

1964/213

**THE MAORI TRUST BOARD REGULATIONS 1960,
AMENDMENT NO. 2**

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of December
1964

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Maori Trust Boards Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Maori Trust Board Regulations 1960, Amendment No. 2, and shall be read together with and deemed part of the Maori Trust Board Regulations 1960* (hereinafter referred to as the principal regulations).

2. The principal regulations are hereby amended by adding the following headings and regulations:

“Closing of Rolls Prior to Elections and Nominations of Candidates

“9. The public notice required to be given to beneficiaries under section 46 of the Maori Trust Boards Act 1955 shall be in the form set out in the Ninth Schedule hereto.

“Copy of Roll of Beneficiaries to be Sent to Returning Officer

“10. The Secretary of each Board shall, not later than three clear days before the last day fixed under section 52 of the Maori Trust Boards Act 1955 for the receipt of ballot papers by the Returning Officer in any case where an election is required by section 48 of the said Act, forward to the Returning Officer the document or the various documents which constitute the roll of the Board’s beneficiaries showing clearly, in any case where a Parliamentary roll of electors is used, the manner in which the Board’s beneficiaries are identified thereon, and shall also forward a copy of the resolution of the Board approving the roll for the purposes of the election, and the total number of ballot papers printed, issued, and not issued, and the total number of

beneficiaries on the roll, and, if there are divisions of the beneficiaries, the total number in each division. If there are no divisions of the beneficiaries, the beneficiaries shall be numbered consecutively on the roll, and, if there are divisions of the beneficiaries, those in each division shall be given a consecutive number preceded by the division number and a hyphen.

“Issue of Ballot Papers

“11. Where there are separate divisions of the beneficiaries, the ballot papers for each division shall be printed on different coloured paper. The ballot paper issued to each beneficiary shall have entered thereon the beneficiary’s roll number and shall be posted to him together with a business reply envelope addressed to the Returning Officer and having on its outside on the left hand top corner the beneficiary’s roll number.

“Custody of Returned Ballot Papers

“12. All envelopes containing ballot papers received by the Returning Officer up to the closing date of the poll shall be placed and kept by him in a locked ballot box until the counting of the votes, which shall be conducted as soon as possible after the close of the poll.

“Checking and Marking Roll

“13. Before any envelope containing a voting paper is opened, the Returning Officer shall rule with a ballot pencil a line through the entry on the roll corresponding with the number on the envelope. If on any such check it appears that a beneficiary may have voted twice, the envelopes containing the apparent dual votes shall be put aside for investigation after the other votes have been counted. After the check the marked roll shall be signed by the Returning Officer and checking officer and any scrutineers present and placed in a sealed envelope.

“Result of the Voting

“14. After the roll has been placed in a sealed envelope, the envelopes containing the voting papers shall be opened in the presence of any scrutineers who have been appointed and of a checking officer employed by the Returning Officer. The checking officer shall be either a Justice of the Peace or some other person approved for the purpose by the Secretary for Maori Affairs. The result of the voting shall, after the votes have been counted, be recorded in triplicate on the form set out in the Tenth Schedule hereto. Two copies of the results statement duly signed shall be forwarded to the Secretary of the Board, who shall thereupon transmit one copy to the Secretary for Maori Affairs. If any envelopes containing apparent dual votes are insufficient in number to affect the membership of the new Board or of any particular division thereof, as the case may be, the results of the election may be declared without first checking the validity of the disputed votes, but if the result could be affected the result shall not be declared until the disputed votes have been either allowed or disallowed after investigation by the Returning Officer. In any case where two or more persons receive an equal number of votes and one or more (but not all) of them would have received sufficient votes to be elected had one or more of the persons receiving the same number of votes received one vote less, the Returning Officer shall exercise a casting vote to determine which one or more of the persons in question shall be deemed to have been elected.

“Retention of Voting Records

“15. All ballot papers and other voting records shall be kept by the Returning Officer for at least three months after the declaration of the results of the election.

“Cost of Elections

“16. Each Board shall within six weeks of the same being demanded from it pay to the Returning Officer all expenses properly incurred by him in connection with the election, including such remuneration for the Returning Officer as shall be determined by the Minister.”

3. The Second Schedule to the principal regulations is hereby amended by omitting so much of it as relates to the election of four members of the Ngapuhi division of the Taitokerau Maori Trust Board, and substituting the following:

| | | |
|-------------------------------|--------|--|
| “Taitokerau Maori Trust Board | One .. | The Ngapuhi ki Whangaroa division, comprising all Ngapuhi beneficiaries who reside within the boundaries of the County of Whangaroa or the Waihou Riding of the County of Hokianga or within any borough or independent town district within or adjoining the said boundaries and all Ngapuhi beneficiaries not residing within the area of any other Ngapuhi division who claim association with the Ngapuhi ki Whangaroa division. |
| ” | One .. | The Ngapuhi ki Waimate division, comprising all Ngapuhi beneficiaries who reside within the boundaries of the Kerikeri, Okaihau, or Waimate Ridings of the County of Bay of Islands or within any borough or independent town district within or adjoining the said boundaries and all Ngapuhi beneficiaries not residing within the area of any other Ngapuhi division who claim association with the Ngapuhi ki Waimate division. |
| ” | One .. | The Ngapuhi Taumarere ki Hokianga Tonga division, comprising all Ngapuhi beneficiaries who reside within the boundaries of the Horeke, Taheke, Rawene, or Omapere Ridings of the County of Hokianga or the Pakaraka, Mataraua, Tautoro, Kawakawa, Russell, or Towai Ridings of the County of Bay of Islands or within any borough or independent town district within or adjoining the said boundaries and all Ngapuhi beneficiaries not residing within the area of any other Ngapuhi division who claim association with the Ngapuhi Taumarere ki Hokianga Tonga division. |
| ” | One .. | The Ngapuhi ki Whangarei division, comprising all Ngapuhi beneficiaries who reside within the boundaries of the County of Whangarei or the Tangiteroria, Maungaru, or Omana Ridings of the County of Hobson or within any city, borough, or independent town district within or adjoining the said boundaries and all Ngapuhi beneficiaries not residing within the area of any other Ngapuhi division who claim association with the Ngapuhi ki Whangarei division.” |

4. (1) The Fifth Schedule to the principal regulations is hereby amended by adding the words “The enclosed envelope should be used for returning your voting paper and declaration. No postage stamp need be affixed to it.”

(2) The Sixth Schedule to the principal regulations is hereby amended by adding the words "The enclosed envelope should be used for returning your voting paper and declaration. No postage stamp need be affixed to it."

5. The principal regulations are hereby further amended by adding the Schedules set out in the Schedule to these regulations.

SCHEDULE

ADDITIONAL SCHEDULES

Reg. 9

"NINTH SCHEDULE

Notice to Beneficiaries

..... Maori Trust Board

Notice calling for:

- (a) Nominations for election to membership of the Board; and
- (b) Applications for inclusion in the roll of beneficiaries.

PURSUANT to section 46 of the Maori Trust Boards Act 1955 the above Board hereby calls for nominations for the election of persons to membership of the Board (*which is divided for the purpose of representation into the following sections or divisions:

*Name of Section
or Division*

*Number to be Elected to
Represent That Section or
Division*

.....)
.....)

The Board also calls upon such of its beneficiaries as have not already enrolled, being persons who have attained the age of 21 years, to apply to have their names, occupations, and addresses (*and also the section or division of the beneficiaries to which they are entitled to belong) included in the Board's roll of beneficiaries. Any enrolled beneficiary who has changed his occupation or address since he enrolled is also requested to give the Board notice thereof.

The last day for receiving nominations and applications for enrolment is on the day of 19....., being three months before the present members cease to hold office. All nominations and applications for enrolment should be addressed to the Secretary of the Board whose postal address is

Printed nomination forms in accordance with the Third or Fourth Schedule to the Act, whichever is applicable, can be obtained from the Board's Secretary. The forms must be signed by five persons on the roll as nominators and be accepted by the candidate and all signatures witnessed by one or more other adult persons.

A candidate may at any time withdraw his nomination by notice to the Board. (*If the same candidate is nominated for more than one division or section of the Board, he shall give notice to the Board Secretary electing which division or section he will stand for and shall withdraw his nomination in respect of the other or others.)

*The words in brackets immediately following the asterisks are relevant only to those Boards which have sections or divisions of their beneficiaries and should be omitted in the case of other Boards.

SCHEDULE—continued

An election will be held by postal ballot if the number of valid nominations received by closing date for (*any section or division of) the Board exceeds the number of persons required to be elected.

Dated at this day of 19.....

.....
Secretary to the Board.

*The words in brackets immediately following the asterisks are relevant only to those Boards which have sections or divisions of their beneficiaries and should be omitted in the case of other Boards.

“TENTH SCHEDULE

Reg. 14

Result of Election

..... Maori Trust Board

Returning Officer’s Certificate as to Result of Elections

*Section or Division of Beneficiaries

- Number of ballot papers printed:
- Number of ballot papers issued:
- Number of ballot papers not issued:
- Number of ballot papers returned:
- Number of returned ballot papers set aside as invalid or informal:
- Number of valid returned ballot papers:
- Number of vacancies required to be filled:

| | |
|---------------------------------|---------------------|
| <i>Candidate(s) Elected</i> | <i>No. of Votes</i> |
| | |
| | |
| <i>Candidate(s) Not Elected</i> | <i>No. of Votes</i> |
| | |
| | |

Certified correct this day of 19.....

..... Returning Officer.
 Checking Officer.
 } Scrutineers (if any).
 }

*Delete if there are no sections or divisions of the beneficiaries.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Maori Trust Board Regulations 1960 by setting out more specifically the procedures to be followed in the conduct of elections of members of Maori Trust Boards.

Issued under the authority of the Regulations Act 1936.
 Date of notification in *Gazette*: 23 December 1964.
 These regulations are administered in the Department of Maori Affairs.