

Mr. O'Connor.

REFERENDUM.

ANALYSIS.

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A BILL INTITULED

AN ACT to refer to the Electors of the Colony certain Questions or Bills for their Decision. Title.

5 WHEREAS it is desirable to refer certain questions to the electors of the colony, and to provide for a system under which a direct and simple answer, either in the affirmative or negative, may be obtained direct from the electors on such questions: Preamble.

10 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 is "The Referendum Act, 1893." Short Title.

2. Whenever both Houses of the General Assembly shall have passed a resolution in favour of referring to the vote of the electors any of the questions enumerated in section seven of this Act, or 15 whenever either House separately shall have passed such a resolution by a majority of not less than three-fifths of the total number of its members, then such reference shall be made in manner hereinafter provided. Question how referred.

20 3. The Speaker of the Legislative Council, or the Speaker of the House of Representatives, or both Speakers, as the case may be, shall, whenever a resolution shall have been duly passed as aforesaid, send a certificate thereof to the Colonial Secretary. Speakers to certify.

2 4. The Colonial Secretary shall on receipt of such certificate duly publish the same in the *New Zealand Gazette*, and shall fix a day, Certificate gazetted.

30 2 not being earlier than two months and not later than six months after receipt of such certificate, for the taking of the vote on such resolution. Due notice of the taking of such vote shall be given in the *New Zealand Gazette* and also by advertisement, and by notice exhibited at every post-office and every school-building in the colony:

Provided that any accidental omission to make such notification at any particular post-office or post-offices, school-house or school-houses, shall not invalidate any poll unless it shall be shown that such omission has materially affected the result of such poll.

Votes how taken.

5. The vote shall be taken at every polling-place in the colony whereat votes are taken for the election of members of the House of Representatives, and before Returning Officers presiding at such polling-places. 5

Provisions of Electoral and Corrupt Practices Prevention Acts to apply.

6. All the provisions for the taking of votes for the election of members of the House of Representatives and all the provisions of the Corrupt Practices Prevention Act shall, *mutatis mutandis*, apply to the taking of a vote under this Act. 10

Questions that may be submitted.

7. The following questions may be submitted to the electors under this Act, namely:—

- (1.) An alteration of the Constitution of the colony: 15
- (2.) An alteration in the present mode of conducting the administration of the government of the colony:
- (3.) An alteration of the electoral laws of the colony:
- (4.) An alteration of the land-laws of the colony:
- (5.) An alteration of the education system: 20
- (6.) Any proposal for a loan:
- (7.) Any proposal to construct any railway:
- (8.) Any Bill wherein it shall be provided that such Bill shall not become law till there has been a vote taken thereon.

Result how certified.

8. The result of the vote at each polling-place shall be duly certified by the Returning Officer thereat, and such certificate and all the voting-papers, duly sealed up, shall be at once forwarded to the Clerk of Parliaments, and when he shall have received all the certificates he shall publish the result of the vote in the *New Zealand Gazette*. The voting-papers shall be kept by the Clerk of Parliaments for one year. 25 30

If vote affirmative, how dealt with.

9. If the vote be in favour of any Bill submitted, then such Bill shall become law on a date to be named by the Governor in a proclamation to that effect. If the vote be in favour of any alteration of the law or proposal submitted otherwise than by Bill, then it shall be the duty of the Colonial Secretary to at once prepare a Bill to give effect to such alteration or proposal, and to introduce the same either in the Legislative Council or in the House of Representatives within ten days of the opening of the session of Parliament held next after such vote shall have been given. 35 40

If vote negative, no legislation.

10. If a vote of the electors is in the negative upon a proposal, the proposal shall not be again put or legislated upon for three years. If a negative vote be given upon a Bill submitted, the Bill shall not again be submitted to the vote for three years, nor shall it be allowed to pass into law until again put to the vote. 45