

Superintendents of Marlborough Election Act 1872

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An Act to alter the mode of Election of Superintendents in the Province of Marlborough.

Preamble.

WHEREAS an Act was passed by the General Assembly of New Zealand to provide for the establishing of new Provinces in New Zealand, intituled “The New Provinces Act, 1858,” hereinafter referred to as “the said Act”: And whereas by the tenth section of the said Act it is provided that within one month after the election of the first and every successive Provincial Council of any Province established under the said Act, the Council shall meet at a convenient time and place to be appointed for that purpose by the Principal Returning Officer of the Province, whereof seven days’ previous notice shall be given in some newspaper published within the Province, or by keeping such notice posted for not less than seven days in some conspicuous place within the Province, and, after electing their Speaker (which election shall be at once valid and effectual), shall, by an absolute majority, elect some person qualified to vote in the election of a Member of the said Council to be Superintendent of the Province: And whereas since the passing of the said Act the Province of Marlborough has been

constituted: And whereas it is expedient that other provisions should be made for the election of Superintendents of the said Province of Marlborough:

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

1 Short Title.

The Short Title of this Act shall be “The Superintendents of Marlborough Election Act, 1872.”

2 Provisions in “Constitution Act” regulating election of Superintendents, and “Regulation of Elections Act, 1870,” to apply to Province of Marlborough.

Upon and after the resignation or death of the person who at present holds the office of Superintendent of the Province of Marlborough, or the termination of the present Provincial Council of the said Province by expiration of the period fixed by law for its continuance, or by the previous dissolution thereof, whichever shall first happen, the ninth and so much of the tenth section of the said Act as is hereinbefore recited shall cease to apply to the said Province and the election of the Superintendent thereof, and thereupon and thereafter the provisions contained in “The Constitution Act” and “The Regulation of Elections Act, 1870,” and any other Acts for the time being in force regulating the elections of Superintendents of Provinces established under the Constitution Act, shall be construed and taken to apply to the Province of Marlborough and the election of the Superintendent thereof, as if the said Province had been established under the Constitution Act:

Provided, however, that if any Member of the Provincial Council of the said Province be elected Superintendent thereof, his seat in the said Council shall be deemed vacant, but such person shall be eligible for re-election to such Council, as provided by the eleventh section of the said Act.