

Qualification of Electors Act 1879

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An Act to define the Qualification of Electors of Members of the House of Representatives.

BE IT 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 is "The Qualification of Electors Act, 1879."

2 Qualification of electors.

The members of the House of Representatives shall be chosen in every electoral district appointed for that purpose by the votes of the inhabitants of New Zealand who shall possess within the district the qualifications defined by this Act, that is to say,—

Freehold.

- (1.) Every man of the age of twenty-one years or upwards having, of his own right and not as a trustee, a freehold estate in possession situate within any electoral district of the value of twenty-five pounds, whether subject to incumbrances or not, and of or to which he has been seized or entitled either at law or in equity for at least six calendar months next before the registration of his vote, is entitled to be registered as an elector and to vote at an election of members for such district for the House of Representatives; or

Residential.

- (2.) Every man of the age of twenty-one years or upwards who has resided for one year in the colony and in the electoral district for which he claims to vote during the six months immediately preceding the registration of his vote, and is not registered in respect of a freehold qualification under this Act for the same district, is entitled to be registered as an elector and to vote at the election of members for such district for the House of Representatives.

Maori qualification.

- (3.) Every male Maori of the age of twenty-one years and upwards, whose name is enrolled upon a ratepayers' roll in force within the electoral district in respect of which he claims to vote, or who is seized in severalty of a freehold estate of the value of twenty-five pounds, whether subject to incumbrances or not, is entitled to be registered as an elector and to vote at the election of members for such district for the House of Representatives.

But no Maori shall be entitled to be registered as an elector, or to vote at any such election, in respect of any other qualification under this Act.

Aliens, &c., disqualified.

- (4.) No alien, nor any person attainted or convicted of any treason felony or infamous offence within any part of Her Majesty's dominions, unless such person shall have received a free pardon, or shall have undergone the sentence or punishment to which he shall have been adjudged for such offence, shall be entitled to be registered. And the name of every person who may in future be convicted of any of the before-mentioned offences shall be erased from every electoral roll; and no such person, unless he shall have received a free pardon, shall be entitled to have his name placed on any electoral roll within twelve months after he has undergone the sentence or punishment to which he shall be adjudged for such offence.

3 What day to be deemed to be day of registration.

The day on which the Registration Officer places the name of any person on any electoral roll, under the provisions of any Act for the time being in force for the registration of electors, shall, for the purposes of this Act, be deemed to be the day of registration.

4 Registered elector qualified as a member.

Every man registered as an elector, and not coming within the meaning of section two of “The Public Offenders Disqualification Act, 1867,” but no other man, is qualified to be elected a member of the House of Representatives for any electoral district.

5 Member ceasing to be elector not disqualified from sitting.

Any member of the House of Representatives ceasing to be on the register as an elector shall not from that cause only be disqualified from sitting as a member.

6 Holders of miners’ rights may vote upon their existing qualification during the year 1880.

Notwithstanding anything in this Act contained, until the electoral rolls to be formed under an Act intended to be passed in the present session shall come into force, all persons who may be qualified to vote at any election as holders of miners’ rights shall continue to have and may exercise the like electoral privileges which they are entitled to have and exercise as the holders of such miners’ rights.

7 Definition of “Maori.”

The word “Maori” in this Act means an aboriginal native inhabitant of New Zealand, and includes any half-caste, living as a member of a Native tribe, according to their customs and usages, and any descendant of such half-caste by a Maori woman.

8 Maori special representation.

Nothing in this Act contained shall affect any right or privilege conferred upon or granted to Maoris under “The Maori Representation Act, 1867,” or any Act amending or continuing the same.