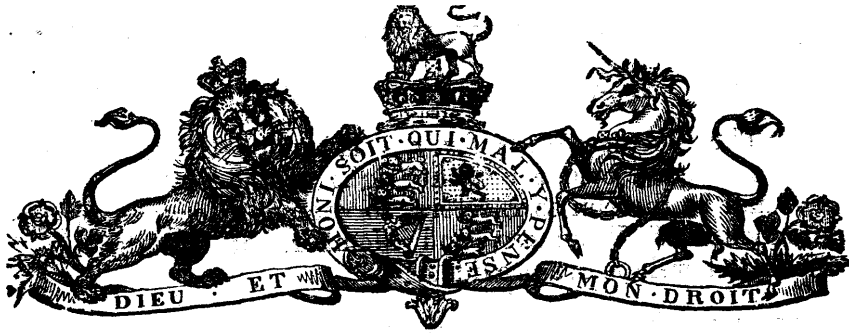


NEW ZEALAND.



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 59.

ANALYSIS:

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AN ACT to amend the Law relating to the Election of Superintendents of Provinces, and Members of Provincial Councils. [19th August, 1858.] Title.

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

I.—DIVISION OF PROVINCES INTO ELECTORAL DISTRICTS.

I. It shall be lawful for the Superintendent of every Province, with the advice and consent of the Provincial Council thereof, from time to time to divide such Province into Electoral Districts for the Election of Members of the Provincial Council, and any such division from time to time to annul and alter: Provided always, that every Bill for such purpose shall be re-

Provincial Councils may divide Provinces into Electoral Districts.

Provincial Elections.

served for the signification of the Governor's pleasure thereon, Provided also that until any such division shall be made, the Electoral Districts existing at the time of the passing hereof in any Province shall continue to be the Electoral Districts for the Election of Members of the Provincial Council of such Province.

2.—REGISTRATION OF ELECTORS.

Electoral Rolls.

II. The Electoral Rolls for the House of Representatives shall be conclusive evidence of the right of the persons, whose names shall be thereon as Electors, to vote at Elections of Superintendents of Provinces, and Members of the Provincial Councils as hereinbefore provided.

Registration Officers to form Provincial Electoral Rolls.

III. A Registration Officer to be appointed by the Governor for every Province in New Zealand, shall, as soon as the Electoral Rolls for the House of Representatives shall have been completed, form therefrom Electoral Rolls for the Election of the Superintendent of such Province, and of the Members of the Provincial Council thereof.

Mode of forming the Electoral Rolls.

IV. There shall be placed on the Roll for the Election of a Superintendent of a Province, every Elector registered in respect of any tenement or hereditament situate within such Province; and on the respective Rolls for the Election of Members of a Provincial Council every Elector registered in respect of any tenement, or hereditament, situate within the respective Electoral Districts for the Election of such Members.

3.—CONDUCT OF ELECTIONS.

Mode of conducting Elections.

V. Subject to the provisions hereinafter contained, every Election of the Superintendent, or of a Member of the Provincial Council of a Province, shall be conducted in manner prescribed by an Act of the General Assembly, intituled "The Regulation of Elections Act, 1858," and all the provisions of the said Act shall apply to the elections of Superintendents and Members of Provincial Councils.

Governor to appoint Returning Officers.

VI. The Governor shall from time to time appoint and remove Returning Officers for the several Electoral Districts within the Province as occasion may require; Provided always, that for the Election of a Superintendent of a Province, the whole of such Province shall be deemed to be one Electoral District, and one Writ only shall be issued for such Election, and shall be addressed to the Principal Returning Officer of the Capital Town of the Province, who shall hold the nomination at such Capital Town.

Writs issuable by and returnable to Superintendents.

VII. All Writs to supply Vacancies in any Provincial Council occurring during the continuance of such Council shall be issued by, and returnable to the Superintendent of the Province.

Provincial Elections.

VIII. It shall be lawful for the Governor to delegate to the Superintendent of any Province, the power of appointing and removing Returning Officers, and also of appointing and abolishing Polling places for the election of the Superintendent or of Members of the Provincial Council of such Province; and every warrant by which any such delegated power shall be exercised shall be published in the *Provincial Government Gazette* of such Province instead of the *New Zealand Gazette*.

Power of delegation of certain powers by the Governor.

4.—CONTROVERTED ELECTIONS, ETC.

IX. The right of any person claiming to hold the office of Superintendent, or to be a Member of a Provincial Council, shall be determined on information in the nature of a Quo Warranto, and by no other mode, except in such cases as are provided for by the 11th Section of the "Constitution Act."

Mode of determining controverted Elections.

X. The Writ of Mandamus shall lie in respect of Superintendents of Provinces, and Provincial Councils, and Members thereof, in all cases whatsoever to which such a mode of proceeding is applicable.

Writ of Mandamus to lie in all cases where applicable.

5.—CORRUPT PRACTICES.

XI. An Act passed by the General Assembly of New Zealand intituled "The Corrupt Practices Act, 1858," shall be deemed to apply to any Election of Superintendent of a Province, and of any Member of a Provincial Council of any Province.

"Corrupt Practices Act, 1858," applicable to Provincial Elections.

XII. This Act shall apply to the Provinces already established in New Zealand, and so much thereof as relates to Provincial Councils and Members thereof, shall apply to Provinces to be hereafter established, and sections 1, 9, and 10 only shall apply to Superintendents of Provinces to be hereafter established.

Application of Act.

XIII. The Short Title of this Act shall be "The Provincial Elections Act, 1858."

Short Title.