

Right Hon. Mr. Massey.

LEGISLATURE AMENDMENT (No. 2).

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p><i>Compulsory Registration of Electors.</i></p> <p>2. Compulsory registration of electors.</p> <p>3. Penalty for failure to register.</p> <p>4. Changes of address to be notified.</p> <p>5. Elector not disqualified for failure to notify change of address.</p> <p>6. Temporary absence from district not a disqualification.</p> <p>7. Notification of death of registered elector.</p> <p>8. Notification of marriages for purpose of amending rolls.</p>	<p>9. Preparation of new rolls.</p> <p>10. Abolition of existing rolls.</p> <p><i>Miscellaneous.</i></p> <p>11. Section 40 of principal Act amended.</p> <p>12. Section 52 of Amendment Act, 1910, amended.</p> <p>13. Absent voters.</p> <p>14. Certain persons entitled to vote on making declaration as to qualifications. Consequential repeal.</p> <p>15. Residential qualifications of electors. Consequential repeal.</p> <p>16. Repeals. Schedule.</p>
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A BILL INTITULED

AN ACT to amend the Legislature Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

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1. This Act may be cited as the Legislature Amendment Act, 1924, and shall be read together with and deemed part of the Legislature Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

Compulsory Registration of Electors.

10 2. Save as otherwise provided in this Act, every person qualified to be registered as an elector for any district (whether or not he is registered as an elector at the commencement of this Act) shall forthwith after the commencement of this Act, or after he first becomes qualified to be registered as an elector, make application in the prescribed form to the Registrar of the district for registration as an elector of that district.

Compulsory registration of electors.

15 3. (1.) Every person qualified to be registered as an elector for any district, who fails for four months after the commencement of this Act or after the date on which he thereafter becomes qualified to be registered as an elector for that district to become so registered, shall be guilty of an offence unless he proves that he duly applied for registration, or that his failure to apply for registration was not due to wilful default.

Penalty for failure to register.

20 (2.) Every such offence shall be a continuing offence until application for registration has been duly made.

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(3.) Every person who commits an offence against this section shall be liable to a fine of *five* shillings on a first conviction and to a fine of *twenty* shillings on any subsequent conviction.

Changes of address to be notified.

4. (1.) Every registered elector who, while remaining resident within an electoral district, changes his place of residence within that district, and who has failed for two months to notify the Registrar of his new address, commits an offence which shall be a continuing offence while such default continues. 5

(2.) Every person who commits an offence against this section shall be liable to a fine of *five* shillings on a first conviction, and to a fine of *twenty* shillings on any subsequent conviction. 10

Elector not disqualified for failure to notify change of address.

5. A registered elector who has changed his residence within the district as aforesaid shall not be disqualified from voting at an election for that district, notwithstanding that he has not given notice of such change of address as hereinbefore required. 15

Temporary absence from district not a disqualification.

6. (1.) A person who is registered as an elector of any district shall not be deemed to have forfeited his qualification for registration as an elector of that district by reason of absence therefrom unless he becomes registered in another district or is qualified to become so registered. 20

(2.) It shall be the duty of every registered elector who may be temporarily absent from the district for a period of not less than three months to give notice of his absence to the Registrar before the expiry of the said period.

Notification of death of registered elector.

7. Every Registrar of Births and Deaths shall forthwith after the registration of the death of any adult person notify the Registrar of Electors of the district in which the deceased person resided of the fact of the death, together with such particulars known to the Registrar of Births and Deaths as may be required to enable the Registrar of Electors to amend the roll if necessary. 25 30

Notification of marriages for purpose of amending rolls.

8. (1.) Every Registrar of Marriages, forthwith after receipt of a notice given pursuant to the Marriage Act, 1908, of the intended marriage of any woman registered as an elector of any district, shall send notice thereof to the Registrar of Electors of that district.

(2.) On receipt of such notice the Registrar of Electors shall take all proper steps, after verification of the particulars contained in the notice, to amend the roll if necessary. 35

(3.) If for any reason such alteration is not made in the roll before the issue of the writ, the elector shall, if otherwise qualified, be entitled to vote in respect of her former name as appearing on the roll. 40

Preparation of new rolls.

9. As soon as practicable after the commencement of this Act, the Registrar of each electoral district shall compile a new roll of the electors of that district for the purposes of the principal Act, from particulars supplied pursuant to the foregoing provisions of this Act.

Abolition of existing rolls.

10. (1.) On the completion of the preparation of new rolls, as provided for in the *last preceding* section, the Governor-General shall, by Order in Council, declare the existing rolls to be abolished as from a date to be therein specified in that behalf, and the new rolls prepared as aforesaid shall thereupon be deemed to be the several electoral rolls for the purposes of the principal Act. 45 50

(2.) The new rolls prepared as aforesaid shall be printed as required by section twenty-three of the Legislature Amendment Act, 1910:

Provided that, in the event of a by-election being held for any district after the date when the new roll for that district has come into force, and before the same has been printed, the Minister may fix the date on which the main roll shall be closed, and shall cause the same to be printed forthwith.

Miscellaneous.

11. Section forty of the principal Act is hereby amended by repealing subsection four, and substituting the following subsections :—

Section 40 of principal Act amended.

10 “(4.) Save as otherwise provided in the *next succeeding* subsection, there shall be a separate Registrar for every electoral district, who may also be the Returning Officer for the same district.

“ (4A.) One Registrar may be appointed for any two or more districts in each of which is comprised any part of the cities of Auckland, Wellington, Christchurch, and Dunedin.”

15 12. Section fifty-two of the Legislature Amendment Act, 1910, is hereby amended, by repealing subsections three to seven thereof, and substituting the following subsection :—

Section 52 of Amendment Act, 1910, amended.

20 “(3.) The Returning Officer shall transmit to the Registrar of the district the copy of the roll marked in accordance with the provisions of subsection *one* hereof, and the Registrar shall, as and when directed by the Chief Electoral Officer, make inquiries with respect to the persons shown thereon as not having voted; and no such person shall have his name removed from the roll unless it is proved to the satisfaction of the Registrar that he has ceased to be qualified as an elector of the district.”

25 13. (1.) Any registered elector who retains his qualification for registration as an elector of the district for which he is registered shall, in the case of a general election, be entitled to vote at any polling-place outside that district in such manner and on such conditions as may be prescribed by regulations in that behalf; and, in the case of a by-election, may vote at any post-office outside the district at any time while that post-office is open for the transaction of ordinary business.

Absent voters.

(2.) Nothing in this section shall apply with respect to seamen.

35 (3.) The foregoing provisions of this section shall apply with respect to any poll taken under the Licensing Act, 1908.

14. (1.) The following classes of persons, not being registered as electors of any district, may, on making a declaration in the prescribed form that they are qualified to be enrolled as electors, vote as electors of the district in which they are resident, namely :—

Certain persons entitled to vote on making declaration as to qualifications.

40 (a.) Any person whose name is ruled out on any certified copy of the roll supplied to the Returning Officer pursuant to section twenty-four of the Legislature Amendment Act, 1910; or

45 (b.) Any person who, having applied for enrolment as an elector at any time before six o'clock in the afternoon of the day of the issue of the writ, and having been informed by the Registrar that he has been enrolled, has not been so enrolled.

(2.) Every person who votes under the authority of this section shall enclose his voting-papers in an envelope which shall be sealed by the voter in the presence of the Deputy Returning Officer. The envelope and declaration shall be numbered by the Deputy Returning Officer, and the voting-papers shall then be deposited by the elector in the ballot-box.

(3.) After the close of the poll the declarations, with the relative voting-papers, shall be forwarded to the Returning Officer for verification, and the votes shall be counted only if the Returning Officer is satisfied that the declarations have been properly made.

(4.) Where the Returning Officer is satisfied that a declaration has been properly made, he shall forward the same to the Registrar for the district, who shall thereupon take all necessary steps for the registration of the declarant as an elector. 5

(5.) Every person who knowingly and wilfully makes a false statement in any declaration under this section shall be liable to a fine of *fifty* pounds. 10

Consequential
repeal.

(6.) Section thirteen of the Expeditionary Forces Voting and Electoral Rights Amendment Act, 1919, is hereby repealed.

Residential
qualifications of
electors.

15. (1.) Section thirty-five of the principal Act is hereby amended by repealing paragraph (b) of subsection one and substituting the following paragraph:— 15

“(b.) Every person lawfully on the existing roll of the district as provided by the *next succeeding* subsection.”

(2.) The said section thirty-five is hereby further amended by inserting after subsection one the following subsection:— 20

“(1A.) Every adult person who has resided for one year in New Zealand and who has resided in any electoral district for not less than three months immediately preceding the date of his application for registration as an elector of that district, and who is a British subject either by birth or by naturalization in New Zealand, is entitled, subject to the provisions of this Act, to be registered as an elector of that district: 25

“Provided that Maoris (other than half-castes) shall not be entitled to be registered as electors under this subsection.”

Consequential
repeal.

(3.) Section two of the Legislature Amendment Act, 1914, is hereby repealed. 30

(4.) Section four of the Legislature Amendment Act, 1914, is hereby amended by omitting from subsection one and also from subsection two the words “one month” and substituting the words “three months.”

Repeals.

16. The enactments mentioned in the Schedule hereto are hereby repealed to the extent indicated in that Schedule. 35

Schedule.

SCHEDULE.

ENACTMENTS REPEALED.

Title of Enactment.	Extent of Repeal.
1908, No. 101.—The Legislature Act, 1908	Sections 42, 44, 46, 48, 61, and subsection (2) of section 233; Schedule, Form No. (3).
1910, No. 59.—The Legislature Amendment Act, 1910	Sections 12, 13, 40, 41, 42, 43, 44, and 53; Schedule, Forms Nos. (7), (8), (9), and (10).
1914, No. 33.—The Legislature Amendment Act, 1914	Sections 20, 21, 22 (a), 24 (a), and 24 (c); Schedule, Forms Nos. (1) and (3).
1919, No. 51.—The Expeditionary Forces Voting and Electoral Rights Amendment Act, 1919	Subsections (1) and (2) of section 17.