force.

Joint Tenants
Partners
Successors

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VII. In the construction of this Act the time of Registration shall be deemed to be the last day on which objections to claims to vote may, by any law for the time being, be served on the Officer or person appointed or entitled to receive notice thereof. Interpretation.

VIII. This Act may for all purposes be cited as "The Qualification of Electors Act, 1858." Short title.

Schedule

~~That sub sec.~~

or being a Householder within such district occupying a tenement if within the limits of the Towns of Auckland New Plymouth, Wellington, Nelson, Christchurch Lyttleton and Dunedin

Recommended in Committee
23 June 1858.