

The procedure may generally be summarized as follows :—

- (1) A full investigation by the Commission's staff as to the necessity for the change proposed. Only if these investigations establish a *prima facie* case does the Commission proceed to the next stage.
- (2) A provisional scheme is promulgated without the necessity of a public inquiry where the Commission is satisfied, after a full investigation, that the decision is in the proper interests of local government and is, in general, supported by the local authorities and the electors and/or ratepayers.
- (3) Public notification is given to all parties interested generally, while individual notification is given to those specifically interested, at least one month before a public inquiry is held. This notification sets out in detail the proposals which the Commission has decided to consider, and also gives an indication that all persons, local authorities, Government Departments, or other organizations may, if they so desire, submit evidence at the inquiry. The inquiry is open to all members of the public and the press, and all parties have the right to submit evidence and cross-examine witnesses of other parties.
- (4) The written submissions presented to the Commission are distributed at the inquiry, and a copy of the verbatim evidence is given to all principal parties either at or immediately following the conclusion of the inquiry.
- (5) A report setting out the Commission's reasons for its decisions is issued to all principal parties engaged in the inquiry, the National Associations of Local Authorities, Government Departments, Ministers of the Crown, members of both Houses of Parliament who are directly interested, and the press, while the decision of the Commission is embodied in a provisional scheme.
- (6) There is a statutory period of one month from the date of promulgation of the provisional scheme in which any interested party has the right to object to the provisional scheme. The time for objection may be extended by the Commission, and this has been done in a number of instances.
- (7) Any objections are given full and careful consideration by the Commission, and where it is considered necessary, in order to clarify the issues which have been raised in the objections or to give the objectors the opportunity of presenting further evidence in support of their objections, a further public inquiry is held.
- (8) A final scheme is promulgated, and is notified to all parties in the same manner as the provisional scheme, and is forwarded to the Minister of Internal Affairs for implementation when assented to by His Excellency the Governor-General by Order in Council.

III. POLLS

Provision is made in the Local Government Commission Act, 1946, for a poll of electors to be taken following the promulgation of a final scheme by the Commission providing for the union, merger, or abolition of the district of any local governing authority. A poll may be recommended by the Commission in its final scheme, but if no such recommendation is made, upon a request in writing that such a poll be taken, signed by not less than 20 per cent. of the electors of the district, being delivered to the Returning Officer within one month after the date of the final approval of the scheme by the Commission a poll must be taken. The poll must be held not later than three months after the date on which the Commission promulgates its final scheme.

The provision for a poll applies only where the district of a local governing authority—i.e., a County Council, Borough Council, Town or Road Board—is united, merged, or abolished. A final scheme promulgated by the Local Government Commission cannot be implemented in cases where a poll is held unless a majority of the valid votes recorded on that poll is in favour of the Commission's decision.