

LOCAL ELECTIONS AND POLLS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Local Elections and Polls Act 1966.

Clause 1 relates to the Short Title.

Clause 2 makes the following minor amendments to the definition of "local authority" in section 2 of the principal Act:

- (a) The reference to the Waiheke Road Board is omitted, as this Board has been abolished.
- (b) The reference to the Ohai Railway Board is omitted, as this Board is no longer elective.

Clause 3 is a minor drafting amendment only. The reference to the local authorities mentioned in section 5 is now spent, as all the provisions of that section have now been repealed.

Clause 4 authorises the Returning Officer to appoint interpreters at polling booths where he considers this to be necessary.

Clause 5 provides that if a candidate consents to be nominated for more than one constituent district of any local authority, all his nominations will be void. This does not prohibit the nomination of any person as both mayor and councillor of a borough council.

Clause 6 restricts the names under which candidates may stand for election. The Returning Officer is not to accept the nomination of any candidate if the Returning Officer is not satisfied that the name under which the candidate is nominated is—

- (a) The name under which his birth was registered, with any registered amendments or additions.
- (b) The name conferred on him by an adoption order, if he has been adopted.
- (c) The name by which he was commonly known 6 months before nomination day.
- (d) The name which he has adopted by deed poll registered at least 6 months before nomination day.

In the case of a female candidate who is or has been married, she may use her husband's surname unless, if he were a candidate, he would not be entitled to use it under these provisions.

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The Returning Officer may accept a nomination under a name that does not comply with these provisions if he is satisfied that the candidate has already publicly announced, before the publication of the notice of election under section 12 of the principal Act, his intention to become a candidate under that name, and that the name had been adopted by him in good faith and for good reason and is not indecent or offensive or likely to deceive or cause confusion.

Clause 7: Subclause (1) increases from \$6 to \$10 the amount of the deposit to be paid by a candidate, other than a candidate for Mayor. The amount of the deposit to be paid by a candidate for Mayor, at present \$20, is not altered.

Subclause (2) repeals a spent provision, as exchange on cheques is no longer payable.

Clause 8: At present, an unsuccessful candidate forfeits his deposit if he receives less than 1/8th of the votes of the successful candidate or, if more than one, of the successful candidate with the lowest votes.

This clause increases that proportion to $\frac{1}{4}$ of the votes of the successful candidate or of the successful candidate with the lowest votes.

Clause 9: Under section 19 of the principal Act, if the number of candidates does not exceed the number of vacancies, the Returning Officer must, by public notice given before polling day, declare the candidates nominated to be elected.

This clause provides that the notice must be given immediately after the close of nominations.

Clause 10 re-enacts in an amended form section 21 of the principal Act, relating to the giving of public notice of election, if the number of candidates nominated exceeds the number of vacancies, and to the appointment of polling places. The changes are as follows:

- (a) The Returning Officer may provide additional polling places on polling day, without public notice, if he considers it necessary.
- (b) The requirement in the present section 18 that the names of candidates are to be posted up immediately after the close of nominations is repealed, except in the case of an election in the Chatham Islands, where there is no daily newspaper in general circulation.

Clause 11: Subclause (1) empowers the Returning Officer to provide translations in such languages as he considers necessary of the "Directions to Voter" section of the voting paper, if he considers that such translations will be of assistance to voters.

Subclause (2) is a minor drafting amendment only.

Subclause (3) provides that if in his nomination paper a candidate shows his party affiliation, the Returning Officer must provide in each polling booth a list of all the candidates showing their party affiliations (if any). In the case of a candidate who has not claimed a party affiliation, he is to be shown in any such list as "Independent".

Clause 12 re-enacts in an amended form section 32 (3) of the principal Act, the present effect of which is that if an elector applies for a vote under subsection (1) and his name appears on the roll, the Deputy Returning Officer is to draw a line through his name and number on the roll as indicating that he has been issued with a voting paper.

The effect of the new subsection (3) is that the name and number of the elector is to be ruled out only if it appears from the roll that he is entitled to vote on the issue, for example, where on a poll of ratepayers it appears from the roll that he has a ratepayer's qualification.

Clause 13 amends section 36 of the principal Act, relating to voting by blind, disabled, or illiterate voters or voters unfamiliar with the English language. The amendment removes the requirement that the Deputy Returning Officer assisting such a voter to vote is to sign the back of the voting paper as a witness for the voter.

Clause 14: The effect of this clause is that the fact that an applicant for a special vote is enrolled on the Parliamentary roll showing his address to be within the district of the local authority will be sufficient to qualify him to vote at a local election or poll as a special voter.

Clause 15 is a drafting amendment of section 52 of the principal Act relating to the circumstances in which it is unnecessary to hold an election to fill an extraordinary vacancy in a borough council or town council.

Subsection (3) of that section requires the Town Clerk to give notice to the council of extraordinary vacancies so that the council may decide under that section whether or not to exercise its powers under subsection (1) not to hold a by-election to fill the vacancy.

This amendment makes it unnecessary for the Town Clerk to notify the council in cases where a by-election must in any case be held to fill the vacancy, for example, where the council is not entitled to decide not to hold a by-election to fill the vacancy because of the fact that the vacancy reduces the number of councillors below the minimum or that other vacancies remain unfilled.

Clause 16 amends section 54 of the principal Act relating to the offences of interfering with or influencing voters.

Subclause (1) is a drafting amendment to section 54 (1) (d) conferring a positive right to print and distribute party tickets. This is the effect of the present section 54 (2) but it is expressed in a negative form, and the amendment is for the purposes of clarification.

Subclause (2) (a) is a corresponding amendment to section 54 (1) (e), relating to the right to wear party emblems.

Subclause (2) (b) is a metric conversion.

Subclause (2) (c) is a consequential repeal.

Clause 17 is a minor drafting amendment omitting the reference to the abolished Waiheke Road Board from section 79 of the principal Act, relating to the compulsory enrolment of residential electors.

Elections and Polls by Postal Vote

Clause 18: The effect of this clause is that in the case of an election the date of which falls on a Saturday postal voting is to close at noon instead of at 2.30 p.m.

Clause 19 re-enacts in an amended form section 64B (2) of the principal Act, relating to the making of an Order in Council, at the request of the local authority other than a county council, providing for the taking of an election or poll by postal vote. At present, that request must be made at least 6 months before the date of the election or poll.

This clause removes the 6 months' requirement in the case of elections to fill extraordinary vacancies and in the case of polls.

Clause 20: Section 64D (1) of the principal Act provides that where an election or poll is taken by postal vote the voting papers are to be sent to each elector at his address on the roll, or at his residential address if the Returning Officer knows that it is different from his address shown on the roll.

The effect of this amendment is to substitute a reference to the elector's usual postal address for the reference to his residential address.

Clause 21 abolishes the requirement that a person assisting a postal voter who is blind or handicapped or illiterate or is not familiar with the English language must sign the back of the voting paper as a witness for the voter. A similar amendment is made by *clause 13* in the case of ordinary voting.

Clause 22 abolishes the requirement that the envelopes containing postal voting papers returned to the Returning Officer or any Deputy Returning Officer before the close of the voting are to be stamped with his official stamp.

Clause 23 inserts a new section 64IA in the principal Act empowering the Returning Officer conducting an election or poll by postal vote to sort, without opening them, the returned envelopes containing voting papers into numerical sequence of consecutive numbers as they are returned, so as to facilitate the preliminary count of the votes.

The section also empowers him to carry out a preliminary scrutiny of the roll from the unopened envelopes as they are returned to him.

Any such sorting or preliminary scrutiny must be held at preappointed times arranged with all the scrutineers and in the presence of such of those scrutineers as choose to be present.

Clause 24 amends section 64J of the principal Act (providing that ballot boxes in which returned postal votes are deposited must remain locked), and is consequential on the new section 64IA inserted by *clause 23*.

It permits ballot boxes to be unlocked for the purposes of any sorting of the sealed envelopes containing those postal votes and any preliminary scrutiny of the rolls under that section.

Clause 25 amends section 64I of the principal Act, relating to the procedure after the close of voting in the case of postal voting. Subsection (4) of that section provides that if the number of voting papers in an envelope returned is more or less than the number that the elector is entitled to exercise, the voting papers are to be returned to the envelope, which is to be placed on one side. Subsection (5) prescribes the procedure to be followed in the case of envelopes so set aside.

The effect of this clause is to restrict those provisions to cases where the number of voting papers in any envelope is more than the number that the elector is entitled to.

Clause 26 amends section 64M (1) of the principal Act relating to the scrutiny of the rolls where the postal voting system is used, and is also consequential on the new section 64IA enabling a preliminary scrutiny to be conducted before the close of polling.

Clause 27 amends the Fourth Schedule to the principal Act, which modifies various provisions of that Act where an election or poll is taken by postal vote.

The amendment modifies provisions of section 54 of the principal Act which prohibit the doing of certain things "on polling day". The purpose of the amendment is to make it clear that those provisions of section 54 apply only to things done on the day on which the voting closes (that is, the last day for returning voting papers to the Returning Officer), and does not apply to the whole period commencing when the voting papers are posted to electors.

Holding of Elections and Polls Over Consecutive Days

Clause 28 amends section 64Q of the principal Act, which prescribes the hours of voting where an election or poll is held over consecutive days.

The effect of the amendment is to reduce from 9 to 8 the number of hours for voting on polling days other than a Saturday, and to permit this period to coincide with the normal office hours of the local authority provided the office remains open for this purpose for 8 hours each day.

Hon. Mr May

LOCAL ELECTIONS AND POLLS AMENDMENT

ANALYSIS

Title	17. Compulsory enrolment of residential electors in boroughs, counties, and town districts
1. Short Title	
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4. Appointment of interpreters	19. Local authority may hold election or poll by postal vote
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6. Rejection of nominations	21. Method of voting
7. Deposit by candidates	22. Voting papers returned to be marked
8. Forfeiture of deposit, and refund of deposit	23. Sorting of envelopes on return
9. If number of candidates does not exceed number of vacancies, candidates to be declared elected	24. Ballot boxes
10. Notice of nominations and election	25. Procedure after close of voting
11. Booths, ballot boxes, voting papers, etc.	26. Scrutiny of the roll
12. Issue of voting papers	27. Modification of principal Act where election taken by postal vote
13. Blind, disabled, or illiterate voter	<i>Holding of Elections and Polls Over Consecutive Days</i>
14. Special voters	28. Hours of voting
15. Election to fill extraordinary vacancy in borough council or town council	
16. Interfering with or influencing voters	

A BILL INTITULED

An Act to amend the Local Elections and Polls Act 1966

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

1. Short Title—This Act may be cited as the Local Elections and Polls Amendment Act 1973, and shall be read together with and deemed part of the Local Elections and Polls Act 1966* (hereinafter referred to as the principal Act).

2. Interpretation—Section 2 of the principal Act is hereby amended— 5

- (a) By omitting from the definition of the expression “local authority” the words “the Waiheke Road Board”:
- (b) By omitting from the same definition the words “the Waimakariri-Ashley Water Supply Board, and the Ohai Railway Board”, and substituting the words “and the Waimakariri-Ashley Water Supply Board”. 10

3. Date of triennial general elections—Section 4 of the principal Act is hereby amended by omitting the words “in the case of the local authorities mentioned in section 5 of this Act or”. 15

4. Appointment of interpreters—(1) Section 10 of the principal Act is hereby amended—

- (a) By inserting in subsection (1), after the words “and poll clerks”, the words “and such interpreters”: 20
- (b) By inserting in subsection (3), after the words “poll clerk” in both places where they occur, the words “or interpreter”. 25

(2) Section 11 of the principal Act is hereby amended by inserting in subsection (2), after the words “every poll clerk”, the words “and every interpreter”.

(3) Section 30 of the principal Act is hereby amended by inserting, after the words “poll clerks”, the words “any interpreters,”. 30

(4) Form 1 in the First Schedule to the principal Act is hereby amended—

- (a) By inserting in the heading, after the words “POLL CLERK”, the word “INTERPRETER”:
- (b) By inserting, after the word “*Scrutineer”, the word “*Interpreter”: 35
- (c) By adding to note (3) the words “and Interpreters”.

*1966, No. 101

Amendments: 1967, No. 44; 1968, No. 91; 1969, No. 91; 1970, No. 30

5. Nomination of candidates—Section 13 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) If a candidate is nominated, with his consent, for
5 election to more than one seat on any local authority, all such nominations shall be void:

“Provided that a person may be nominated as a candidate for both mayor and councillor of a borough council.”

6. Rejection of nominations—The principal Act is hereby
10 further amended by inserting, after section 13, the following section:

“13A. The Returning Officer shall not accept the nomination of any candidate if the Returning Officer is not satisfied, by such evidence (if any) as he requires, that the
15 name under which the candidate is nominated is—

“(a) The name under which his birth was registered, with any alteration or addition made thereto under section 17 of the Births and Deaths Registration Act 1951; or

20 “(b) In the case of a person who has been adopted, the name conferred on him by the adoption order; or

“(c) The name by which he was commonly known on the date 6 months immediately preceding nomination day; or

25 “(d) The name which he had adopted by deed poll registered under section 17A of the Births and Deaths Registration Act 1951 (as inserted by section 2 of the Births and Deaths Registration Amendment Act 1953) at least 6 months before nomination
30 day:

“Provided that in the case of any female candidate who is or has been married, her husband’s surname may be substituted for her surname in any of the cases specified in paragraphs (a) to (d) of this section, unless, if her husband
35 were nominated as a candidate under that surname, the Returning Officer would be required to reject his nomination under the provisions of this section:

“Provided also that the Returning Officer may accept the nomination of any candidate under a name that does not
40 comply with the foregoing provisions of this section, if the Returning Officer is satisfied that the candidate has publicly

announced before notice of the election was given under section 12 of this Act his intention to become a candidate under that name, and that the name has been adopted by the candidate in good faith and for good reason and is not indecent or offensive or likely to deceive or cause confusion.” 5

7. Deposit by candidates—(1) Section 14 of the principal Act (as amended by section 7 of the Decimal Currency Act 1964) is hereby further amended by omitting from subsection (1) the words “six dollars”, and substituting the expression “\$10”. 10

(2) Section 14 of the principal Act is hereby further amended by repealing the proviso to subsection (2).

(3) Form 2 in the First Schedule to the principal Act is hereby amended—

(a) By inserting, after the words “prescribed deposit”, the words “of \$10 (or, in the case of a candidate for Mayor, of \$20) †”: 15

(b) By adding the following additional note: “† The words in brackets are to be included only in case of a general election in a borough or a by-election for Mayor.” 20

8. Forfeiture of deposit, and refund of deposit—Section 15 of the principal Act is hereby amended by omitting the words “one-eighth of the votes”, and substituting the words “one-quarter of the votes”. 25

9. If number of candidates does not exceed number of vacancies, candidates to be declared elected—(1) Section 19 of the principal Act is hereby amended by omitting the words “by public notice given before polling day”, and substituting the words “immediately after the close of nominations, by public notice”. 30

(2) The Fifth Schedule to the principal Act (as added by section 7 (1) (b) of the Local Elections and Polls Amendment Act 1970) is hereby consequently amended by omitting so much thereof as relates to section 19 of the principal Act. 35

10. Notice of nominations and election—(1) The principal Act is hereby further amended by repealing section 21, and substituting the following section:

“21. (1) If the number of candidates exceeds the number of offices to be filled, the Returning Officer shall, immediately after the close of nominations, give public notice in form 5 in the First Schedule to this Act of the day on which the election is to be held and of the names of the several candidates:

“Provided that in the case of an election in the Chatham Islands, the Returning Officer shall in addition, immediately after the close of nominations, post a copy of that notice so that it can be seen in or from a conspicuous public place outside the place appointed for the receipt of nominations.

“(2) The Returning Officer may at the time he gives notice in accordance with subsection (1) of this section of the day on which the election is to be held, and shall not later than 2 clear days before polling day, give public notice of the polling places appointed by him for the holding of the election:

“Provided that additional polling places may be provided on polling day without public notice being given should the Returning Officer consider this to be necessary.

“(3) The Returning Officer may appoint any place outside the district of the local authority to be a polling place if in his opinion the appointment is necessary to facilitate the holding of the election.”

(2) Section 18 of the principal Act is hereby consequentially repealed.

(3) The Fourth Schedule to the principal Act (as added by section 7 (1) (b) of the Local Elections and Polls Amendment Act 1970) is hereby consequentially amended by omitting the items in the second column relating to section 21 of the principal Act, and substituting the following item:

“By omitting subsections (2) and (3).”

(4) The Fifth Schedule to the principal Act (as added by section 7 (1) (b) of the Local Elections and Polls Amendment Act 1970) is hereby consequentially amended by omitting from the second column the second item relating to section 21 of the principal Act, and substituting the following items:

“By omitting from subsection (2) the words ‘before polling day’, and substituting the words ‘before the commencement of the polling period’.

“By omitting from the proviso to subsection (2) the words ‘on polling day’, and substituting the words ‘on the last day of the polling period’.”

11. Booths, ballot boxes, voting papers, etc.—(1) Section 25 of the principal Act is hereby amended by inserting, after paragraph (b), the following paragraph:

“(ba) Where he considers it desirable, translations in whatever languages he considers necessary of the ‘Directions to Voter’ section of the voting paper in those polling booths where he considers that such translations may be of assistance to voters:”.

(2) Section 25 of the principal Act is hereby further amended by inserting in paragraph (c), after the words “main roll and”, the word “any”.

(3) Section 25 of the principal Act is hereby further amended by adding (as subsection (2)), the following new subsection:

“(2) In any case where a candidate has shown his party affiliation on the nomination paper, the Returning Officer shall provide in each polling booth a list in large print showing in alphabetical order the names of all the candidates together with the party affiliations claimed by them:

“Provided that in such any case where any other candidate has not claimed any party affiliation, he shall be shown in the list as being ‘Independent’.”

(4) Form 3 in the First Schedule to the principal Act is hereby amended—

(a) By inserting, after the words “consent to the above nomination”, the words “In any list of candidates provided in each polling booth I wish my party affiliation to be shown as*”:

(b) By adding to the note to that form the following paragraph:

“*When no affiliation is shown, and any other candidate has shown a party affiliation in his nomination paper, the candidate will be shown in any such list as ‘Independent’.”

12. Issue of voting papers—Section 32 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

“(3) If the name of the elector appears on the roll and it appears from the roll that he is qualified to vote on the issue, a line shall be drawn through his name and number.”

13. Blind, disabled, or illiterate voter—Section 36 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

5 “(3) The Deputy Returning Officer shall fold the voting paper so that its face cannot be seen, and shall deposit it in the ballot box.”

14. Special voters—(1) Section 37 of the principal Act is hereby amended by inserting, after paragraph (a), the following paragraph:

10 “(aa) His name does not appear on the electoral roll in use for that election but it is included on the current electoral roll for the Parliamentary election and the address shown thereon is within the district and is his present residential address:”

15 (2) Section 37 of the principal Act is hereby further amended by omitting from paragraph (e) the words “two miles”, and substituting the words “3 kilometres”.

15. Election to fill extraordinary vacancy in borough council or town council—Section 52 of the principal Act is hereby amended by inserting in paragraph (a) of subsection (3) (as substituted by section 3 (1) of the Local Elections and Polls Amendment Act 1967), after the words “of Mayor,” the words “then, unless an election is required to be held pursuant to subsection (1) of this section”.

25 **16. Interfering with or influencing voters**—(1) Section 54 of the principal Act is hereby amended by adding to paragraph (d) of subsection (1) the following proviso:

30 “Provided that any person may print, publish, distribute, or deliver a card or ticket (not being an imitation voting paper) on which is printed the names of all or any of the candidates and the elective offices for which they are candidates, with or without the name of the party or parties to which those candidates belong and including those who are
35 independent, and nothing else.”

(2) Section 54 of the principal Act is hereby further amended—

- (a) By adding to the first proviso to subsection (1) (e) the words “or to the wearing or displaying (whether on the person or not) of any party emblem”:
- (b) By omitting from the third proviso to subsection (1) (e) the words “half a mile”, and substituting the words “800 metres”:
- (c) By repealing subsection (2).

17. Compulsory enrolment of residential electors in boroughs, counties, and town districts—Section 79 of the principal Act is hereby amended by omitting from subsection (1) (a) the words “or the Waiheke Road District”.

Elections and Polls by Postal Vote

18. Interpretation—(1) Section 64A of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by omitting from paragraph (a) of the definition of the term “close of voting”, the expression “2.30 p.m.”, and substituting the words “12 noon”.

(2) The Fourth Schedule to the principal Act (as added by section 7 (1) (b) of the Local Elections and Polls Amendment Act 1970) is hereby consequentially amended by omitting from the item in that part of the second column that relates to form 6 in the First Schedule to the principal Act the expression “2.30 p.m.”, and substituting the words “12 noon”.

19. Local authority may hold election or poll by postal vote—Section 64B of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) The Governor-General may at any time, by Order in Council made on the advice of the Minister given at the request of a local authority (other than a county council), authorise the Returning Officer at any specified election or poll to be held under this Act in the district of that local authority to conduct that election or poll by postal vote, and the Returning Officer shall conduct that election or poll by postal vote accordingly:

“Provided that in the case of an election, except an election to fill an extraordinary vacancy, every such request must be received by the Minister at least 6 months before the date of the election.”

- 5 **20. Issue of voting papers**—Section 64D of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by omitting from subsection (1) the words “or at his residential address”, and substituting the words “or at his usual postal address”.
- 10 **21. Method of voting**—Section 64E of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by repealing subsection (3).
- 15 **22. Voting papers returned to be marked**—(1) Section 64H of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by repealing subsection (1).
(2) Section 64H of the principal Act (as so inserted) is hereby further amended by inserting in subsection (2), after
20 the word “envelope”, the words “containing voting papers”.
- 25 **23. Sorting of envelopes on return**—The principal Act is hereby further amended by inserting, after section 64I (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970), the following section:
30 “64IA. (1) At any time before the close of voting, the Returning Officer may, if he thinks fit, sort the envelopes containing voting papers into numerical sequence of the consecutive numbers as they are returned, so as to facilitate the preliminary count of votes.
35 “(2) The Returning Officer may also carry out a preliminary scrutiny of the roll from those unopened envelopes.
“ (3) Any such sorting or preliminary scrutiny shall be conducted at preappointed times arranged with all the scrutineers appointed in accordance with section 27 of this Act and in the presence of such of those scrutineers as choose to be present.

“(4) The envelopes so sorted shall be deposited unopened in locked ballot boxes in accordance with section 64J of this Act, and shall not be removed except for further sorting or the preliminary scrutiny, and shall immediately thereafter be returned unopened to those ballot boxes, which shall be again locked.” 5

24. Ballot boxes—Section 64J of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by adding the following subsection: 10

“(3) Notwithstanding anything in the foregoing provisions of this section, any ballot box may be unlocked for the purpose of removing and sorting under section 64IA of this Act the envelopes contained therein and undertaking a preliminary scrutiny of the roll under that section and of replacing those envelopes, and the provisions of this section shall be deemed to be modified accordingly.” 15

25. Procedure after close of voting—Section 64L of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended— 20

- (a) By omitting from subsection (4) the words “or less”;
- (b) By omitting from subsection (5) the words “or whether any voting papers that have been omitted from that envelope are included in some other envelope”.

26. Scrutiny of the roll—Section 64M of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by inserting in subsection (1), after the words “scrutiny of the roll”, the words “, or, if a preliminary scrutiny of the roll has been taken under section 64IA of this Act, complete the scrutiny of the roll.” 30

27. Modification of principal Act where election taken by postal vote—The Fourth Schedule to the principal Act (as added by section 7 (1) (b) of the Local Elections and Polls Amendment Act 1970) is hereby amended by adding to the part of the second column of so much thereof as relates to section 54 of the principal Act the following item: 35

“By omitting from paragraph (b) of subsection (1) and also from paragraphs (c), (d), and (e) of that subsection the words ‘polling day’, and substituting in each case the words ‘the day of the close of voting’.” 40

Holding of Elections and Polls Over Consecutive Days

28. **Hours of voting**—Section 64Q of the principal Act (as inserted by section 6 of the Local Elections and Polls Amendment Act 1970) is hereby amended by repealing paragraph 5 (a), and substituting the following paragraph:

10 “(a) On any day other than a Saturday, the voting shall be conducted over such period, being not less than 8 consecutive hours, as the local authority may by resolution determine. This period may coincide with the normal office hours of the local authority and shall end not later than 7.00 p.m.:

15 “Provided that the local authority may, by resolution, fix a longer period of voting for any one of those days closing not later than 9.00 p.m., and different days may be fixed under this proviso in respect of different polling places.”