

## **MIXED MEMBER PROPORTIONAL REPRESENTATION REFERENDUM BILL**

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### EXPLANATORY NOTE

THIS Bill provides for the holding, in the year 1993, of a referendum on the reform of the electoral system to introduce mixed member proportional representation. The referendum is to be held on Saturday, 27 March 1993.

Many of the provisions of the Bill are of a machinery nature relating to the taking of the referendum. However, clause 30 has a mechanism which puts an affirmative result for mixed member proportional representation in place for the 1993 General Election. Clause 29 provides for preparatory boundary work to be done by the Representation Commission.

The First and Second Schedules are important. The First Schedule gives a proposed form of mixed member proportional representation. The Second Schedule gives the form of the voting paper to be used in the referendum.

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Jim Anderton

## MIXED MEMBER PROPORTIONAL REPRESENTATION REFERENDUM

### ANALYSIS

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### A BILL INTITULED

**An Act to provide for the holding, before the 1993 general election, of a referendum on the reform of the electoral system to introduce mixed member proportional representation; and to provide for the**

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No. 190—1

**enactment of the reform upon majority approval in the referendum**

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title and commencement**—(1) This Act may be cited as the Mixed Member Proportional Representation Referendum Act 1992. 5

(2) This Act shall come into force on the 15th day of December 1992.

**2. Interpretation**—In this Act, unless the context otherwise requires,— 10

“Mixed member proportional representation” or “MMP” means that system described in the First Schedule to this Act:

“Referendum” means a poll on the proposal that members of Parliament be elected by mixed member proportional representation. 15

*Referendum*

**3. Referendum of electors on proposal for mixed member proportional representation**—(1) On the 27th day of March 1993 a referendum of the electors of each electoral district (within the meaning of the Electoral Act 1956) shall be taken on the proposal that members of Parliament be elected by mixed member proportional representation. 20

(2) The proposal shall be submitted in the voting paper in form 1 in the Second Schedule to this Act. 25

**4. Application of Electoral Act 1956**—Subject to the provisions of this Act and of any regulations made under this Act, the provisions of the Electoral Act 1956 and of any regulations made under that Act shall, as far as they are applicable and with the necessary modifications, apply as if the referendum were a poll of the electors of each electoral district for the return of a member of Parliament for the district, and the indicative referendum shall be taken in the manner prescribed by that Act for the taking of such a poll of the electors of each electoral district. 30 35

**5. Electoral rolls**—(1) Subject to the provisions of this Act and of any regulations made under this Act, the electoral rolls for the time being in force under the Electoral Act 1956 shall be deemed to be the rolls of electors for the purposes of the referendum. 40

(2) For the purposes of the referendum,—

5 (a) A person shall be deemed not to be registered as an elector if that person became registered by reason of an application for registration as an elector under the Electoral Act 1956 received after 4 p.m. on the **26th day of March 1993** by the Registrar for the electoral district in respect of which the person became registered; and

10 (b) Section 50 (2) of the Electoral Act 1956 shall, with such modifications as may be necessary, apply for the purposes of determining whether an application for registration was received after 4 p.m. on the **26th day of March 1993**.

15 (3) Where the date fixed by the Chief Registrar of Electors pursuant to section 61 (2) (b) of the Electoral Act 1956 for the closing of the main rolls in the year 1993 is in February of that year, it shall not be necessary for the Registrar for any electoral district to print for the district, for the purposes of the referendum, a supplementary roll or a composite roll.

20 **6. Appropriation**—All expenses incidental to the taking of the referendum shall be paid out of public money appropriated by Parliament for the purpose.

#### *Scrutineers*

25 **7. Nomination of scrutineers by electors in favour of proposal**—Any 10 or more electors who are in favour of the proposal may, by nomination paper under their hands, nominate any 2 specified persons to appoint one scrutineer to act at each polling booth in the district in the interest of all electors who are in favour of that proposal.

30 **8. Nomination of scrutineers by electors not in favour of proposal**—Any 10 or more electors who are not in favour of the proposal may, in like manner, nominate any 2 specified persons to appoint one scrutineer to act at each such polling booth in the interest of all electors who are not in favour of that  
35 proposal.

**9. Form of nomination paper**—The nomination paper shall be in form 2 in the **Second Schedule** to this Act.

40 **10. Nomination paper to be lodged with Returning Officer**—The nomination paper shall be lodged with the Returning Officer of the electoral district not later than the

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twelfth day before polling day, and shall be open to public inspection.

**11. Returning Officer to select fit persons to appoint scrutineers**—On a day to be publicly notified by the Returning Officer of the electoral district, being not earlier than 5 the tenth nor later than the fifth day before polling day, the Returning Officer shall publicly consider all the nomination papers duly lodged, and, after hearing all objections, select 2 fit persons to appoint one scrutineer, and 2 fit persons to appoint 10 the other scrutineer, to act at each polling booth in the respective interests as aforesaid; and the persons so selected may appoint accordingly.

**12. Selection to be in writing**—The selection shall be by writing under the hand of the Returning Officer and shall be in form 3 in the **Second Schedule** to this Act. 15

**13. Appointments of scrutineers to be in writing**—The appointment shall in each case be by writing under the hands of the persons selected, and shall be in form 4 in the **Second Schedule** to this Act.

**14. Powers and rights of scrutineers**—Every scrutineer so appointed shall, for the purposes of the referendum, have all 20 the powers and rights of a scrutineer under the Electoral Act 1956, and shall make a declaration in form 1 in the First Schedule to the Electoral Act 1956 (which form shall be used with all necessary modifications). 25

**15. Remuneration of scrutineers not expenses of referendum**—The remuneration (if any) of the scrutineers shall not be expenses incidental to the taking of the referendum.

*Recount* 30

**16. Application to District Court Judge for recount**—If the result of any referendum is disputed on the ground that the public declaration by the Returning Officer in accordance with section 116 (1) of the Electoral Act 1956 (as applied by this Act) was incorrect, the following provisions shall apply: 35

- (a) Any 6 electors may, within 3 working days after the public declaration, apply to a District Court Judge for a recount of the votes:

- (b) Every such application shall be accompanied by a deposit of \$200 (which deposit is inclusive of goods and services tax);
- 5 (c) The District Court Judge shall cause a recount of the votes to be commenced within 3 working days of receiving the application, and shall give notice in writing to the applicants and to any scrutineers appointed under **section 12** of this Act of the time and place at which the recount will be made:
- 10 (d) Section 117 (4)-(9) and section 118 of the Electoral Act 1956, so far as they are applicable and with the necessary modifications, shall apply to the recount.

*Declaration of Result by Chief Electoral Officer*

**17. Declaration of result**—(1) After the Returning Officer has made a public declaration in accordance with section 116 (1) of the Electoral Act 1956 (as applied by this Act) and after the time for an application for a recount has elapsed, the Returning Officer shall send to the Chief Electoral Officer a statement of the number of informal votes, and of the total  
15 number of valid votes recorded, and of the number of valid  
20 number of valid votes recorded for and against the proposal.

(2) On receipt of the statements from all Returning Officers, and on or before a day to be fixed by the Governor-General by Order in Council, the Chief Electoral Officer shall ascertain and  
25 declare—

- (a) The total number of valid votes recorded for the proposal; and
- (b) The total number of valid votes recorded against the proposal; and
- 30 (c) The result of the referendum as determined thereby.

(3) The Chief Electoral Officer shall notify in the *Gazette* the numbers of the votes as finally ascertained by the Chief Electoral Officer and the result of the referendum as determined thereby.

35 *Publicity*

**18. Publicity for referendum**—(1) No person shall publish or cause or permit to be published in any newspaper, periodical, poster, or handbill, or broadcast or cause or permit to be broadcast over any radio or television station, any  
40 advertisement used or appearing to be used to promote one of the proposals in the referendum unless the advertisement contains a statement setting out the true name of the person

for whom or at whose direction it is published and the address of his or her place of residence or business.

(2) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$3,000 who wilfully contravenes **subsection (1)** of this section. 5

(3) Nothing in this section shall restrict the publication of any news or comments relating to the referendum in a newspaper or other periodical or in a radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989. 10

*Petitions*

**19. Sections of Electoral Act 1956 applied—**(1) The sections of the Electoral Act 1956 described in **subsection (2)** of this section, as far as they are applicable and with the necessary modifications, shall apply to a petition for an inquiry under **section 20** of this Act. 15

(2) The sections of the Electoral Act 1956 referred to in **subsection (1)** of this section are sections 158 to 160, 161, 162 (1), (2), (4), (5), 166, 167, 168, 173 to 181, 182 (1) (a) and (b), and 183. 20

**20. Petition for inquiry—**(1) Where any 50 electors in an electoral district are dissatisfied with the result of the referendum in their district, they may, within 20 working days after the Returning Officer has made a public declaration in accordance with section 116 (1) of the Electoral Act 1956 (as applied by this Act), file a petition in the High Court for an inquiry as to the conduct of the referendum or of any person connected with it. 25

(2) If the petition complains of the conduct of a Returning Officer or Registrar of Electors, the person complained of shall be a respondent to the petition. 30

(3) The petition shall allege the specific grounds on which the complaint is founded, and no other grounds than those stated shall be investigated, except by leave of the Court and upon reasonable notice being given, which leave may be given upon such terms and conditions as the Court considers just: 35

Provided that evidence may be given to prove that any proposal other than that declared to be carried was carried and not rejected, or was rejected and not carried.

(4) Such petition shall be in form 5 in the **Second Schedule** to this Act, or to the like effect, and shall be filed in the registry of the High Court nearest to the place where the referendum was 40

held. The Registrar of the Court shall forthwith send a copy of the petition to the Returning Officer.

5 (5) The petition shall be served as nearly as may be in the manner in which a statement of claim is served, or in such other manner as may be prescribed by rules of Court.

10 **21. Who may be respondents**—Any 6 electors in the electoral district may, at any time not later than 3 working days before the commencement of the inquiry, file in the Court in which the petition is filed a notice in writing of their intention to oppose the petition, and thereupon the electors giving such notice shall be deemed to be respondents to the petition.

15 **22. Determination of Court as to result of referendum**—At the conclusion of the trial of a petition for an inquiry, the Court shall determine whether, by reason of some irregularity that in its opinion materially affected the result of the referendum, the referendum is void, or whether any and what proposal was duly carried.

20 **23. Persons committing irregularities to be named in report**—(1) On such inquiry the Court shall report in writing to the Minister of Justice the names of all persons found to have been guilty of any irregularity at or in connection with the referendum, and shall state in such report whether or not in the opinion of the Court any such irregularity tended to defeat the fairness of the referendum, and whether or not such  
25 irregularity tended materially to affect the result thereof.

(2) Every person shall be guilty of an irregularity within the meaning of subsection (1) of this section who commits any offence described in section 25 of this Act, whether or not that person is prosecuted for or convicted of any such offence.

30 **24. Fresh referendum**—(1) Where any referendum is declared void under section 22 of this Act, notice thereof shall be given by the Court to the Returning Officer, and a fresh referendum shall, on a day to be fixed by the Returning Officer, being not later than 30 working days after the date of  
35 such notice, be taken in the manner prescribed by this Act in the case of a referendum.

(2) At any such fresh referendum the same roll of electors shall be used as was used at the voided referendum.



*Offences at Referendum*

**25. Interfering with or influencing voters**—(1) Every person commits an offence and shall be liable on summary conviction to a fine not exceeding \$5,000 who, at the referendum,—

- 5
- (a) In any way interferes with any elector, either in the polling booth or while the elector is on the way to the polling booth, with the intention of influencing the elector or advising the elector as to the elector's vote:
- 10
- (b) At any time on the day on which the referendum is held before the close of the poll in or in view or hearing of any public place holds or takes part in any demonstration or procession having direct or indirect reference to the referendum, by any means whatsoever:
- 15
- (c) At any time on the day on which the referendum is held before the close of the poll makes any statement having direct or indirect reference to the referendum, by means of any loudspeaker or public address apparatus or cinematograph or television apparatus: 20
- Provided that this paragraph shall not restrict the publication by radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989 of—
- (i) Any advertisement placed by the Chief Electoral Officer or a Returning Officer; or 25
- (ii) Any non-partisan advertisement broadcast, as a community service, by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989; or
- (iii) Any news in relation to the referendum: 30
- (d) At any time before the close of the poll, conducts in relation to the referendum a public opinion poll of persons voting before the day on which the referendum is held:
- (e) At any time on the day on which the referendum is held before the close of the poll, conducts a public opinion poll in relation to the referendum: 35
- (f) At any time on the day on which the referendum is held before the close of the poll, or at any time on any of the 3 days immediately preceding that day, prints or distributes or delivers to any person anything being or purporting to be in imitation of the voting paper to be used at the poll, together with any direction or indication as to how any person should vote, or in any 40

way containing any such direction or indication, or having thereon any matter likely to influence any vote:

5 (g) At any time on the day on which the referendum is held before the close of the poll exhibits in or in view of any public place, or publishes, or distributes, or broadcasts,—

10 (i) Any statement advising or intended or likely to influence any elector as to the proposal or option for which the elector should or should not vote; or

(ii) Any statement advising or intended or likely to influence any elector to abstain from voting; or

15 (iii) Any name, emblem, slogan, or logo identified with any political party or with any proposal or option to which the referendum relates or with any proponent of any such proposal or option; or

20 (iv) Any ribbons, streamers, rosettes, or items of a similar nature in colours that are identified with any political party or with any proposal or option to which the referendum relates or with any proponent of any such proposal or option:

25 Provided that this paragraph shall not apply to any statement, name, emblem, slogan, or logo in a newspaper published before 6 p.m. on the day before the day on which the referendum is held:

30 Provided also that where any statement, name, emblem, slogan, or logo which does not relate specifically to the referendum and which is so exhibited before the day on which the referendum is held in a fixed position and in relation to the New Zealand or regional or campaign headquarters (not being mobile headquarters) of a political party or of a proponent of a proposal or option to which the referendum relates, it shall not be an offence to leave the statement, name, emblem, slogan, or logo so exhibited on the day on which the referendum is held:

35 Provided further that this paragraph shall not restrict the publication of the name of any political party or of any proponent of a proposal or option to which the referendum relates in any news which relates to the referendum and which is published in a newspaper or other periodical or in a radio or

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television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989:

Provided further that this paragraph shall not apply to ribbons, streamers, rosettes, or items of a similar nature, which are worn or displayed by any person (not being an electoral official) on his or her person or on any vehicle in colours that are identified with any political party or with any proposal or option to which the referendum relates or with any proponent of any such proposal or option or to a lapel badge worn by any person (not being an electoral official):

- (h) At any time on the day on which the referendum is held before the close of the poll prints or distributes or delivers to any person any card or paper (whether or not it is an imitation voting paper) having thereon the proposals or options to which the referendum relates or any of them:
- (i) Exhibits or leaves in any polling booth any card or paper having thereon any direction or indication as to how any person should vote or as to the method of voting:
- (j) Subject to any regulations made under this Act, at any time on the day on which the referendum is held before the close of the poll, within, or at the entrance to, or in the vicinity of, any polling place,—
- (i) Gives or offers to give any person any written or oral information as to any name or number on the main roll or any supplementary roll being used at the election:
- (ii) Permits or offers to permit any person to examine any copy of the main roll or any supplementary roll being used at the election.
- (2) It shall be a defence to a prosecution for an offence against subsection (1)(g) of this section that relates to the exhibition in or in view of a public place of a statement, name, emblem, slogan, or logo, if the defendant proves that—
- (a) The exhibition was inadvertent; and
- (b) The defendant caused the exhibition to cease as soon as the defendant was notified by a Returning Officer or a Deputy Returning Officer that the exhibition was taking place.
- (3) Nothing in this section shall apply to any official statement or announcement made or exhibited under the authority of this Act or the Electoral Act 1956.

(4) Section 127 of the Electoral Act 1956 shall not apply in relation to the referendum.

Cf. 1990, No. 3, s. 24 (a), (b)

5 **26. Power to remove statements, names, emblems, slogans, or logos**—(1) The Returning Officer may at any time on the day on which the referendum is held before the close of the poll cause to be removed or obliterated—

- 10 (a) Any statement advising or intended or likely to influence any elector as to the proposal or option for which the elector should or should not vote; or
- (b) Any statement advising or intended or likely to influence any elector to abstain from voting; or
- 15 (c) Any name, emblem, slogan, or logo identified with any political party or with any proposal or option to which the referendum relates or any proponent of any such proposal or option,—

which is exhibited in or in view of any public place.

20 (2) Nothing in **subsection (1) (c)** of this section shall apply to ribbons, streamers, rosettes, or items of a similar nature which are worn or displayed by any person (whether on his or her person or on any vehicle) in colours that are identified with any political party or with any proposal or option to which the referendum relates or with any proponent of any such proposal or option or to a lapel badge worn by any person.

25 (3) Nothing in **subsection (1)** of this section shall apply to a statement, name, emblem, slogan, or logo which does not relate specifically to the referendum and which was so exhibited before the day on which the referendum is held in a fixed position and in relation to the New Zealand or regional or campaign headquarters (not being mobile headquarters) of a political party or of a proponent of a proposal or option to which the referendum relates.

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(4) All expenses incurred by the Returning Officer in carrying out the power conferred by **subsection (1)** of this section may be recovered by the Returning Officer from the persons by whom or by whose direction the statement, name, emblem, slogan, or logo was exhibited, as a debt due by them jointly and severally to the Crown.

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40 (5) Section 127<sup>A</sup> of the Electoral Act 1956 shall not apply in relation to the referendum.

**27. Offences**—(1) Every person commits an offence and shall be liable on summary conviction to a fine not exceeding \$2,000 who, at the referendum,—

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- (a) Except in accordance with any regulations made under the Electoral Act 1956 or this Act in relation to special voters, obtains possession of or has in his or her possession any voting paper other than the one given him or her by the Returning Officer or Deputy Returning Officer for the purpose of recording his or her vote, or retains any voting paper or piece of a voting paper in his or her possession after leaving the polling booth; or 5
- (b) Does or omits to do an act (other than an act to which section 25 of this Act applies) that if done or omitted to be done at an electoral poll would be an offence under the Electoral Act 1956. 10
- (2) Section 126 (g) of the Electoral Act 1956 shall not apply in relation to the referendum. 15

*Regulations*

**28. Regulations**—The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) Applying, with or without modifications, for the purposes of this Act, provisions of the Electoral Act 1956 and of any regulations made under that Act: 20
- (b) Prescribing forms for the purposes of this Act:
- (c) Prescribing the time at which, and the manner in which, special voters may vote (whether at a polling place or not and whether in or outside New Zealand) at the referendum: 25
- (d) Prescribing conditions upon or subject to which special voters may vote at the referendum:
- (e) Prescribing, for the purposes of the referendum, different methods of voting for different classes of special voters: 30
- (f) Providing for such other matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration. 35

*Provisions Enabling Affirmative Result to be Implemented*

**29. Arrangements preparatory to affirmative result in referendum**—(1) For the purpose of ensuring that, in the event that the total number of valid votes recorded for the proposal exceeds the total number of valid votes recorded against the proposal, the general election due to be held in 1993 will be able to be conducted on a mixed member proportional representation basis, subject to this section, 40

sections 15 to 22 of the Electoral Act 1956 shall apply so far as they are applicable and with the necessary modifications, and as if there had been a periodical census.

5 (2) The Representation Commission (as so appointed) is hereby authorised and directed to divide New Zealand into General electoral districts (single member constituencies) on the basis set out in the **First Schedule** to this Act.

10 (3) The Representation Commission shall publish in the *Gazette* a notice pursuant to section 19 (1) (b) of the Electoral Act 1956 (relating to the names and boundaries of the electoral districts fixed by the Commission) only if the total number of valid votes in the referendum recorded for the proposal exceeds the total number of valid votes recorded against the proposal.

15 **30. Statutory consequences of affirmative result in referendum**—Upon publication in the *Gazette* of the result of the referendum, and in the event that the total number of valid votes recorded for the proposal exceeds the total number of valid votes recorded against the proposal, the following shall  
20 apply, namely:

(a) The Electoral Act 1956 shall be amended by inserting the following section:

25 “70A. **Electoral system of New Zealand**—The electoral system of New Zealand shall be as set out in the **Third Schedule** to this Act, and the provisions of this Act shall apply accordingly, with any necessary modifications.”:

(b) The Electoral Act 1956 shall be amended by inserting as  
30 the **Third Schedule** to that Act, the schedule set out in the **First Schedule** to this Act:

(c) Section 189 (1) (c) of the Electoral Act 1956, providing for section 16 of that Act to be a reserved provision shall be deemed repealed:

35 (d) Section 189 (1) of the Electoral Act 1956 shall be amended by adding the following paragraphs:

“(g) **Section 70A** of this Act, relating to the electoral system of New Zealand:

“(h) The **Third Schedule** to this Act.”:

40 (e) Upon the seat of any member of Parliament becoming vacant after the date of the 1990 general election, and before the date of the next general election, the seat shall be filled in the manner provided for in the Electoral Act 1956 immediately prior to the commencement of this Act.

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## SCHEDULES

### Section 2

### FIRST SCHEDULE

PROPOSED THIRD SCHEDULE TO ELECTORAL ACT 1956

### Section 70A

### “THIRD SCHEDULE

#### PROPOSED FORM OF MIXED MEMBER PROPORTIONAL REPRESENTATION

1. The size of the House shall be increased to a minimum of 100 members.
2. Forty-six members shall be elected through nationwide party lists, 4 Maori representatives from the existing Maori roll in their current constituencies, and 50 members by the plurality method in single-member constituencies. At least 12 of the 50 constituency seats shall be in the South Island. The boundaries between the 50 constituencies shall be drawn according to the same criteria as apply at present.
3. List members shall be elected from ordered party lists nominated by each registered political party prior to election day. Independent candidates shall not appear on the list section of the ballot. Voters shall not be able to alter the order of candidates on a party's list and the ballot paper shall only show each party's name and the first few names on each party's list. Parties may include constituency candidates on their lists. Candidates elected in a constituency shall be deleted from the party's list.
4. Each voter shall have 2 votes at a general election. One shall be for a party list. The other shall be for a constituency or Maori representative. Once constituency and Maori winners are known, the 46 list seats shall be allocated by the modified Sainte Laguë method so as to achieve overall proportionality. In the event of a party winning more constituency seats than its overall entitlement, extra seats shall be created in the House until the next general election.
5. In order to prevent a proliferation of minor parties in Parliament, a threshold shall apply. For a party to be eligible to participate in the allocation of list seats, either its combined list vote must be greater than 4 percent of all list votes or it must have won at least 1 constituency seat. Parliament may by ordinary law provide for the variation of the 4 percent threshold, where particular groups are disadvantaged by the threshold.
6. Vacancies caused by the resignation or death of a sitting constituency member shall be filled by a by-election as under the present system. List members shall be replaced by the next available person on the relevant party list.”

SECOND SCHEDULE

Form 1

Section 3 (2)

VOTING PAPER

.....  
[Consecutive Number]

..... Electoral District

**Referendum on Proposal for Mixed Member  
Proportional Representation**

*Directions*

(Read carefully before voting)

1. Vote for only one proposal.
2. Vote by putting a tick in the circle immediately after the proposal you choose.
3. After voting, fold this voting paper so that its contents cannot be seen and place it in the ballot box.
4. If you spoil this voting paper, return it to the officer who issued it and apply for another.
5. You must not take this voting paper out of the polling booth.

—————  
Vote for only one proposal.



Vote Here

I VOTE FOR PARLIAMENT BEING ELECTED BY MIXED MEMBER PROPORTIONAL REPRESENTATION.	<input type="radio"/>
I VOTE FOR PARLIAMENT BEING ELECTED UNDER THE PRESENT SYSTEM.	<input type="radio"/>

*NOTE: The result of this referendum will affect the system for electing members of Parliament at the forthcoming general election.*

NOTE\*

This form shall be joined by perforations to the voting paper for the referendum.  
\*Not to be printed as part of the form.



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SECOND SCHEDULE—*continued*

Section 9

Form 2

NOMINATION OF SCRUTINEERS FOR PURPOSES OF MMP REFERENDUM

1. For the purposes of the MMP referendum to be taken in the ..... Electoral District on the ..... day of ..... 1993, we, the undersigned electors of the district, hereby nominate [*Full names, addresses, and occupations of the 2 persons nominated*] as fit persons to appoint one scrutineer to act at each polling booth in the interest of all electors who are in favour [*or, as the case may be, not in favour*] of the proposal.
2. In support of our nomination we hereby severally, each for himself or herself, solemnly and sincerely declare that we are, and we believe each of the persons nominated to be, honestly in favour [*or, as the case may be, not in favour*] of the proposal.

We severally make this solemn declaration conscientiously believing the same to be true, and by virtue of the Oaths and Declarations Act 1957.

	Signature, Address, and Occupation
Severally declared by each of the	1. ....
[ <i>Number</i> ] declarants whose signa-	2. ....
tures are subscribed hereto, this	3. ....
..... day of .....	4. ....
1993, before me—	5. ....
	6. ....
.....	7. ....
J.P. [Solicitor,	8. ....
<i>or as the case may be</i> ].	9. ....
	10. ....

NOTE—Not less than 10 electors must sign.

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SECOND SCHEDULE—continued

Form 3

Section 12

RETURNING OFFICER'S SELECTION FOR THE PURPOSES OF THE MMP  
REFERENDUM

Having considered the nominations duly lodged in this behalf, and having heard all objections thereto, I hereby select [*Full names, addresses, and occupations of the 2 persons selected, etc. (as above)*] as fit persons to appoint one scrutineer to act at each polling booth at the MMP referendum for the ..... Electoral District on the ..... day of ..... 1993, in the interest of all electors who are in favour [*or, as the case may be, not in favour*] of the proposal.

Dated at ..... this ..... day of ..... 1993.

....., Returning Officer.

Form 4

Section 13

APPOINTMENT OF SCRUTINEERS FOR THE PURPOSES OF THE MMP  
REFERENDUM

To the Returning Officer.

For the purposes of the MMP referendum for the ..... Electoral District to be taken on the ..... day of ..... 1993, we, the undersigned, being duly authorised in this behalf, hereby appoint the persons named in the Schedule hereto to act as scrutineers at the polling booths named in the Schedule, in the interest of all electors who are in favour [*or, as the case may be, not in favour*] of the proposal.

SCHEDULE

Scrutineer	Polling Booth
[ <i>Full name, address, and occupation of the scrutineer</i> ]	[ <i>Name of polling booth</i> ]

Dated at ..... this ..... day of ..... 1993.

[*Signatures of the 2 persons authorised to appoint*].

18 *Mixed Member Proportional Representation Referendum*

SECOND SCHEDULE—*continued*

Section 20 (4)

Form 5

PETITION FOR INQUIRY AS TO RESULT OF MMP REFERENDUM

In the matter of a MMP referendum held in the ..... Electoral District on the ..... day of ..... 1993,

The petition of the undersigned electors of the ..... Electoral District, namely, A.B. of ....., C.D., of ....., etc.

1. Your petitioners state that the MMP referendum was held on the ..... day of ..... 1993, and that the Returning Officer has given public notice that the proposal was [or was not] carried in the district.
2. And your petitioners say that [*State the facts and grounds on which the petitioners rely*].

Wherefore your petitioners pray that it may be determined that the said proposal was rejected and not carried in the district [or was carried and not rejected in the district] [or that the referendum was void].

A.B.,  
C.D.,  
etc.