
THE OVERSEAS POSTAL VOTING REGULATIONS 1951

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 24th day of
July, 1951

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Electoral Act, 1927, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Overseas Postal Voting Regulations 1951.

(2) These regulations shall be read together with and deemed part of the Electoral (Postal Voting) Regulations 1949* (hereinafter referred to as the principal regulations).

2. In these regulations, unless the context otherwise requires,—
“Date of the election in New Zealand”, in relation to any election, means the polling day appointed in the writ for that election :

“Overseas Returning Officer” means an Overseas Returning Officer appointed under these regulations ; and includes any person for the time being authorized to exercise or perform any of the powers or functions of an Overseas Returning Officer.

3. (1) For the purposes of section 140 of the Electoral Act, 1927, the Chief Electoral Officer or some person authorized by him in that behalf shall appoint such Overseas Returning Officers as he thinks necessary.

(2) Every Overseas Returning Officer shall, before entering on the duties of his office, make and sign before a British representative under section 21 of the Statutes Amendment Act, 1939, or before an authorized witness, a declaration in the form numbered (1) in the First Schedule to the Electoral Act, 1927.

(3) Every Overseas Returning Officer shall be deemed to be an authorized witness for the purposes of the principal regulations.

4. Any Overseas Returning Officer or person authorized by him may issue postal declaration forms and postal ballot papers in accordance with the principal regulations to electors of any electoral district at any time after the issue of the writ and before 7 p.m. local time on the day before the date of the election in New Zealand.

5. Any person to whom a postal declaration form and a postal ballot paper are issued under regulation 4 hereof may, after voting in the manner prescribed by the principal regulations, either—

(a) Post the envelope containing the ballot paper and declaration form to a Returning Officer in New Zealand, in which case the provisions of the principal regulations shall apply ; or

* Statutory Regulations 1949, Serial number 1949/155, page 612.

(b) Deliver the envelope containing the ballot paper and declaration form to an Overseas Returning Officer, in which case the provisions of regulations 6 to 10 hereof shall apply.

6. (1) On receipt of any envelope addressed to a Returning Officer in New Zealand and appearing to contain a postal vote, the Overseas Returning Officer shall endorse on the envelope particulars of the place, time, and date of receipt by him, and shall add his initials and official mark.

(2) He shall forthwith post every such envelope to the Returning Officer to whom it is addressed.

7. (1) Immediately after the expiration of the time mentioned in regulation 4 hereof, the Overseas Returning Officer shall make up into separate parcels—

(a) All unused and spoiled ballot papers; and

(b) The counterfoils of all used and spoiled ballot papers,—

and shall mark each parcel to show the nature of its contents, and shall despatch the parcels by the quickest available means of transport to the Chief Electoral Officer at Wellington.

(2) The Chief Electoral Officer shall seal the parcels and endorse each parcel with a description of the contents thereof, and sign the endorsement, and forthwith forward the parcels to the Clerk of the House of Representatives.

(3) The said Clerk shall forthwith give or send to the Chief Electoral Officer a receipt under his hand for the said parcels.

8. Any envelope containing a postal vote received by an Overseas Returning Officer and transmitted by him to a Returning Officer in New Zealand under these regulations shall be dealt with by the Returning Officer in accordance with the provisions of regulations 9 and 10 hereof.

9. Every such envelope which is—

(a) Received by a Returning Officer in New Zealand before the close of the poll; or

(b) Received by a Returning Officer in New Zealand after the close of the poll but not later than 7 p.m. on the tenth day after the date of the election in New Zealand, and endorsed as having been received by an Overseas Returning Officer before 7 p.m. local time on the day before the date of the election in New Zealand,—

shall be dealt with in accordance with regulations 21 to 28 of the principal regulations, and those regulations shall apply accordingly.

10. Every such envelope to which regulation 9 hereof does not apply shall be marked by the Returning Officer "Disallowed: received late", and shall not be opened, but shall be dealt with under regulation 25 of the principal regulations as if it had been marked "Received after close of poll".

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