

Regulations under the Advisory Council Ordinance 1930-1935.

I, THOMAS PATERSON, Minister of State for the Interior, in pursuance of the powers conferred by the *Advisory Council Ordinance 1930-1935*, hereby make the following Regulations.

Dated this seventeenth day of March, 1936.

T. PATERSON
Minister of State for the Interior.

AMENDMENT OF THE ADVISORY COUNCIL ELECTION REGULATIONS.

Regulation 63 of the Advisory Council Election Regulations is repealed and the following Regulations are inserted in its stead:—

Preservation of ballot-papers. "63. The Returning Officer shall preserve all the ballot-papers until the next succeeding election, when they shall be destroyed.

Method of filling vacancies. "63A.—(1.) A vacancy occurring in the office of an elected member of the Council shall, where the number of candidates at the last preceding election of members of the Council (in this regulation referred to as 'the last election') was greater than three, and at least one of the candidates not elected at that election is available for appointment, be filled by the appointment of a person in accordance with this regulation."

(2.) Where only one person who was a candidate at the last election, but was not elected, is available for appointment, the Minister shall appoint that person to the vacancy.

(3.) Where two or more persons who were candidates at the last election, but were not elected, are available for appointment, the Minister shall appoint a person determined in the following manner:—

(a) The Returning Officer shall re-arrange all the ballot-papers under the names of the respective candidates in accordance with the first preference indicated thereon, except that each ballot-paper on which a first preference for any elected candidate or a candidate not available for appointment is indicated, shall be placed in the parcel of the candidate next in order of the voter's preference.

(b) The Returning Officer shall then count the ballot-papers in the parcel of each candidate and ascertain the total number of votes given for each candidate.

(c) If a candidate then has an absolute majority of votes the Returning Officer shall transmit the name of that candidate to the Minister and the Minister shall appoint that person to the vacancy, but if no candidate then has an absolute majority of votes the scrutiny shall proceed as provided in paragraphs (b), (c) and (d) of sub-regulation (1.) of regulation 58 of these Regulations until one candidate has received an absolute majority of votes:

Provided that, in the application of paragraphs (b) and (c) of that sub-regulation, any reference to first preference votes shall be read as a reference to all the votes counted to a candidate in pursuance of this sub-regulation.

(d) The Returning Officer shall transmit to the Minister the name of the candidate who has received an absolute majority of votes and the Minister shall appoint that person to the vacancy.

(4.) For the purposes of this regulation, a person who was a candidate at the last election but was not elected and has not been subsequently appointed as a member of the Council shall be deemed to be available for appointment if—

(a) he is qualified for election as a member of the Council; and

(b) the Returning Officer is satisfied that he is available for appointment and will act if appointed to the vacancy."