



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, NOVEMBER 2, 1922.

Published by Authority.

WELLINGTON, SATURDAY, NOVEMBER 4, 1922.

Regulations under Section 3 of the Horouta District Licensing Poll Act, 1922.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of November, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section three of the Horouta District Licensing Poll Act, 1922, it is enacted that a poll shall be taken of those Maoris residing in the Horouta Maori Council District who are qualified to vote as electors at the General Election for the purpose of the election of a Maori member of Parliament under Part IV of the Legislature Act, 1908 (relating to Maori representation), to determine whether or not liquor may be supplied to Natives in that district : And whereas it is further provided that the proposal to be submitted to the electors pursuant to the said section shall be submitted in such form and the poll thereon shall be taken and the result of the poll declared in such manner as may be prescribed by the Governor-General in Council :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the said section, and all other powers him enabling, and acting by and with the advice and consent of the Executive Council of the said Dominion, do hereby make the regulations hereinafter set forth.

REGULATIONS.

FORM OF QUESTION.

1. THE question to be submitted at the poll taken under the said Act shall be submitted in the form No. 1 in the Schedule hereto.

THE POLL.

2. There shall be a Returning Officer, appointed by the Governor-General, for such poll ; and the said Returning Officer shall have power to appoint, on the occasion of such

poll, such Deputy Returning Officers as he deems necessary for the effective taking of the poll at every polling-booth.

3. Every such Returning Officer or Deputy Returning Officer may, at any time before the close of the poll, appoint (in writing) a substitute to act for him in case and so long as he is prevented by illness or other sufficient cause from attending or continuing to attend to the duties of his office.

4. Every such substitute while so acting shall have all the powers, functions, and liabilities of his principal.

5. Every Returning Officer and Deputy Returning Officer, and every substitute appointed hereunder, shall, before acting in his office, make and subscribe before a Justice or Postmaster the declaration set forth in the form No. 2 in the Schedule hereto.

6. Polling-places shall be appointed in the district by the Returning Officer, and notice of the places appointed shall be published in the *Kahiti* and *Gazette* at least fourteen days previous to the day of taking the poll.

7. A polling-place shall not be appointed—

(i.) Unless the Returning Officer is first satisfied that the place to be appointed is convenient for at least ten electors to record their votes thereat ; or

(ii.) In any house licensed for the sale of spirituous or fermented liquors, or in any premises belonging to any such house.

8. The Returning Officer may appoint any primary school to be a polling-place, and in every such case it shall be the duty of the Committee of that school to place the same at the free disposal of the Returning Officer from 4 o'clock in the afternoon of the day preceding the election until 8 o'clock in the evening of the day of the election.

9. The cost of cleaning such school after use as a polling-place, and of repairing any damage, shall be deemed to form part of the cost of the poll.

10. No additional polling-place shall be appointed later than the fifteenth day before the day appointed for taking the poll, and no change shall be made in the polling-places appointed, unless a polling-place becomes unavailable for the purpose for which it was appointed, or unless such poll cannot be taken without some such change being made.

11. The poll shall be taken at the places appointed as aforesaid, and shall commence at 9 o'clock in the forenoon of the day appointed, and shall close at 4 o'clock in the afternoon of the same day, unless otherwise ordered by the Returning Officer.

12. The Returning Officer shall cause to be printed a supply of voting-papers in the form No. 1 in the Schedule hereto, and shall supply to each Deputy Returning Officer a sufficient number of such voting-papers, together with any printed matter, stationery, or writing-materials that he may consider necessary for the efficient conduct of the poll.

13. The Returning Officer may appoint such clerks as are necessary for the effective taking of the poll, and shall arrange that every Deputy Returning Officer shall have associated with him on the day of the poll a Maori or half-caste (hereinafter referred to as an associate), whose duty it shall be to assist the Deputy Returning Officer in the manner hereinafter prescribed, and in any other way if so required by such Deputy.

14. Any ten or more electors who are in favour of the proposal that liquor be supplied to Natives in the district may, by writing under their hands, nominate any two specified persons to appoint one scrutineer to act at each polling-place in the district in the interest of all electors who are in favour of the said proposal.

15. Any ten or more electors who are not in favour of the proposal that liquor be supplied to Natives in the district may, by writing under their hands, nominate any two specified persons to appoint one scrutineer to act at each polling-place in the district in the interest of all electors who are not in favour of the said proposal.

16. The nomination-paper shall be in the form No. 3 in the Schedule hereto, and shall be verified by declaration as therein set forth, made and subscribed before a Justice of the Peace or Postmaster.

17. The nomination-paper shall be lodged with the Returning Officer not later than the seventh day before the day of polling, and shall be open to public inspection.

18. On a day to be publicly notified by the Returning Officer (being not earlier than the fifth nor later than the third day before the day of polling) he shall publicly consider all nomination-papers duly lodged as aforesaid, and, after hearing all objections thereto, select therefrom two fit persons to appoint one scrutineer, and two fit persons to appoint the other scrutineer, to act at each polling-place in the respective interests as aforesaid; and the persons so selected may appoint accordingly.

19. The selection shall be by writing under the hand of the Returning Officer, in the form No. 4 in the Schedule hereto.

20. The appointment shall in each case be by writing under the hands of the persons selected as aforesaid, and shall be in the form No. 5 in the Schedule hereto.

21. Every scrutineer so appointed to act at a polling-place shall be entitled to be present only after the closing of the poll at the counting of the votes given at that polling-place; but, except as provided by these regulations, shall have all the powers of a scrutineer under the Legislature Act, 1908.

22. The remuneration (if any) of the scrutineers shall not be deemed to form part of the cost of the poll.

23. Every associate, clerk, and scrutineer shall make and subscribe before the Deputy Returning Officer, or a Justice, or Postmaster the declaration in the form No. 6 in the Schedule hereto; and every such declaration shall, before any such person commences his duties, be delivered to the Deputy Returning Officer at the polling-place for which that person is appointed.

24. On the day of the poll the electors shall enter the polling-booth one by one; and each elector, when requested to do so by the Deputy Returning Officer or his associate, shall state his full name, tribe, hapu, and abode. The Deputy Returning Officer or his associate shall write such information on the counterfoil of the voting-paper, after which the elector shall be requested to answer "Yes" or "No" to the question, "Do you vote that liquor be supplied to the Natives of this district?"; and, the elector having so answered, the Deputy Returning Officer shall write the reply upon the voting-paper, and, having affixed his name or initials thereto, shall pass it to his associate, who shall place his name or initials on the voting-paper as witness.

25. On every such voting-paper the Deputy Returning Officer shall enter a number (called a consecutive number), which shall correspond to a like number on the counterfoil, and shall, in the case of the first voting-paper dealt with, begin with the number one, and appear consecutively upon every succeeding voting-paper so that no

two voting-papers dealt with in any booth shall bear the same number.

26. Before recording any such vote as aforesaid, the Deputy Returning Officer or his associate may put to the person proposing to vote any or all of the following questions:—

(i.) Are you a *bona fide* resident of the Horouta Maori District?

(ii.) Are you twenty-one years of age, or over that age?

(iii.) Have you already voted at this poll, in your own or any other name?

(iv.) Are you registered on any European roll of electors for the election of a member of the House of Representatives?

(v.) Are you disqualified from voting at any such election by reason of any of the provisions of section 59 of the Legislature Amendment Act, 1910?

27. If the first two questions are not answered absolutely in the affirmative, and the third, fourth, and fifth questions absolutely in the negative, the person to whom those questions are put shall not be permitted to vote.

28. No person not actually engaged in voting shall be allowed to remain in the polling-booth, except the Deputy Returning Officer and his associate and clerks, and as many constables as the Deputy Returning Officer thinks necessary to keep order.

29. No person shall speak to any voter in a polling-booth either before or after such voter has given his vote, except only the Deputy Returning Officer or his associate, who may ask the questions he is authorized to ask, and give such general directions as may assist any voter to give his vote.

30. (1.) Every Deputy Returning Officer, at the polling-place at which he presides, shall, as soon as practicable after the close of the poll, in the presence of such of the scrutineers as choose to be present, and of the associate and clerks (if any), but of no other persons, ascertain the number of votes recorded for and against the proposal respectively, but no such result shall be announced or declared by him until after the poll to be taken under the Licensing Act, 1908, and its amendments, shall have been taken.

(2.) Every Deputy Returning Officer shall, as soon as he has ascertained the result of the voting at the polling-place of which he is in charge, forthwith transmit by telegraph or other expeditious means such information to the Returning Officer.

(3.) The Deputy Returning Officer shall then make up a statement in writing of the total number of votes recorded for and against the proposal respectively, and every such statement shall be verified by the signatures of the Deputy Returning Officer and associate, and also by the signatures of such of the scrutineers as are present and consent to sign the same.

31. The Deputy Returning Officer shall make up into a parcel all the voting-papers (used and unused), stationery, writing-materials, and documents relating to the poll (including the statement referred to in the last preceding regulation), and, having sealed and addressed such parcel, shall thereupon deliver it to the Returning Officer.

32. (1.) The Returning Officer shall, as soon as conveniently may be after the closing of the poll, and in the presence of such scrutineers as choose to be present, ascertain the numbers polled for or against the proposal submitted to the electors, and shall sign a notice and declaration, in the form No. 7 in the Schedule hereto, (i) stating the number of votes polled for and against such proposal respectively, and (ii) declaring that such proposal is or is not carried, as the case may be.

(2.) If the number of votes recorded for the proposal is equal to the number recorded against the proposal, the Returning Officer shall give his casting-vote.

(3.) The Returning Officer shall forward to the Native Minister the notice and declaration aforesaid as to the result of the poll, and shall also publish a copy thereof in the *Kahiti* and *Gazette*, but no such result shall be published before the poll to be taken under the Licensing Act, 1908, and its amendments, has been taken.

(4.) Upon receipt of the notification from the Returning Officer the Native Minister shall notify the Licensing Committee of the Bay of Plenty Licensing District of the result of the poll.

33. The Returning Officer or his Deputy shall have power to appoint a sufficient number of officers to keep order, and to make and enforce such rules for ensuring the orderly, effective, and impartial conduct of the election as he thinks fit.

34. (1.) Every officer, clerk, scrutineer, associate, and constable in attendance in a polling-booth shall maintain and aid in maintaining the secrecy of the voting in such

booth, and shall not communicate to any person, except for some purpose authorized by law, before or after the poll is closed, any information likely to defeat the secrecy of the poll.

(2.) No person, except as hereinbefore provided, shall interfere with or attempt to interfere with a voter when engaged in recording his vote, or otherwise attempt to obtain in the polling-booth information as to the manner in which any voter in such booth is about to vote or has voted, or communicate at any time to any person any information obtained in the polling-booth as to the manner in which any voter at such booth is about to vote or has voted.

(3.) Every person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not communicate any information obtained at such counting as to the manner in which any vote is given in any particular voting-paper.

SCHEDULE.

Form No. 1.

VOTING-PAPER AT POLL OF MAORI ELECTORS UNDER SECTION 3 OF THE HOROUTA DISTRICT LICENSING POLL ACT, 1922.

PUKAPUKA POOTI (Voting-paper).

Horouta Maori District.

Ko te Ingoa Iriiri, Maori hoki, o te Tangata Pooti (Christian name and surname of elector)	
Tane, Wahine ranei (Sex)	..
Iwi (Tribe)
Hapu (Sub-tribe)
Kainga (Abode)

Consecutive No. : .

Consecutive No. : .

PATAI (Question).

E pooti ana ranei koe kia hoatu te waipiro } [Yes]
 ki te Maori o tenei takiwa ? } [No]
 (Do you vote that liquor be supplied to the
 Natives of this district ?)
 Kai-titiro :
 (Witness, Maori associate.)

.....
 Deputy Returning Officer.

Form No. 2.

DECLARATION BY RETURNING OFFICER, DEPUTY RETURNING OFFICER, OR SUBSTITUTE AT POLL OF MAORI ELECTORS UNDER SECTION 3 OF THE HOROUTA DISTRICT LICENSING POLL ACT, 1922.

I, [Name in full], Returning Officer [or one of the Deputy Returning Officers, or substitute] for the Horouta Maori District, at a poll of electors to be taken under section 3 of the Horouta District Licensing Poll Act, 1922, on the day of , 19 , do solemnly declare that I will faithfully perform the duties of that office to the best of my ability; that I will maintain and aid in maintaining the secrecy of the voting at that poll; and that I will not communicate to any person, except for some purpose autho-

ized by law, before or after the poll is closed, any information likely to defeat the secrecy of the poll.

[Signature of declarant.]

Signed and declared at this day of , 19 , before me,—

C. D.,
 Justice of the Peace [or Postmaster].

Form No. 3.

NOMINATION OF PERSONS TO APPOINT SCRUTINEERS FOR POLL OF MAORI ELECTORS UNDER SECTION 3 OF THE HOROUTA DISTRICT LICENSING POLL ACT, 1922.

FOR the purposes of a poll to be taken in the Horouta Maori District, on the day of , 19 , under section 3 of the Horouta District Licensing Poll Act, 1922, we, the undersigned electors of the district, hereby nominate [Full names, addresses, and occupations of the two persons nominated] as fit persons to appoint one scrutineer to act at each polling-place in the interest of all electors who are in favour [or, as the case may be, not in favour] of the proposal that liquor be supplied to Natives in the said district. And in support of this our nomination we hereby severally solemnly declare that we are and we verily believe each of the persons nominated as aforesaid to be honestly in favour [or, as the case may be, not in favour] of the proposal that liquor be supplied as aforesaid.

[Signature, address, and occupation.]

- 1 .
- 2 .
- 3 .
- 4 .
- 5 .
- 6 .
- 7 .
- 8 .
- 9 .
- 10 .

Severally declared by each of the declarants whose signatures are subscribed hereto, this day of , 19 , before me,—

C. D.,
 Justice of the Peace [or Postmaster].

Form No. 4.

RETURNING OFFICER'S SELECTION OF PERSONS TO APPOINT SCRUTINEERS AT A POLL OF THE MAORI ELECTORS, UNDER SECTION 3 OF THE HOROUTA DISTRICT LICENSING POLL ACT, 1922.

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 two persons selected] as fit persons to appoint one scrutineer to act at each polling-place in the Horouta Maori District, at the poll of Maori electors to be taken on the day of , 19 , in the interest of all such electors who are in favour [or, as the case may be, not in favour] of the proposal that liquor be supplied to Natives in that district.

Dated at this day of , 19 .

.....
 Returning Officer.

Form No. 5.

APPOINTMENT OF SCRUTINEERS TO ACT AT THE POLL OF MAORI ELECTORS UNDER SECTION 3 OF THE HOROUTA DISTRICT LICENSING POLL ACT, 1922.

To the Returning Officer.

FOR the purposes of a poll of the Maori electors of the Horouta Maori District, to be taken on the day of , 19 , under section 3 of the Horouta District Licensing Poll Act, 1922, we, the undersigned, being duly authorized in this behalf, hereby appoint the persons mentioned in the Schedule hereto to act as scrutineers at the polling-places named in that Schedule in the interest of the Maori electors of the said district who are in favour [or, as the case may be, not in favour] of the proposal that liquor be supplied to Natives in that district.

SCHEDULE.

Scrutineer.	..	Polling-place.
[Full name, address, and occupation of scrutineer.]		[Name of polling-place.]

Dated at this day of , 19 .

[Signatures of two persons authorized to appoint.]

