

(Hon. Mr. Hall.)

Registration of Electors.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Appointment of officers.</p> <p>4. Tenure of office. Salaries.</p> <p>5. Salaries.</p> <p>6. Registrars to form electoral rolls.</p> <p>7. Claims to have name placed on roll. First Schedule.</p> <p>8. Penalty for false declaration.</p> <p>9. Registrar to inquire into claims. Objections.</p> <p>10. Claimant may withdraw application.</p> <p>11. Summons to claimant to substantiate claim. Second Schedule.</p> <p>12. Service of summons.</p> <p>13. Parties may appear by counsel or agent.</p>	<p>14. If Registrar absent, name to be placed on roll.</p> <p>15. If claimant absent, name not to be placed on roll.</p> <p>16. Onus of proof on claimant.</p> <p>17. Power to compel attendance.</p> <p>18. Costs at discretion of Court.</p> <p>19. Objections. Onus of proof on person objected to.</p> <p>20. Rolls to be arranged alphabetically, and numbered consecutively.</p> <p>21. The legal roll for the district. Custody thereof.</p> <p>22. Place of custody to be advertised.</p> <p>23. Roll to be open for inspection.</p> <p>24. Roll to be printed. Periodical reprints with additional names. Schedules.</p>
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A BILL INTITULED

AN ACT to provide for the Registration of Persons Title.
 qualified to Vote at Elections of Members of the
 House of Representatives.

BE IT 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 Registration of Electors Short Title.
 5 Act, 1879."
2. In this Act, if not inconsistent with the context,— Interpretation.
 "Registrar" means any person appointed to that office under
 this Act:
 "Electoral district," or "district," means a division of the
 10 colony in respect of which one or more members are
 returned to serve in the House of Representatives:
 "Claim" means a claim made by any person to have his name
 placed on an electoral roll formed under this Act:
 "Claimant" means a person making such claim:
 15 "Roll" means a roll of electors formed for an electoral district.
3. It shall be lawful for the Governor from time to time to Appointment of
officers.
 appoint such Registrars, clerks, and other officers as may be required
 to carry the provisions of this Act into execution.
4. Every person appointed under this Act shall hold office Tenure of office.
 20 during the Governor's pleasure.
5. Such salaries shall be paid to the several persons appointed Salaries.
 under this Act as shall be from time to time appropriated for that
 purpose by the General Assembly.

Registrars to form electoral rolls.

6. As soon as conveniently may be after the commencement of this Act, the Registrar of every electoral district shall form a new roll for such district, by placing thereon the names of all persons who are qualified in respect of such district to vote for members of the House of Representatives, and who are on the roll of any electoral district in force at the time of the commencement of this Act. 5

Forthwith, after a new division of the colony into electoral districts, in pursuance of any law for the time being in force for the constitution of such districts, new rolls shall be formed in like manner as is prescribed for the formation of the first roll. 10

It shall be the duty of every Registrar to make the rolls as complete as possible, and with that object from time to time to place thereon, or add thereto, the name of every person of whose qualification as an elector he is satisfied.

Provided that no name shall be placed on any roll until the expiration of three calendar months after the Registrar has given such person notice that he intends to place such person's name on the roll, and he has made no objection thereto in writing. 15

Claims to have name placed on roll.

7. Every person qualified to be an elector, and not being on any roll, desiring to have his name placed on the roll of any district, may make a claim and declaration in the form or to the effect set forth in the *First Schedule* to this Act. 20

First Schedule.

Penalty for false declaration.

8. Any person who wilfully makes a false declaration in respect of any of the particulars required to be stated in any such claim and declaration shall be liable to a penalty not exceeding *twenty* pounds. 25

Registrar to inquire into claims.

9. It shall be the duty of the Registrar, during the fifteen days following the receipt of any such claim, to make inquiries as to the truth of the particulars therein stated.

If he shall satisfy himself that the particulars stated in the claim are true, he shall, at the expiration of the said fifteen days, add the name of the claimant to the roll. 30

Objections.

If he shall satisfy himself that any of the particulars are not true, he shall, within the said fifteen days, cause notice in writing to be given to the claimant, setting forth the objection and the grounds thereof. 35

Claimant may withdraw application.

10. It shall be competent for the claimant to withdraw his claim. If he fail to do so within ten days, the Registrar shall, as soon as conveniently may be thereafter, apply to a Resident Magistrate for a summons.

Summons to claimant to substantiate claim. Second Schedule.

11. The Resident Magistrate so applied to shall forthwith issue a summons in the form or to the effect set forth in the *Second Schedule* to this Act. 40

Service of summons.

12. The summons shall be served by the Bailiff of the Resident Magistrate's Court or his assistant, or by any other person the Resident Magistrate may direct. 45

The service of the summons may be proved by oath at the hearing, or by affidavit sworn before a solicitor of the Supreme Court or a Justice of the Peace.

Parties may appear by counsel or agent.

13. It shall be lawful for the Registrar or claimant to appear and act personally, or by an agent, or by a barrister or solicitor of the Supreme Court holding a certificate to practise. 50

If Registrar absent, name to be placed on roll.

14. If at the time and place specified in the summons the Registrar shall fail to appear, the case shall be dismissed, and the Registrar shall forthwith place the name of the claimant on the roll.

If claimant absent, name not to be placed on roll.

15. If the claimant fail to appear, the Resident Magistrate shall make an order that the name of the claimant shall not be placed on the roll, and the Registrar shall act accordingly. 55

Onus of proof on claimant.

16. If both Registrar and claimant appear, the claimant shall be required to prove his claim.

If he do so to the satisfaction of the Resident Magistrate, an order shall be made directing the Registrar to place the name of the claimant on the roll.

If he fail to do so, an order shall be made directing the Registrar not to place the claimant's name on the roll.

17. The Resident Magistrate shall have the same power of summoning and compelling the attendance of witnesses and examining them on oath, and of compelling the production of documents, and of punishing persons summoned for non-attendance or for refusing to give evidence or to produce documents, and the same means of enforcing the observance of order and of punishing for contempt, as is possessed by a Resident Magistrate or by a Resident Magistrate's Court under "The Resident Magistrate's Court Act, 1867."

Power to compel attendance.

18. The Resident Magistrate may at his discretion give or refuse costs to either party, as he may think fit.

Costs at discretion of Court.

If costs are given in favour of either party, the Resident Magistrate shall fix the amount, and payment thereof may be enforced in like manner as a judgment of the Resident Magistrate's Court.

19. The Registrar or any person whose name is on the roll of any district of the colony may object to the name of any other person being retained thereon, and in such case, *mutatis mutandis*, a like notice may be given as hereinbefore provided in respect of objections made to a claimant.

Objections.

In every case of objection, the person objected to shall be required to prove his claim to have his name retained on the roll.

Onus of proof on person objected to.

20. The names on every roll shall be placed thereon in alphabetical order and numbered consecutively, commencing with the number one.

Rolls to be arranged alphabetically, and numbered consecutively.

Provided that names after the first formation of a roll shall be numbered consecutively in the order in which they are added, commencing with the number immediately following the number affixed to the last preceding name on the roll.

21. The roll so formed, added to, and altered from time to time as aforesaid shall for the time being be the roll for the district for which it is made.

The legal roll for the district.

And the several persons whose names are on the said roll, and no other person, shall be entitled to vote at any election of a member of the House of Representatives for such district.

The roll of every district shall be kept at some convenient office, to be from time to time fixed by the Registrar and approved of by the Chief Registrar.

Custody thereof.

22. Notice of the situation of such registered office and of every change thereof shall be given by the Registrar by advertisement, and the name of the district and a notice that the roll of such district is kept there shall be printed or affixed outside the office in a conspicuous place in letters easily legible.

Place of custody to be advertised.

23. Any person desirous of inspecting the roll shall be entitled to do so without any payment on two days in every week between the hours of ten o'clock in the morning and two o'clock in the afternoon, of which days notice shall be painted or affixed as aforesaid :

Roll to be open for inspection.

And shall be entitled to copies thereof or extracts therefrom on prepayment of one shilling for every copy or extract containing less than seventy-two words, and of one shilling for every seventy-two words and fraction of seventy-two words additional.

24. At the expiration of four months after the first roll of any district is formed as hereinbefore provided, the same shall be printed with the names subsequently added inserted therein in alphabetical order.

Roll to be printed.

At any time thereafter whenever not less than one hundred names are added to any roll as herein provided, a new roll shall be formed

Periodical reprints with additional names.

by inserting therein the additional names in alphabetical order, and be reprinted, provided that it has not been reprinted within the preceding twelve months; if the roll has been reprinted within that time, then it shall be reprinted at the end of twelve months from the last re-printing thereof.

Any person shall be entitled to a copy of any printed roll at a reasonable price, to be from time to time fixed by the Chief Registrar.

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Schedules.

SCHEDULES.
FIRST SCHEDULE.**CLAIM FOR ENROLMENT.**

To the Registrar of the Electoral District of .
 I HEREBY claim to have my name inserted on the Electoral Roll of ; and I declare that my name, place of abode, and occupation [or addition] are correctly stated at the foot hereof; and that I have resided within the said district for the six months immediately preceding the date hereof.

Dated the day of 188 .

(Name.)
 (Address.)
 (Occupation.)

SECOND SCHEDULE.
SUMMONS TO PROVE CLAIM.

To

You are hereby summoned to attend at the Resident Magistrate's Court, to be held at , on , the day of , at the hour of o'clock, in the noon, to prove your claim to have your name inserted on the electoral roll for the District of . Herein fail not, or your claim will be disallowed.

Given under my hand at , this day of , 188 . R.M.