



THE SPECIAL LICENSING POLLS REGULATIONS 1954

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 20th day of October 1954

Present:

THE HON. T. CLIFTON WEBB PRESIDING IN COUNCIL

PURSUANT to the Licensing Amendment Act (No. 2) 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Special Licensing Polls Regulations 1954.
2. In these regulations, unless the context otherwise requires,—
 - “The Act” means the Licensing Amendment Act (No. 2) 1953:
 - “Area” means the King Country, or Johnsonville, or Porirua, as defined in this regulation:
 - “Johnsonville” means the Johnsonville area, as defined in the Second Schedule to the Act:
 - “The King Country” means the area known as the King Country, as defined in the First Schedule to the Act:
 - “Porirua” means the Porirua area, as defined in the Third Schedule to the Act.

Returning Officers

3. For the purposes of the taking of the special polls in the King Country, Johnsonville, and Porirua pursuant to Part I of the Act, the Chief Electoral Officer or some person authorized by him shall appoint a Returning Officer for each area.
4. The Returning Officer for every electoral district in which any part of the King Country, Johnsonville, or Porirua is situated shall, in respect of the taking of the poll in that part of the area, have all the functions and powers of the Returning Officer appointed for the area under regulation 3 hereof, except as hereinafter provided.

5. (1) Except as provided in regulation 18 hereof, the Returning Officer for the area shall have no functions or powers in relation to the taking of the poll.

(2) Nothing in this regulation shall affect the functions or powers of the Returning Officer for the area in respect of any matter arising after the declaration of the result of the poll.

Marking of Rolls

6. (1) The Registrar of Electors for every European electoral district of which any part is in the King Country, Johnsonville, or Porirua shall mark the rolls for the district by means of appropriate words, abbreviations, or marks against the names of the electors who are entitled to vote at the special polls in those areas.

(2) The Chief Electoral Officer shall mark the rolls for the Western Maori Electoral District by means of appropriate words, abbreviations, or marks against the names of the electors who are entitled to vote at the special poll in the King Country.

King Country Poll

7. (1) This regulation shall apply only where the elector presents himself at a polling booth situated in an electoral district of which any part is in the King Country.

(2) A European or Maori elector applying to vote at the King Country poll whose name has been marked on the roll pursuant to regulation 6 hereof shall be given voting papers in the forms prescribed in the Fourth Schedule to the Act:

Provided that if the Deputy Returning Officer is doubtful whether the applicant is an elector of the King Country he may require the voter to complete a declaration in the form in the Schedule to these regulations.

(3) A European or Maori elector applying to vote at the King Country poll, being an elector who is registered in respect of an address within the King Country but whose name on the roll has not been marked pursuant to regulation 6 hereof, shall make a declaration in the form in the Schedule to these regulations. On making the declaration the elector shall be given voting papers in the forms prescribed in the Fourth Schedule to the Act.

(4) A European or Maori elector applying to vote at the King Country poll and registered in respect of an address outside the King Country shall make a declaration in the form in the Schedule to these regulations. On making the declaration the elector shall be given voting papers in the forms prescribed in the Fourth Schedule to the Act.

(5) A European elector voting by declaration under section 141 of the Electoral Act 1927 in an electoral district of which any part is within the King Country shall, if his declaration discloses an address within the King Country, be given voting papers in the forms prescribed in the Fourth Schedule to the Act.

(6) A Maori elector voting pursuant to section 3 of the Electoral Amendment Act 1937 at a polling place which is within a European electoral district of which any part is in the King Country shall, if his declaration in form 14 of the Electoral Regulations 1954 discloses an address which is within the King Country, be given voting papers in the forms prescribed in the Fourth Schedule to the Act.

Johnsonville and Porirua Polls

8. The Johnsonville poll shall be taken in the electoral districts of Onslow, Otaki, and Wellington Central.

9. The Porirua poll shall be taken in the electoral districts of Heretaunga, Onslow, Otaki, and Petone.

10. Any elector of Johnsonville or Porirua may vote at any polling place appointed for any of the electoral districts within which the poll is being taken for that area:

Provided that if the polling place is in an electoral district other than that of which he is an elector he shall vote as an absent voter under section 139 of the Electoral Act 1927.

11. Notwithstanding anything in any regulations for the time being in force for the purposes of postal voting under section 140 of the Electoral Act 1927, postal voting papers for the purposes of the Johnsonville poll or the Porirua poll may be issued only by the Returning Officer for an electoral district within which the poll is being taken or by a Deputy Returning Officer at any polling place at which an elector of the area would be entitled to vote in person under these regulations.

12. (1) An elector applying to vote at the Johnsonville poll or the Porirua poll whose name has been marked on the roll pursuant to regulation 6 hereof shall be given voting papers in the appropriate forms prescribed in the Fifth Schedule to the Act:

Provided that if the Deputy Returning Officer is doubtful whether the applicant is an elector of Johnsonville or Porirua, as the case may require, he may require the voter to complete a declaration in the form in the Schedule to these regulations.

(2) An elector applying to vote at the Johnsonville poll or the Porirua poll, being an elector who is registered in respect of an address within Johnsonville or Porirua, as the case may be, but whose name on the roll has not been marked pursuant to regulation 6 hereof, shall make a declaration in the form in the Schedule to these regulations. On making the declaration the elector shall be given voting papers in the appropriate forms prescribed in the Fifth Schedule to the Act.

(3) An elector applying to vote at the Johnsonville poll or the Porirua poll and registered in respect of an address outside Johnsonville or Porirua, as the case may be, shall make a declaration in the form in the Schedule to these regulations. On making the declaration the elector shall be given voting papers in the appropriate forms prescribed in the Fifth Schedule to the Act.

(4) An elector voting by declaration under section 141 of the Electoral Act 1927 in an electoral district of which any part is in Johnsonville or Porirua shall, if his declaration discloses an address within Johnsonville or Porirua, as the case may require, be given voting papers in the appropriate forms prescribed in the Fifth Schedule to the Act.

Postal Voting

13. Subject to section 2 (5) of the Act and to regulation 11 of these regulations, the procedure for postal voting in respect of any of the special polls shall be the same as the procedure for postal voting in respect of polls in no-licence districts relating to local restoration.

Marking of Papers and Subsequent Procedure

14. (1) All voting papers at any of the special polls shall be marked by the voter in the manner prescribed by the Act and shall be folded by the voter so that the vote cannot be seen.

(2) Where the voting papers have been issued to the elector only after completion of the declaration in the Schedule to these regulations, the voting papers shall be handed to the Deputy Returning Officer, who shall set them aside in an envelope provided for the purpose.

(3) Where the voting papers have been issued to the elector after completion of a declaration under section 139 or section 141 of the Electoral Act 1927 or section 3 of the Electoral Amendment Act 1937, the procedure after the exercise of the vote shall be the same as the procedure in like cases in respect of polls in no-licence districts relating to local restoration.

(4) In every other case the voting papers shall be placed by the voter in a special ballot box provided for the purpose or, if there is no such box, in the ballot box used for the taking of the general licensing poll.

15. After the close of the poll every Deputy Returning Officer shall place each declaration made under these regulations with the envelope containing the relative voting papers and shall make them up in a parcel. The parcel shall be endorsed by the Deputy Returning Officer with a description of its contents, the name of the electoral district, the name of the polling place and the number of the booth, and the date of the poll, and shall be despatched to the Returning Officer for the electoral district.

16. The Returning Officer for the electoral district shall examine all declarations made under these regulations and shall disallow all votes made by electors whose declarations do not disclose an address within the King Country, Johnsonville, or Porirua, as the case may require. He shall then make up into separate parcels the declarations in respect of allowed and disallowed votes and shall endorse on each parcel a description of its contents and the name of the electoral district, and shall despatch the parcels to the Chief Electoral Officer.

17. The Returning Officer for every such electoral district shall supply to the Returning Officer for the area a certificate of—

- (a) The total number of votes recorded in the electoral district at the special poll;
- (b) The number of votes so recorded for the licensing proposal;
- (c) The number of votes so recorded against the licensing proposal;
- (d) The number of votes so recorded for the Trust proposal; and
- (e) The number of votes so recorded against the Trust proposal.

18. The Returning Officer for the area shall give public notice and declare the result of the poll in the same manner as for polls in no-licence districts, and shall include in the notice and declaration the numbers certified by the Returning Officers for the electoral districts in which any parts of the area are situated.

SCHEDULE

Regs. 7, 12

DECLARATION BY ELECTOR APPLYING TO VOTE AT SPECIAL POLL

Consecutive number of Voting Paper:.....

I, [*Full name*], hereby declare that I reside at [*Full residential address*], and I believe that I am qualified to vote at the special licensing poll in the [*Here insert the name of the area*].

Signature of Elector:.....

....., Deputy Returning Officer.

Official Mark

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 procedure for the conduct of the special licensing polls to be held in the King Country, the Johnsonville area, and the Porirua area under Part I of the Licensing Amendment Act (No. 2) 1953. They provide for the appointment of Returning Officers, the marking of the electoral rolls to show the names of persons entitled to vote, the issue of the voting papers, the procedure for postal voting, the marking of papers, and the declaration of the results of the polls. The polls will be taken on Saturday 13 November 1954 (the day of the general election).

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 October 1954.

These regulations are administered in the Department of Justice.