

Education Boards Election Act 1901

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An Act to provide for Secrecy of Voting at Elections of Education Boards.

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 Education Boards Election Act, 1901”; and it shall form part of and be read together with “The Education Boards Election Act, 1900” (hereinafter referred to as “the principal Act”).

2 Procedure with respect to elections.

- (1.) Not later than thirty-eight days before the date of the election the Returning Officer shall, by advertisement in a newspaper circulating in the district, notify

the number of vacancies, the date on which nominations will close, and the date on which the election will be held.

- (2.) Nominations shall close at five o'clock on the afternoon of the twenty-second day before the date of the election.
- (3.) No person shall be eligible as a candidate for election unless he is nominated in writing by at least two electors, and the nomination-paper, bearing the candidate's consent in writing, is received by the Returning Officer before the nominations are closed.

3 Duties of Returning Officer.

Not later than the seventeenth day before the date of the election the Returning Officer shall notify in manner aforesaid—

- (1.) The number of members to be elected;
- (2.) The full name of every duly nominated candidate; and
- (3.) The day on which the elections will be held, and hour at which the poll will be closed;

and shall also forward to the Chairman of each School Committee in the district a sufficient supply of voting-papers for the use of such of the electors as are members of that Committee.

4 Sections 7 and 8 of principal Act repealed.

The two last preceding sections are in substitution for sections seven and eight of the principal Act, which sections are hereby accordingly repealed.

5 Declaration of secrecy.

- (1.) At every election of a member of an Education Board the Returning Officer and every scrutineer shall, before entering on their respective duties, make and sign the declaration set forth in the Schedule hereto.
- (2.) The declaration may be made and signed before a Justice of the Peace, or the Chairman of the Board, or, in the case of a scrutineer, before the Returning Officer.
- (3.) Every such declaration shall be exempt from stamp duty.

6 Disclosure of certain facts an offence.

Every Returning Officer or scrutineer who makes known the state of the poll, or gives or pretends to give any information by which the state of the poll may be known, before the final declaration thereof by the Returning Officer, or who makes known for which candidate any voter has voted, commits an offence, and is liable for each offence to a penalty not exceeding fifty pounds.

7 Election on extraordinary vacancy.

- (1.) In the case of every extraordinary vacancy the election shall be held on a date to be fixed by the Board, being not later than the fiftieth day after the vacancy occurs.

Section 6 of principal Act repealed.

- (2.) This section is in substitution for section six of the principal Act, which section is hereby accordingly repealed.

Schedule
Declaration

I, A. B., Returning Officer for the Education Board [*or* scrutineer for C. D., a candidate at the present election of members of the Education Board], do solemnly declare that I will, to the best of my skill and judgment, faithfully and impartially perform the duties of my said office, and will not, directly or indirectly, disclose any fact coming to my knowledge at such election the disclosure of which is declared by "The Education Boards Election Act, 1901," to be an offence.

A.B.,

Returning Officer [*or* Scrutineer]. Declared and signed before me, at, this day of, 19.

E.F.,

Justice of the Peace [*or* Chairman, *or* Returning Officer, *as the case may be*].