

# SUPPLEMENTARY ORDER PAPER.

## HOUSE OF REPRESENTATIVES.

Tuesday, the 15th Day of October, 1907.

### LAND LAWS AMENDMENT BILL.

Mr. HERRIES, in Committee, to move the following amendments:—

To add the following new clauses:—

Land Boards.

A. For each land district there shall be a Land Board to be called "The Land Board of [*Name of land district*]," which shall consist of the Commissioner of Crown Lands of the district, one member nominated by warrant under the hand of the Governor, one member elected as hereinafter provided by the Councils of the counties within the district, and two members elected as hereinafter provided by the lessees or licensees of Crown lands (including the licensees under Part VII of the principal Act) within the said district.

Existing Boards continued in office.

B. The several Land Boards existing on the coming into operation of this Act are hereby constituted the Land Boards for the same districts respectively under this Act, and the members of such Boards who are in office on such coming into operation shall continue to be members of the said Boards under this Act until the nomination or election of their successors.

Duration of office.

C. (1.) Every member of a Land Board other than the Commissioner of Crown Lands shall continue in office for the term of two years:

Provided that, in the case of any failure to nominate or elect, he shall hold office till the nomination or election of his successor in office.

(2.) Any member may be renominated or re-elected as a member of any Land Board.

First meetings.

D. The first meeting of each Land Board under this Act shall be held on the second Wednesday of April, nineteen hundred and eight, and the first meeting of any subsequent Board shall be held on the same day in each second year thereafter.

Election of members by County Councils.

E. The election of the member by the Councils of the counties within a land district shall be subject to the following provisions:—

(a.) In the month of February, nineteen hundred and eight, and in the same month in each second year thereafter, the Commissioner of Crown Lands shall forward a nomination-paper, in the form prescribed by regulations, to the Clerk of the Council for each county within the land district.

(b.) Each Council, at a special meeting, shall nominate some duly qualified person for the office of member of the Land Board, and the Chairman shall, after entering the name of such person in the nomination-paper, affix the common seal of the Council to the paper, and shall countersign the same.

- (c.) Every such nomination-paper shall be forwarded to the Commissioner of Crown Lands for the district before the thirty-first day of March, nineteen hundred and *eight*, and before the same day in each second year thereafter, and on that day the said Commissioner of Crown Lands shall open all the nomination-papers in the presence of the Receiver of Land Revenue or some other officer of the Lands Department, and the person who obtains the greatest number of nominations shall be declared the person elected to be the member of the Land Board :

Provided that, in the case of any equality of nominations, the said Commissioner shall give a casting-vote.

- (d.) If in any county in any land district the Counties Act, 1886, is not in force, and there is no Council, but there are Road Boards constituted under the Road Boards Act, 1882, then the united Road Boards within the county shall be deemed for the purposes of this Act to be the Council of the county, and the nomination shall be made by the united Road Boards in the manner prescribed by regulations under this Act.

F. The election of two members by the lessees or licensees of Crown lands (including licensees under Part VII of the principal Act) within a land district shall be subject to the following provisions :—

Election  
members by  
Crown tenants.

- (a.) The electors shall, in the case of each land district, be the lessees or licensees who on the first day of January immediately preceding the day of election hold any lease or license of Crown land within the land district (including licensees under Part VII of the principal Act).
- (b.) For the purpose of every election the Crown Lands Commissioner shall be the Returning Officer for the land district for which he is Commissioner, and the day of election shall be the thirty-first day of March, nineteen hundred and *eight*, and the same day in each second year thereafter.
- (c.) Not later than sixty-eight days before the date of the election the Returning Officer shall, by advertisement in a newspaper or newspapers circulating in the land district, notify the date on which nominations will close, the number of vacancies, and the date on which the election will be held. Nominations shall close at five o'clock on the afternoon of the fiftieth day before the date of the election. No person shall be eligible as a candidate for election unless he is nominated in writing by at least two electors, and unless the nomination-paper, which shall be in the prescribed form bearing the candidate's consent in writing, is received by the Returning Officer before the nominations are closed.
- (d.) Not later than the thirtieth day before the date of the election the Returning Officer shall notify in manner aforesaid—
- (i.) The number of members to be elected ;
  - (ii.) The full name of every duly nominated candidate ; and
  - (iii.) The day and hour at which the poll will be closed, and shall also forward to each elector a ballot-paper, which shall be in the form prescribed by regulations.
- (e.) The elector shall indicate his vote by drawing a line through the names of all the candidates for whom he does not desire to vote, and shall then sign the voting-paper if he so desires ; but if he does not so desire he shall exercise his vote in the presence of a Justice or

Postmaster, who shall make a declaration on the ballot-paper to the effect that they saw the elector exercise his vote. The elector shall post or deliver the voting-paper to the Returning Officer in a sealed envelope.

- (f.) All voting-papers shall, if delivered to the Returning Officer, be delivered at the office of the Land Board not later than five o'clock of the afternoon of the day of election; and, if posted to him, shall be posted so as to reach him not later than the said hour of the said day.
- (g.) Any voting-paper shall be deemed to be informal if it is not in accordance with the provisions of this section, or if it reaches the Returning Officer after the date and hour mentioned in paragraph (f) hereof, or if the candidates whose names are left uncanceled exceed the total number to be elected, or if the elector votes more than once at the same election.
- (h.) As soon as convenient after the close of the poll the Returning Officer, in the presence of the Receiver of Land Revenue or some other officer of the Lands Department, shall open and examine all the voting-papers duly delivered to him or received by him through the post as aforesaid, and, after rejecting all informal voting-papers, shall ascertain the candidates (not exceeding the total number to be elected) who have received the greatest number of votes, and shall, by notice exhibited in the office of the Land Board, declare such candidates to be elected.
- (i.) If by reason of an equality of votes given for two or more candidates the election is not complete, the Returning Officer shall decide the same by his casting-vote.

Result of elections to be gazetted.

G. Forthwith after any election held under sections E or F the Commissioner of Crown Lands for each land district shall notify in the *Gazette*, and also by advertisement in a newspaper circulating in the land district respectively, the names of the persons elected, the number of valid votes or nominations recorded, and the total number of votes or nominations rejected as informal.

Disputed elections.

H. If any dispute or question arises touching the regularity of any election under section F, such dispute or question shall be determined by a Magistrate in manner provided by the Local Elections Act, 1904, all the provisions of which shall, *mutatis mutandis*, apply as far as the same are applicable. In the case of any dispute or question touching the regularity of any election under section E, the decision of the Commissioner shall be final.

In case of vacancies.

I. (1.) In the case of any vacancy of the seat of any member elected under sections E and F, the provisions of those sections shall apply as nearly as may be to any fresh election, with the exception that the Commissioner shall fix the day of election :

Provided that if the vacancy occurs within six months preceding the day fixed for any biennial election, no such election as provided in this subsection shall take place; but the remaining members of the Board shall, at a special meeting summoned for that purpose, elect some duly qualified person to fill the vacancy.

(2.) In the case of any vacancy of the seat of any member nominated by the Governor, the Commissioner shall forthwith notify the vacancy to the Governor, who shall nominate such duly qualified person as he thinks fit to supply the vacancy.

(3.) Any person elected or nominated under the provisions of this section shall hold office till the next biennial election.

*J.* The Returning Officer shall, immediately after counting the votes received by him under section *F* hereof, seal up all the voting-papers and transmit the whole to the Clerk of the nearest Magistrate's Court, who shall keep the same for six months thereafter, and shall not open or permit to be opened such packet except on the order of some Court of competent jurisdiction, and shall at the end of six months effectually destroy the same. Proceedings  
after election.

*K.* The Governor may from time to time by Order in Council make regulations prescribing the form of nomination-papers and voting-papers, and for the regulation of elections held under the provisions of sections *E* and *F*. Regulations.

*L.* Sections forty-one, forty-two, and forty-three of the principal Act are hereby repealed. Section forty-four of the principal Act is hereby amended by omitting all the words after the word "vacated" to the end of the section. Repeal.