

**1962/181**

## THE PHARMACY BOARD ELECTION REGULATIONS 1962

H. E. BARROWCLOUGH, Administrator of the Government  
ORDER IN COUNCIL

At the Government House at Wellington this 3rd day of October 1962

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Pharmacy Act 1939, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, and in accordance with the recommendations made by the Pharmacy Board of New Zealand and transmitted by the Board to the Minister of Health, hereby makes the following regulations.

### REGULATIONS

1. These regulations may be cited as the Pharmacy Board Election Regulations 1962.

### INTERPRETATION

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Pharmacy Act 1939:

“Board” means the Pharmacy Board of New Zealand constituted by section 5 of the Act:

“Extraordinary vacancy” means a vacancy described in subsection (6) of section 5 of the Act:

“Member” means a member of the Board:

“Registrar” means the Registrar of the Board:

“Society” means the Pharmaceutical Society of New Zealand constituted under the Act.

### NOMINATION OF CANDIDATES

3. (1) Nominations of candidates for every general election of members shall be received on or before four o'clock in the afternoon of the 1st day of November 1962 and every third year thereafter in the month of November on a day to be fixed from time to time by the Board.

(2) Nominations of candidates for every election of a member to fill an extraordinary vacancy shall be received on or before four o'clock in the afternoon on a day to be fixed by the Board so that the declarations required by these regulations may be published not later than three months after the occurrence of the vacancy.

(3) The Board shall determine the day for receiving nominations at least seven days before the day so fixed.

4. (1) Not less than four weeks before the last day fixed for receiving nominations of candidates for any election, the Registrar shall, by notice published in the *Gazette*, and also by such other method as the Board may direct, give notice of:

- (a) The election; and
- (b) The last hour and day fixed for receiving nominations of candidates for the election; and
- (c) The last day and hour for receiving voting papers for the election should a poll be required.

(2) The notice so published shall state the place where nominations of candidates and voting papers relating to any such candidates shall be received.

5. Nomination of a candidate shall be effected by delivery to the Registrar not later than the last hour and day for receiving nominations of a nomination paper in the form numbered 1 in the Schedule hereto signed by two members of the Society—

- (a) In the case of a candidate for election under paragraph (b) of subsection (2) of section 5 of the Act, each being at the time either the proprietor or the enrolled manager of a pharmacy resident in the district which the candidate proposes to represent; or
- (b) In the case of a candidate for election under paragraph (c) of subsection (2) of section 5 of the Act, neither being at the time the proprietor nor the enrolled manager of a pharmacy and each being resident in the island which the candidate proposes to represent—

and by the candidate, consenting to the nomination.

6. If the number of persons validly nominated for any district or island, as the case may be, does not exceed the number of persons to be so elected, the person or persons so nominated shall by notice in writing given to the Board by the Registrar be declared to be elected.

#### POLLS

7. If the number of persons validly nominated for any district or island, as the case may be, exceeds the number of persons to be so elected, then the Registrar shall cause voting papers to be printed in the form numbered 2 in the Schedule hereto.

8. The date to be inserted in the voting papers as that on which the voting paper is to reach the Registrar shall, unless in any case the Board otherwise directs, be the twenty-first day after the last day fixed for receiving nominations of candidates for the elections, and the hour of four o'clock in the afternoon of the day so inserted shall be the time of closing the poll.

9. The Registrar shall forward by post to each member of the Society resident in the district or island, as the case may be, in which the election is to be held, a voting paper in the said form numbered 2, together with an unsealed envelope addressed to the Registrar.

10. No member of the Society shall be entitled to more than one vote.

11. (1) If a candidate delivers to the Registrar not later than the last hour and day fixed for receiving nominations of candidates a notice of his retirement in the form numbered 3 in the Schedule hereto, the name of that candidate shall be omitted from the voting papers.

(2) If by retirement of a candidate from any election as provided in this regulation the number of persons nominated is reduced to the number of persons to be elected, then the person or persons so nominated shall by notice in writing given to the Board by the Registrar be declared to be elected.

12. Each candidate may by notice in writing given to the Registrar appoint one scrutineer to be present when the envelopes containing the voting papers of the election in which he is a candidate are opened and the votes counted.

13. Forthwith upon the closing of the poll the Registrar shall open the envelopes and count such voting papers as in his opinion contain valid votes, with the aid of such assistants as he may employ.

14. Where any candidates receive the same number of votes, and the addition of one vote or one vote each would entitle any candidate or candidates to be elected, the Registrar shall, in accordance with lots drawn by him in the presence of the scrutineers, give such casting vote or votes as may be necessary to enable the necessary number of candidates to be elected.

15. The Registrar shall forthwith give notice in writing to the Board declaring the persons who have received the greatest number of votes to be elected according to the number of vacancies to be filled.

16. All voting papers returned in connection with a poll shall be sealed by the Registrar who shall retain them under seal for a period of six months after the date of the declaration of the poll, and shall thereafter destroy them.

#### MISCELLANEOUS

17. As soon as conveniently may be after the declaration of an election, the Registrar shall give notice in the *Gazette* and also by such other method as the Board may direct, of the result of the election, and in the case of a poll, of the number of votes recorded for each candidate.

18. Every person elected to be a member of the Board shall come into office when he is declared to be elected:

Provided that if the term of the person previously a member has not then expired, the first mentioned person shall come into office upon the expiry of that term.

19. The Registrar shall be the sole and absolute judge of the regularity and propriety of all matters connected with any election, and no election shall be called in question on the ground that a voting paper or an addressed envelope was not forwarded to any voter, or that a voting paper from any voter was not received by the Registrar, or that a voting paper prepared by the Registrar was in irregular form, or that any vote was irregularly cast, or that any voting paper was wrongly accepted or wrongly rejected, or that any other irregularity occurred in connection with any election, unless in the opinion of the Registrar any such irregularity materially affected the result of the election and occurred otherwise than in good faith.

REVOCATION

20. The Pharmacy Board Election Regulations 1940\* are hereby revoked.

SCHEDULE

Form 1

Reg. 5

The Pharmacy Board Election Regulations 1962

NOMINATION PAPER

WE, the undersigned, do hereby nominate [Full name] of [Place of abode or business] as a candidate for the forthcoming election to the Pharmacy Board by members of the Pharmaceutical Society whose registered addresses are in the [District] [Island].

Dated this ..... day of ..... 19....

Signature: .....

Place of abode or business: .....

Signature: .....

Place of abode or business: .....

I, the above-named [Name of candidate] hereby consent to the foregoing nomination.

Signature: .....

Form 2

Reg. 7

The Pharmacy Board Election Regulations 1962

VOTING PAPER

ELECTION of member(s) of the Pharmacy Board by members of the Pharmaceutical Society whose registered addresses are in the [District] [Island].

[Full names of candidates listed in alphabetical order.]

Full name of voter: .....

Signature of voter: .....

Directions

The voter is to strike out the name of the candidate or candidates for whom he does not intend to vote by drawing a line through the name with pen or pencil.

If a voter leaves more than ..... name(s) uncanceled his voting paper is invalid.

A voter is entitled to one vote only.

This voting paper is to be inserted in the addressed envelope that accompanies it, and the sealed envelope is to be posted sufficiently prepaid or delivered at the address stated thereon so as to be delivered at that address not later than four o'clock in the afternoon of the ..... day of ..... 19....

A voting paper not delivered in the accompanying envelope is invalid.

Name and address of the Registrar: .....

SCHEDULE—*continued*

Reg. 11

Form 3

TO THE REGISTRAR UNDER THE PHARMACY ACT 1939

I HEREBY give notice that I withdraw my name as a candidate at the forthcoming election for a representative to the Pharmacy Board of New Zealand, to which I was nominated on the ..... day of ..... 19.....

Signature: .....

Received at the hour of ..... on the ..... day of ..... 19.....

.....  
Registrar.

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 prescribe the rules for election to the Pharmacy Board. The regulations make changes consequential on the enactment of the Pharmacy Amendment Act 1962.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 October 1962.

These regulations are administered in the Department of Health.