

Version  
as at 28 October 2021



## Electoral (Administration) Amendment Act 2011

Public Act 2011 No 57  
Date of assent 16 August 2011  
Commencement see section 2

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This Act is administered by the Ministry of Justice.**

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Electoral (Administration) Amendment Act 2011.

**2 Commencement**

- (1) The following come into force on 1 July 2012:
  - (a) subpart 2 of Part 1:
  - (b) subpart 2 of Part 2.
- (2) The rest of this Act comes into force on the day after the date on which it receives the Royal assent.

**3 Principal Act amended**

This Act amends the Electoral Act 1993.

**Part 1**

**Amendments to principal Act**

Subpart 1—Provisions coming into force on day after assent

**4 Interpretation**

- (1) Paragraph (a) of the definition of **election expenses** in section 3(1) is amended by omitting “205A” and substituting “205”.
- (2) Paragraph (b) of the definition of **election expenses** in section 3(1) is amended by omitting “206A” and substituting “206”.

**5 Powers of Electoral Commission**

Section 6(1)(e)(ii) (as substituted on 1 October 2010 by section 7 of the Electoral (Administration) Amendment Act 2010) is amended by omitting “tabling in” and substituting “presentation to”.

**6 Electoral Commission may delegate functions, duties, or powers to non-employees**

- (1) Section 9 (as substituted on 1 October 2010 by section 7 of the Electoral (Administration) Amendment Act 2010) is amended as from its commencement on 1 October 2010 by omitting “In addition to the persons listed in sec-

tion 73(1) of the Crown Entities Act 2004, the Electoral Commission may delegate any of its functions, duties, or powers, either generally or specifically,” and substituting “The Electoral Commission’s board may under section 73 of the Crown Entities Act 2004 delegate any of the Commission’s functions or powers, either generally or specifically, not only to any person or persons listed in section 73(1) of the Crown Entities Act 2004, but also”.

(2) Section 9 (as so substituted) is amended as from its commencement on 1 October 2010 by adding as subsections (2) and (3) the following subsections:

(2) The electoral official may (without limiting the definition of that term in section 3(1)) be a person of one of the following kinds that the Electoral Commission engages for the purpose of assisting with the performance of its functions:

- (a) a body corporate;
- (b) an individual who holds an office in, or is employed by, a body corporate.

(3) The provisions of the Crown Entities Act 2004, including in particular sections 74 (powers of delegate), 75 (effect of delegation), and 76 (revocations), apply in respect of a delegation by virtue of this section to any electoral official who is engaged (rather than employed) by the Electoral Commission as if it were a delegation under section 73 of the Crown Entities Act 2004 to any person or persons listed in section 73(1) of the Crown Entities Act 2004.

## 7 Registrar of Electors

Section 22 is amended by inserting the following subsection after subsection (3):

(3A) A district is, for the purposes of subsection (3), an **adjoining district** for another district if the boundaries of both districts—

- (a) are wholly or partly shared; or
- (b) are separated by no more than 2 intermediate districts.

## 8 Compulsory registration of electors

Section 82 is amended by inserting the following subsections after subsection (4):

(4A) A person who is or has been a registered elector may, instead of using the prescribed form to make an application required by subsection (1)(c), make it by supplying to the Registrar using an electronic medium approved for the purpose by the Chief Registrar information necessary to complete the prescribed form and identified by the Registrar.

(4B) Nothing in section 85(1) and (2) applies to an application required by subsection (1)(c) and that a person intends to make, or makes, in accordance with subsection (4A).

## 9 New section 83A substituted

Section 83A is repealed and the following section substituted:

### 83A Procedure following inquiry under section 83

- (1) If, following an inquiry under section 83, the Registrar receives a form or information supplied electronically under subsection (3) in which an elector notifies the Registrar that the elector has changed his or her place of residence and now resides in another electoral district,—
  - (a) the Registrar must ensure that the form or the information contained in the form, or the information supplied electronically, is transmitted to the Registrar for the new electoral district; and
  - (b) the Registrar for the new electoral district must, as if the form or the information supplied electronically were an application for registration, register that elector, in accordance with section 87, on the roll for the district in which the elector resides; and
  - (c) the form or the information supplied electronically is deemed to be an application for registration for the purposes of section 82; and
  - (d) the Registrar for the old electoral district must, in accordance with section 98(1)(a), remove from the roll for that district the name of the elector.
- (2) If, following an inquiry under section 83, the Registrar receives from an elector a form, or information supplied electronically under subsection (3), that contains a change to any particulars other than a change of place of residence referred to in subsection (1), the Registrar must amend the roll in accordance with the information supplied in the form or electronically.
- (3) An elector may, instead of returning a form to the Registrar to notify the Registrar that the elector has changed his or her place of residence and now resides in another electoral district or to notify the Registrar of a change to any other of the elector's particulars, notify the Registrar of a change to any of the elector's particulars by supplying that information to the Registrar using an electronic medium approved for the purpose by the Chief Registrar.
- (4) An elector remains on the roll and his or her particulars on the roll remain unchanged if—
  - (a) the Registrar does not receive from the elector a form, or information supplied electronically under subsection (3); or
  - (b) the Registrar receives from the elector a form, or information supplied electronically under subsection (3), with no changes.
- (5) A form that a person intends to return, or returns, in response to an inquiry under section 83 must be signed or marked, and may be rejected for incompleteness, in accordance with subsections (1), (2), and (4) of section 85 (which

apply with all necessary modifications) as if the form were an application or declaration in respect of registration as an elector.

- (6) Information that an elector intends to supply, or supplies, electronically under subsection (3) in response to an inquiry under section 83—
  - (a) is not an application or declaration in respect of registration as an elector required by subsections (1) and (2) of section 85 to be signed or marked; but
  - (b) may be rejected for incompleteness under section 85(4) (which applies with all necessary modifications) if it does not include all the particulars stated or referred to in section 85(3)(a), (b), (c), (f), and (i).

## 10 New section 87A inserted

The following section is inserted after section 87:

### 87A Procedure if immigration status means applicant apparently not qualified to be registered

- (1) This section applies in accordance with section 263A(6)(a) if the Chief Registrar under section 263A(5) advises the Registrar of an electoral district that a comparison carried out pursuant to section 263A(4) indicates that a person who has applied to be (but is not yet) registered as an elector of the electoral district is a person who the chief executive of the responsible department (as defined in section 263A(1)) believes is—
  - (a) unlawfully in New Zealand; or
  - (b) a person who is lawfully in New Zealand but only by virtue of being the holder of a temporary entry class visa of whatever type.
- (2) When this section applies the Registrar must comply with subsections (3) to (5) before determining under section 87 whether the applicant for registration as an elector is qualified to be registered.
- (3) The Registrar must within 5 working days of receiving that advice deliver to the applicant for registration personally, or send by post to that person, a written notice (in this section referred to as a or the **notice**) communicating—
  - (a) the advice that the Registrar received under section 263A(5) in respect of the applicant; and
  - (b) that the Registrar may determine that the applicant's immigration status means that the applicant is not qualified to be registered as an elector if information to the contrary is not made available to the Registrar by or on behalf of the applicant within 5 working days after the applicant receives the notice.
- (4) If no response to the notice is made to the Registrar by or on behalf of the applicant within 10 working days of the notice being delivered to the applicant personally, or sent by post to that person, the Registrar must promptly deliver to the applicant for registration personally, or send by post to that person, a

- written notice (in this section referred to as a or the **further notice**) communicating—
- (a) the advice that the Registrar received under section 263A(5) in respect of the applicant; and
  - (b) the fact that, and the date on which, a notice was delivered to the applicant personally, or sent by post to that person; and
  - (c) that the Registrar may determine that the applicant's immigration status means that the applicant is not qualified to be registered as an elector if information to the contrary is not made available to the Registrar by or on behalf of the applicant within 5 working days after the applicant receives the further notice.
- (5) The Registrar may determine under section 87 whether the applicant for registration as an elector is qualified to be registered only—
- (a) after considering any response to the notice or a further notice made to the Registrar by or on behalf of the applicant within 5 working days after the notice or a further notice was delivered to the applicant personally, or received by that person by post; or
  - (b) if no response to a further notice is made to the Registrar by or on behalf of the applicant within 10 working days of the further notice being delivered personally to the applicant, or received by that person by post.
- (6) A notice or further notice purportedly sent to the applicant by post—
- (a) is, in the absence of proof to the contrary, treated as having been received by that person by post on the fourth working day after the day on which it is sent by post; and
  - (b) is treated as sent by post to that person on a day if it is proved to have been properly addressed to that person and to have been submitted on that day to a person for the time being registered as a postal operator under the Postal Services Act 1998 for postage to that person.
- (7) If, after complying with subsections (3) to (5), the Registrar determines under section 87 that the applicant for registration as an elector is not qualified to be registered, the Registrar must deliver to the applicant for registration personally, or send by post to that person, a written notice communicating the determination.

## 11 Changes of address to be notified

Section 90 is amended by inserting the following subsection after subsection (2):

- (2A) A person to whom subsection (1) applies (but not a person who is required by subsection (2) to comply with subsection (1)) may, instead of giving a written notice to the Registrar of the change of place of residence and the address of the new place of residence, notify the Registrar of them by supplying that



information to the Registrar using an electronic medium approved for the purpose by the Chief Registrar.

**12 Chief Registrar may seek consent of Maori electors to supply of information to designated body**

Section 111C(2)(b) is amended by adding “, email address (if any), and contact telephone numbers (if any)”.

**13 Supply of information on age and Maori descent**

Section 112(1)(a)(i) is amended by omitting “114(8)” and substituting “114(9)”.

**14 Supply of electoral information to candidates, political parties, and members of Parliament**

Section 114(2)(d) is amended by omitting “section 5(d)” and substituting “section 5(c)”.

**15 Unpublished names**

Section 115(2) is amended by repealing paragraph (b) and substituting the following paragraph:

(b) a statutory declaration from a constable to the effect that he or she believes that the personal safety of a person or of a person’s family could be prejudiced by the publication of that person’s name,—

**16 Duty to report suspected offences**

Section 120 is amended by omitting “police” and substituting “New Zealand Police”.

**17 Assistance to be given to Registrar**

Section 122 is amended by repealing subsections (1) and (2) and substituting the following subsections:

(1) All constables—

(a) must, at the Registrar’s request, assist the Registrar by informing him or her of the name of any person whom they have reason to believe is qualified to be registered as an elector but is not registered, or is registered but is not qualified to be registered; and

(b) must give the Registrar any information the Registrar requests relating to the qualifications of any person for registration as an elector.

(2) All constables must also assist the Registrar by making such inquiries and obtaining such information as he or she requests.

**18 Power to destroy records**

Section 124 is amended by adding the following subsections:

- (4) Despite subsections (1) to (3), the Registrar may destroy paper copies of any of the records described in subsection (2) if satisfied that accurate electronic images of those records have been created by or on behalf of the Registrar and are being stored by or on behalf of the Registrar in a manner that ensures that those electronic images are and will be able to be used for the same purposes as the paper copies would, if not destroyed, have been required by the rest of this Act to be able to be used.
- (5) A requirement in or under this Act that a paper copy of a record be used for a particular purpose is, after that paper copy is destroyed under subsection (4), satisfied by using for that purpose the accurate electronic image, created and stored under subsection (4), of that paper copy.

**19 Power to resolve in certain cases that by-election not be held**

Section 131(b) is amended by omitting “tabling in” and substituting “presentation to”.

**20 Power to resolve in certain cases not to supply vacancy**

Section 136(b) is amended by omitting “tabling in” and substituting “presentation to”.

**21 Offence to pay election expenses in excess of prescribed maximum**

Section 205F(1) is amended by omitting “205B” and substituting “205C”.

**22 Offence to pay election expenses in excess of prescribed maximum**

Section 206D(1) is amended by omitting “206B” and substituting “206C”.

**23 Auditor’s report on return of party’s election expenses**

Section 206L(2)(a) is amended by omitting “206B” and substituting “206C”.

**24 Limit on maximum amount of donations protected from disclosure**

Section 208B(1) is amended by omitting “206B(1)” and substituting “206C(1)”.

**25 Personation**

Section 215(4) is amended by omitting “police” and substituting “New Zealand Police”.

**26 Disclosure of immigration information for matching purposes**

- (1) Section 263A(2)(a) (as substituted at 2 am on 29 November 2010 by section 406(1) and Schedule 3 of the Immigration Act 2009) is amended by omitting “person registered as an elector of an electoral district” and substituting “person who is, or has applied to be, registered as an elector of an electoral district”.

- (2) Section 263A(2)(b) (as so substituted) is amended by omitting “person registered as an elector” and substituting “person who is, or has applied to be, registered as an elector”.
- (3) Section 263A(5) (as so substituted) is amended—
  - (a) by omitting “person on the electoral roll” and substituting “person who has applied to be (but is not yet) registered as an elector, or who is on the electoral roll,”; and
  - (b) by omitting “person is registered as an elector” and substituting “person is, or has applied to be, registered as an elector”.
- (4) Section 263A(6) (as so substituted) is repealed and the following subsection substituted:
  - (6) After receiving advice from the Chief Registrar under subsection (5) that, in relation to any person, either of the circumstances referred to in subsection (5) applies, the Registrar must,—
    - (a) if the person has applied to be (but is not yet) registered as an elector for the district, follow the procedure specified in section 87A; or
    - (b) if the person is registered as an elector for the district and the name of the person is on the roll for the district, object under section 96 to the name of that person being on the roll for the district.

**27 Disclosure of personal information for enrolment purposes**

Section 263B(4) is amended by repealing paragraph (d) and substituting the following paragraph:

- (d) in the case of the Department of Internal Affairs, in relation to any persons—
  - (i) who obtain New Zealand citizenship under the Citizenship Act 1977; or
  - (ii) by whom, or on whose behalf, an application is made under the Passports Act 1992 for the issue or renewal of a New Zealand passport.

Subpart 2—Provisions coming into force on 1 July 2012

**28 Functions**

Section 5(a) (as substituted on 1 October 2010 by section 7 of the Electoral (Administration) Amendment Act 2010) is amended by omitting “(except those of Part 5)”.

**29 New sections 9 and 9A substituted**

Section 9 (as substituted on 1 October 2010 by section 7 of the Electoral (Administration) Amendment Act 2010, and as amended by section 6 of this Act) is repealed and the following sections are substituted:

**9 Electoral Commission may delegate functions or powers to electoral officials engaged by Commission**

- (1) The Electoral Commission's board may under section 73 of the Crown Entities Act 2004 delegate any of the Commission's functions or powers, either generally or specifically, not only to any person or persons listed in section 73(1) of the Crown Entities Act 2004, but also to any electoral official who is engaged (rather than employed) by the Commission.
- (2) The functions or powers delegated may (without limitation) be or include either or both of the following:
  - (a) the Commission's power under section 73 of the Crown Entities Act 2004 to delegate particular functions or powers of the Commission:
  - (b) all or any of the Commission's functions or powers that relate to registration of electors.
- (3) The electoral official may (without limiting the definition of that term in section 3(1)) be a person of one of the following kinds that the Electoral Commission engages for the purpose of assisting with the performance of its functions:
  - (a) a body corporate:
  - (b) an individual who holds an office in, or is employed by, a body corporate.
- (4) For the purposes of this section, the Commission's functions or powers that relate to registration of electors include, without limitation, its functions or powers under (or under any regulations under) Part 5 of this Act, and also its functions or powers under (or under any regulations under) the following Acts:
  - (a) Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001:
  - (b) Citizens Initiated Referenda Act 1993:
  - (c) Energy Companies Act 1992:
  - (d) Juries Act 1981:
  - (e) Local Electoral Act 2001:
  - (f) Referenda (Postal Voting) Act 2000.
- (5) The provisions of the Crown Entities Act 2004, including in particular sections 74 (powers of delegate), 75 (effect of delegation), and 76 (revocations), apply in respect of a delegation by virtue of this section to any electoral official who is engaged (rather than employed) by the Electoral Commission as if it were a delegation under section 73 of the Crown Entities Act 2004 to any person or persons listed in section 73(1) of the Crown Entities Act 2004.

**9A Ownership of intellectual property developed by delegates of functions or powers**

- (1) Any intellectual property of any kind in, or in respect of, any matter or thing belongs to the Crown if it is devised or developed (entirely or mainly) after 30 June 2012 by or on behalf of an electoral official to whom or to which all or any of the Commission's functions or powers that relate to registration of electors have been delegated under section 73 of the Crown Entities Act 2004 (alone, or in conjunction with section 9 of this Act) and—
  - (a) in the exercise or performance by or on behalf of that official of those delegated functions or powers; or
  - (b) entirely or mainly by or through the use of public money appropriated by Parliament to facilitate the exercise or performance of those delegated functions or powers.
- (2) However, the Crown acting by and through the Minister of Finance may grant to any person a licence in respect of, or transfer to any person all or any ownership of, all or any of that intellectual property.
- (3) This section applies despite any contrary instrument or law.

**30 Section 21 repealed**

Section 21 is repealed.

**31 New section 22 substituted**

Section 22 is repealed and the following section substituted:

**22 Registrar of Electors**

- (1) Each electoral district must have a Registrar of Electors to be appointed by the Electoral Commission.
- (2) Every Registrar—
  - (a) must be an individual who is an electoral official (as defined in section 3(1)); and
  - (b) may, but need not, hold an office in, or be an employee of, a body corporate to which all or any of the Commission's functions or powers that relate to registration of electors have been delegated; and
  - (c) must, subject to subsection (3), be stationed at an office within the electoral district of which he or she is Registrar.
- (3) The Electoral Commission may appoint as the Registrar for an electoral district a person stationed at an office occupied by the Electoral Commission, by the electoral official, or by the body corporate in or by which the electoral official holds an office or is employed, and in an adjoining electoral district if, in the Electoral Commission's opinion,—

- (a) there is in the electoral district no suitable office occupied by the Electoral Commission, the electoral official, or that body corporate; or
  - (b) an officer more suitable for appointment is stationed at an office occupied by the Electoral Commission, the electoral official, or that body corporate in an adjoining district; or
  - (c) making the appointment is, for 1 or more other reasons, in the public interest.
- (4) A district is, for the purposes of subsection (3), an **adjoining district** for another district if the boundaries of both districts—
- (a) are wholly or partly shared; or
  - (b) are separated by no more than 2 intermediate districts.
- (5) The Registrar must, under the Electoral Commission's direction,—
- (a) compile and keep, as required by this Act, the electoral roll for the Registrar's electoral district; and
  - (b) carry out the functions and duties conferred and imposed on the Registrar by or under this Act.
- (6) The Electoral Commission may from time to time appoint to be the Deputy Registrar for any electoral district an individual who—
- (a) is an electoral official (as defined in section 3(1)); and
  - (b) may, but need not, hold an office in, or be an employee of, a body corporate to which all or any of the Commission's functions or powers that relate to registration of electors have been delegated.
- (7) The Deputy Registrar has and may carry out (exercise or perform), subject to the control of the Registrar for that electoral district, all of that Registrar's powers, functions, and duties.
- (8) Neither the Registrar nor his or her deputy may hold any official position in any political organisation.
- (9) The powers conferred on the Electoral Commission by subsections (1) and (6) include the power to appoint a Registrar or a Deputy Registrar for a named electoral district—
- (a) that is not yet in being; or
  - (b) in respect of which a roll has not been compiled.
- (10) All appointments made under section 22 as repealed on 1 July 2012 by section 31 of the Electoral (Administration) Act 2011 and in force at the close of 30 June 2012 continue on and after 1 July 2012, and may be amended, revoked, or revoked and replaced, as if they had been made under this section.

Compare: 1956 No 107 s 7A; 1986 No 124 s 32(1)

**32 Section 23 repealed**

Section 23 is repealed.

**Part 2**

**Consequential amendments and transitional provisions**

Subpart 1—Provisions coming into force on day after assent

*Consequential amendments to principal Act*

**33 No form of inquiry required if application for registration as elector received**

Section 83B is amended by inserting “or information supplied electronically to make an application for registration as an elector under section 82(1)(c) and (4A),” after “a duly completed application for registration as an elector,”.

**34 Transfer of electors between electorates**

Section 83D(7) is amended by omitting “a form is returned under section 83A(1)” and substituting “the Registrar under section 83A(1) receives a form or information supplied electronically under section 83A(3) in which an elector notifies the Registrar that the elector has changed his or her place of residence and now resides in another electoral district”.

**35 Applications received after issue of writ**

Section 88(2) is amended by adding “; or” and also by adding the following paragraph:

- (c) in the case only of an application required by section 82(1)(c) and made by the applicant for registration supplying information using an electronic medium in accordance with section 82(4A), the electronic medium records the information as having been received by or on behalf of the Registrar before polling day.

**36 False statements or declarations**

Section 118 is amended by omitting “or declaration” and substituting “declaration, or information supplied (by written notice or electronically) under section 82(4A), 83A(3), or 90”.

*Consequential amendment to regulations*

**37 Amendment to Electoral Regulations 1996**

- (1) This section amends the Electoral Regulations 1996.
- (2) Schedule 1 is amended by revoking form 1 and substituting the form 1 set out in the Schedule.

*Transitional provision approving electronic medium for online re-enrolment and updating*

*[Repealed]*

Heading: repealed, on 25 March 2014, pursuant to section 50 of the Electoral Amendment Act 2014 (2014 No 8).

**38 Deemed approval of electronic medium called igovt logon service**

*[Repealed]*

Section 38: repealed, on 25 March 2014, by section 50 of the Electoral Amendment Act 2014 (2014 No 8).

*Transitional provisions relating to abolition of Chief Registrar of Electors*

**39 Office of Chief Registrar of Electors abolished**

At the close of 30 June 2012,—

- (a) the office of Chief Registrar of Electors under section 21(1) of the principal Act is abolished and ceases to be held by the incumbent; and
- (b) the office of Deputy Chief Registrar of Electors under section 21(3) of the principal Act is abolished and ceases to be held by any person appointed to it; and
- (c) all delegations (if any) under section 21(4) to (9) of the principal Act cease to have effect.

**40 No compensation for loss of office**

No person is entitled to compensation or any other payment or benefit in respect of—

- (a) a person ceasing under section 39(a) or (b) to hold office as the Chief, or Deputy Chief, Registrar of Electors; or
- (b) a delegation ceasing under section 39(c) to have effect.

Compare: 2007 No 25 Schedule 1 cl 9

**41 Crown-owned assets (other than intellectual property) and records that Chief Registrar controls or possesses**

- (1) The Secretary for Justice must identify all assets and records that, at the close of 30 June 2012, are Crown-owned assets or records controlled or possessed by or on behalf of the Chief Registrar of Electors.
- (2) Assets and records identified under subsection (1) (other than intellectual property) must be treated as having been vested in the Electoral Commission on 1 July 2012.

**42 Liabilities for expenses after 30 June 2012**

- (1) The Secretary for Justice must identify—



- (a) the expenses (incurred after 30 June 2012 arising from commitments before 18 August 2009) to be paid under section 44; and
  - (b) the expenses (incurred after 30 June 2012 arising from commitments after 17 August 2009 and before 1 July 2012) to be paid under section 45.
- (2) Liabilities in respect of expenses identified under subsection (1)(a) must be treated as having been vested in the Electoral Commission on 1 July 2012.
- (3) Liabilities in respect of expenses identified under subsection (1)(b) must be treated as having been vested on 1 July 2012 in—
- (a) the Crown, if the Minister of Finance under section 45 approves them being paid by the Crown; or
  - (b) the Electoral Commission, if the Minister of Finance under section 45 approves them being paid by the Electoral Commission.

**43 Expenses before 1 July 2012 (whether from commitments before, on, or after 17 August 2009)**

Expenses incurred before 1 July 2012 by New Zealand Post Limited in the administration of Part 5 of the principal Act (regardless of whether those expenses arise from commitments New Zealand Post Limited entered into before, on, or after 17 August 2009) must, despite the repeal (by section 32 of this Act) of section 23 of the principal Act, be paid out of public money appropriated by Parliament.

**44 Expenses after 30 June 2012 from commitments before 18 August 2009**

Expenses incurred after 30 June 2012 by New Zealand Post Limited in the administration of Part 5 of the principal Act and arising from commitments New Zealand Post Limited entered into before 18 August 2009 must be paid by the Electoral Commission out of public money appropriated by Parliament.

**45 Expenses after 30 June 2012 from commitments after 17 August 2009 and before 1 July 2012**

Expenses incurred after 30 June 2012 by New Zealand Post Limited in the administration of Part 5 of the principal Act and arising from commitments New Zealand Post Limited entered into after 17 August 2009 and before 1 July 2012 may, with the approval of the Minister of Finance, be paid by the Crown or by the Electoral Commission (in either case) out of public money appropriated by Parliament.

**46 Matters incomplete on 1 July 2012**

A matter or thing commenced under any enactment by the Chief Registrar of Electors and not completed before 1 July 2012 may be completed by the Electoral Commission.

Compare: 1999 No 85 s 18

**47 Proceedings incomplete on 1 July 2012**

Proceedings relating to an existing right, interest, title, immunity, or duty, commenced by or against (or commenced by or against the Crown in respect of an act or omission of) the Chief Registrar of Electors, and not completed before 1 July 2012 may be completed by the Electoral Commission.

Compare: 1999 No 85 ss 17, 18

**48 Transitional or savings regulations**

- (1) The Governor-General may, by Order in Council, make regulations providing for any transitional or savings matters concerning the coming into force of all or any of the provisions of this Act.
- (2) Regulations under this section must not be inconsistent with this Act.
- (3) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 2004 No 115 s 199

**Legislation Act 2019 requirements for secondary legislation made under this section**

<b>Publication</b>	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
<b>Presentation</b>	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
<b>Disallowance</b>	It may be disallowed by the House of Representatives	LA19 ss 115, 116

*This note is not part of the Act.*

Section 48(3): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

**Subpart 2—Provisions coming into force on 1 July 2012***Consequential amendments to principal Act***49 Interpretation**

The definition of **New Zealand Post** or **New Zealand Post Limited** in section 3(1) is repealed.

**50 Section 140 repealed**

Section 140 is repealed.

**51 Service of notices**

- (1) Section 263(3) is amended by omitting “New Zealand Post Limited shall be deemed” and substituting “a person registered as a postal operator under the Postal Services Act 1998 must be treated as”.
- (2) Section 263 is amended by adding the following subsection:
- (4) **Registered letter** includes any service that—
  - (a) provides a system of recorded delivery; and

(b) is similar in nature to a registered post service provided by a person registered as a postal operator under the Postal Services Act 1998.

## 52 References to Chief Registrar of Electors

- (1) The definition of **Chief Registrar** in section 3(1) is repealed.
- (2) Section 3A(2)(a)(i) (as inserted on 1 January 2011 by section 5 of the Electoral (Finance Reform and Advance Voting) Amendment Act 2010) is amended by omitting “, the Chief Registrar of Electors,”.
- (3) Section 35(5) and (6)(b) are amended by omitting “he or she” and substituting in each case “the Electoral Commission”.
- (4) Section 39(1) (as amended on 1 October 2010 by section 14 and Schedule 1 of the Electoral (Administration) Amendment Act 2010) is amended by omitting “, the Chief Registrar of Electors,”.
- (5) Section 92(2) is amended by omitting “Chief Registrar and”.
- (6) Section 110(1) is amended by omitting “Minister of Justice or the Chief Registrar” and substituting “Electoral Commission”.
- (7) Section 110(2) is amended by omitting “Minister of Justice or the Chief Registrar, as the case may be,” and substituting “Electoral Commission”.
- (8) Section 111(1) is amended by omitting “Chief Registrar,” and substituting “Electoral Commission,”.
- (9) The headings to sections 111C and 111D are amended by omitting “**Chief Registrar**” and substituting in each case “**Electoral Commission**”.
- (10) Section 113(9A) is amended by omitting “Chief Registrar is” and substituting “Electoral Commission is”.
- (11) Section 114(2)(d) is repealed.
- (12) The heading to section 114A is amended by omitting “**Chief Registrar**” and substituting “**Electoral Commission**”.
- (13) Section 115(2) is amended by omitting “he or she” in the first place where it appears and substituting “the Electoral Commission”.
- (14) Section 123(2) is amended by omitting “Chief Registrar may, with the agreement of the Electoral Commission,” and substituting “Electoral Commission may”.
- (15) Section 221A(2) is amended by omitting “, the Chief Registrar of Electors,”.
- (16) The following provisions are amended by omitting “Chief Registrar of Electors” and substituting in each case “Electoral Commission”:
  - (a) section 81(1) and (2):
  - (b) section 92(1):
  - (c) section 105(1):
  - (d) section 107(1)(a)(iii):

- (e) section 111(1), (2), and (3):
  - (f) section 113(9A).
- (17) The following provisions are amended by omitting “Chief Registrar” and substituting in each case “Electoral Commission”:
- (a) section 35(5) and (6)(b):
  - (b) section 77(6):
  - (c) section 82(4A) (as inserted by section 8 of this Act):
  - (d) section 83(2)(b):
  - (e) section 83A(3) (as substituted by section 9 of this Act):
  - (f) section 83C(2)(a):
  - (g) section 87A(1) (as inserted by section 10 of this Act):
  - (h) section 90(2A) (as substituted by section 11 of this Act):
  - (i) section 93(2) and (4):
  - (j) section 94(2):
  - (k) section 95A(4):
  - (l) section 96(5):
  - (m) section 101(1), (3), and (5)(b):
  - (n) section 102(1), (2), and (4):
  - (o) section 103(1):
  - (p) section 104(2)(b):
  - (q) section 108:
  - (r) section 114(1), (3)(a), (5), (6)(c), and (8):
  - (s) section 117A(1):
  - (t) section 267(b).
- (18) The following provisions are amended by omitting “Chief Registrar” in each place where it appears and substituting in each case “Electoral Commission”:
- (a) section 111C:
  - (b) section 111D(1) and (3):
  - (c) section 112(1) and (5):
  - (d) section 113(1), (4), (5), (6), (8)(a), (9), and (9C):
  - (e) section 114A:
  - (f) section 115(1) and (2):
  - (g) section 263A(2), (3), (4), (5), and (6) (as substituted at 2 am on 29 November 2010 by section 406(1) and Schedule 3 of the Immigration Act 2009 and, in the case only of section 263A(6), as substituted by sec-

tion 26(4) of this Act on the day after the date on which this Act received the Royal assent):

- (h) section 263B(1), (4), and (5):
- (i) section 269(3).

*Consequential amendments to other public Acts*

**53 Amendments to Broadcasting Act 1989**

- (1) This section amends the Broadcasting Act 1989.
- (2) The definition of **Electoral Commission** in section 69(1) is amended by omitting “under section 4” and substituting “by section 4B”.
- (3) Section 70(2)(d) is amended by omitting “or by the Chief Registrar of Electors”.

**54 Amendments to Citizens Initiated Referenda Act 1993**

- (1) This section amends the Citizens Initiated Referenda Act 1993.
- (2) Section 19(2) is repealed and the following subsection substituted:
  - (2) The Clerk of the House of Representatives must give to the Electoral Commission established by section 4B of the Electoral Act 1993 the signatures taken under subsection (1)(b).
- (3) Section 19(3) is amended by omitting “Chief Registrar of Electors shall” and substituting “Electoral Commission must”.
- (4) Section 26B(1)(b) is repealed.

**55 Amendment to Electoral Referendum Act 2010**

- (1) This section amends the Electoral Referendum Act 2010.
- (2) Section 31(2)(a)(i) is amended by omitting “, the Chief Registrar of Electors,”.

**56 Amendments to Energy Companies Act 1992**

- (1) This section amends the Energy Companies Act 1992.
- (2) Section 86A(1) is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (3) Section 86A(3) is amended—
  - (a) by omitting “sections 64BB and 64BC of the Electoral Act 1956” and substituting “sections 116 and 117 of the Electoral Act 1993”; and
  - (b) by omitting “under the Electoral Act 1956” and substituting “under the Electoral Act 1993”; and
  - (c) by omitting “section 64A(8A) of the Electoral Act 1956” in each place where it appears and substituting in each case “section 113(9) of the Electoral Act 1993”.

- (4) Section 86A is amended by inserting the following subsection after subsection (3):
- (3A) **Electoral Commission**, in this section, means the Electoral Commission established by section 4B of the Electoral Act 1993.
- (5) Section 86A(4) is amended by omitting “expressions defined in the Electoral Act 1956” and substituting “expressions (other than Electoral Commission) defined in the Electoral Act 1993”.

### 57 Amendments to Juries Act 1981

- (1) This section amends the Juries Act 1981.
- (2) The definition of **Chief Registrar of Electors** in section 2 is repealed.
- (3) Section 2 is amended by inserting the following definition in its appropriate alphabetical order:
- Electoral Commission** means the Electoral Commission established by section 4B of the Electoral Act 1993
- (4) Section 9(1), (2), and (3) are amended by omitting “Chief Registrar of Electors” and substituting in each case “Electoral Commission”.
- (5) Section 10 is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (6) Section 11 is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (7) Section 35(1)(a)(iii) is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.

### 58 Amendments to Local Electoral Act 2001

- (1) This section amends the Local Electoral Act 2001.
- (2) The definition of **Chief Registrar of Electors** in section 5(1) is repealed.
- (3) Section 5 is amended by inserting the following definition in its appropriate alphabetical order:
- Electoral Commission** means the Electoral Commission established by section 4B of the Electoral Act 1993
- (4) Section 19ZC(2)(c)(i) is amended by omitting “Chief Registrar” and substituting “Electoral Commission”.
- (5) Section 30(2)(b)(i) is amended by omitting “Chief Registrar” and substituting “Electoral Commission”.
- (6) Section 38(4) is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (7) The heading to section 41 is amended by omitting “**Chief Registrar of Electors**” and substituting “**Electoral Commission**”.

- (8) Section 41(1), (2), and (3) are amended by omitting “Chief Registrar of Electors” and substituting in each case “Electoral Commission”.
- (9) Section 41(3) is amended by omitting “Chief Registrar must” and substituting “Electoral Commission must”.
- (10) Section 45 is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (11) Section 47(3) is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (12) Section 142(c) is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.

### **59 Amendments to Privacy Act 1993**

- (1) This section amends the Privacy Act 1993.
- (2) Paragraph (b) of the definition of **specified agency** in section 97 is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission established by section 4B of the Electoral Act 1993”.

### **60 Amendments to Referenda (Postal Voting) Act 2000**

- (1) This section amends the Referenda (Postal Voting) Act 2000.
- (2) The definition of **Chief Registrar** in section 3(1) is repealed.
- (3) Section 3(1) is amended by inserting the following definition in its appropriate alphabetical order:

**Electoral Commission** means the Electoral Commission established by section 4B of the Electoral Act 1993

- (4) The definition of **roll identifier number** in section 3(1) is amended by omitting “Chief Registrar” and substituting “Electoral Commission”.
- (5) Section 10 is repealed and the following section substituted:

#### **10 Electoral Commission**

- (1) The Electoral Commission is charged with the duty of implementing Part 4 (which relates to rolls of electors).
- (2) For the purposes of implementing Part 4, the Electoral Commission may provide such computer and other services, and such facilities, as the Electoral Commission thinks necessary.

Compare: 1997 No 13 s 9

- (6) The heading to section 11 is amended by omitting “**Chief Registrar**” and substituting “**Electoral Commission**”.
- (7) Section 11(2) and (3) are repealed and the following subsections substituted:
  - (2) A delegation under this section must be made in writing, and the document must be signed by the maker of the delegation.

- (3) Section 73 of the Crown Entities Act 2004 (alone, or in conjunction with section 9 of the Electoral Act 1993) enables the Electoral Commission to delegate all or any of its functions or powers under this Act that relate to registration of electors.
- (8) The following provisions are amended by omitting “Chief Registrar” and substituting in each case “Electoral Commission”:
- (a) section 14(2) and (4):
  - (b) section 17(3):
  - (c) section 18(2)(a), (3), and (4):
  - (d) section 21(3):
  - (e) section 22(3):
  - (f) section 24:
  - (g) section 27(2)(b):
  - (h) section 28(1), (2), (4)(b), and (5)(b):
  - (i) section 34(3)(c):
  - (j) section 51(1)(b)(iii):
  - (k) section 54(c):
  - (l) section 63(1)(c).
- (9) Section 26(1) and (5) are amended by omitting “Chief Registrar” in each place where it appears and substituting in each case “Electoral Commission”.

*Consequential amendments to local Act*

**61 Amendments to Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001**

- (1) This section amends the Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001.
- (2) The heading to section 13 is amended by omitting “**Chief Registrar of Electors**” and substituting “**Electoral Commission**”.
- (3) Section 13(1) and (2) are amended by omitting “Chief Registrar of Electors” and substituting in each case “Electoral Commission”.
- (4) Section 13(2) is amended by omitting “Chief Registrar must” and substituting “Electoral Commission must”.
- (5) Section 13 is amended by adding the following subsection:
- (3) **Electoral Commission**, in this section, means the Electoral Commission established by section 4B of the Electoral Act 1993.



*Consequential amendments to regulations*

**62 Amendments to Jury Rules 1990**

- (1) This section amends the Jury Rules 1990.
- (2) Rule 3 is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.
- (3) Rule 4(1) and (4) are amended by omitting “Chief Registrar of Electors” and substituting in each case “Electoral Commission”.

**63 Amendment to Local Electoral Regulations 2001**

- (1) This section amends the Local Electoral Regulations 2001.
- (2) Regulation 11(2)(a)(iii) is amended by omitting “Chief Registrar of Electors” and substituting “Electoral Commission”.

**64 Amendment to Referenda (Postal Voting) Regulations 2009**

- (1) This section amends the Referenda (Postal Voting) Regulations 2009.
- (2) Form 1 in the Schedule is amended by omitting “Chief Registrar” and substituting “Electoral Commission”.

# Schedule

## New form substituted

s 37

### Form 1

#### Enrolling to vote: Application



SN

FN

NZ POST USE ONLY

DATE STAMP

### Enrolling to vote: Application

**YOU MUST ENROL** if you are qualified to do so.

When you enrol to vote in parliamentary elections, your details are also made available to your local authority for the purpose of including you on the rolls for local elections.

If you have any questions about enrolment -

- See the information attached to this form.
- Ask your Registrar of Electors, or the staff of any New Zealand PostShop or agency, or call 0800 ENROL NOW (0800 36 76 56).
- See the elections website at [www.elections.org.nz](http://www.elections.org.nz)

If you are physically disabled or outside New Zealand, another person may be able to fill out this form and sign it for you.

SECTION **A** Please print using black or blue ink pen

#### My details

My surname or family name is:

My given or first names are:

My title is:  
 Mr  Mrs  Miss  Ms  Other title  eg Dr, Professor

My residential address is:  
 Flat/House number:   
 Street/Road:   
 Suburb, Town, City or Locality:

This is the address where you choose to make your home. If your house or flat does not have a street or road number, please give extra details in Section E on the next page.

Have you resided for at least the last month at this address?  
 Yes  No

If you answer 'No' or you live outside New Zealand, please fill in Section C on the next page

My postal address is:

Please give your postal address if different from your residential address

My date of birth is:  /  /   
Day Month Year  
 My occupation is:

Do you want to be able to update your details electronically in future?  
 Yes  No

If you answer 'Yes' please fill in Section D on the next page

My contact telephone numbers are:  
 Mobile:  Work:  Home:

You must enrol for a General electorate. Please sign in the General electorate box in Section B.

Are you a New Zealand Māori or a descendant of a New Zealand Māori?  
 No  Yes

To find out if you can choose to enrol for a Māori electorate or a General electorate, first read the information attached to this form.

#### SECTION B

#### Declaration

Sign in one of the boxes below. You must sign and date this declaration yourself, unless you are physically disabled or outside New Zealand. See the information attached to this form.

##### General electorate

1. I believe I am qualified to enrol as a voter.
2. My details are given correctly on this form.
3. I apply to enrol for a General electorate.

/ /

Signature Date

##### Māori electorate

1. I believe I am qualified to enrol as a voter.
2. My details are given correctly on this form.
3. I am a New Zealand Māori or a descendant of a New Zealand Māori.
4. I apply to enrol for a Māori electorate.

/ /

Signature Date

Now that you have filled out this form, signed and dated it, please return it in the envelope provided, or post it to the Electoral Enrolment Centre, Freepost 2 ENROL, PO Box 190, Wellington 6140, hand it in at any New Zealand PostShop, fax it to 04 801 0709 or scan your completed form and email it to [enrolme@elections.org.nz](mailto:enrolme@elections.org.nz).

ROE 1

**SECTION C** *Only fill in Section C if you have resided for less than one month in your house or flat, or if you live outside New Zealand*

**If you live in New Zealand**

I moved to my current residence on:

Day / Month / Year

The last address in New Zealand where I resided for at least 1 month was:

Flat/House number: \_\_\_\_\_  
Street/Road: \_\_\_\_\_  
Suburb, Town, City or Locality: \_\_\_\_\_

I resided there from: to:

Day / Month / Year      Day / Month / Year

**If you live outside New Zealand**

I was last in New Zealand on:

Day / Month / Year

I moved overseas on:

Day / Month / Year

The last address in New Zealand where I resided for at least 1 month before moving overseas was:

Flat/House number: \_\_\_\_\_  
Street/Road: \_\_\_\_\_  
Suburb, Town, City or Locality: \_\_\_\_\_

I resided there from: to:

Day / Month / Year      Day / Month / Year

**SECTION D** *Only fill in Section D if you want to be able to update your details electronically in future*

**Electronic update transactions**

My email address is:

\_\_\_\_\_

**SECTION E** *Only fill in Section E if your house or flat does not have a street or road number*

**Sketch map showing where you reside**



\_\_\_\_\_

Names of your nearest neighbours on your side of the road

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of the person who resided in your house or flat before you (if you know it). Please say if the house is newly built

\_\_\_\_\_

Name of landlord (if you have one)

\_\_\_\_\_

If you own the property, give the DP Lot Number of the property from your rates account (if you know it)

\_\_\_\_\_

If your property has been allocated a Rural Address Property Identification (RAPID) number, please show it here

\_\_\_\_\_



## Information for enrolling

### You must enrol if

- you are a New Zealand citizen or a permanent resident of New Zealand, and
- you are 18 or older, and
- you have at any time resided in New Zealand continuously for one year or more, and
- you are not disqualified (see "Grounds of disqualification" below).

### You may apply if you are 17

If you are 17, you can fill in the form and return it now. We will then enrol you as a voter when you turn 18. At that time we will write to you to say that we have enrolled you.

### Grounds of disqualification

- You cannot enrol if:
  - you are a New Zealand citizen who is outside New Zealand and has not been in New Zealand within the last 3 years or
  - you are a permanent resident of New Zealand who is outside New Zealand and has not been in New Zealand within the last 12 months.

*\*NOTE that there are exceptions to the above two rules – for example, public servants or members of the Defence Force who are on duty outside New Zealand, as well as members of their families.  
– if you are unsure call 0800 ENROL NOW (0800 36 76 56) or see [www.elections.org.nz](http://www.elections.org.nz)*

- There are other grounds of disqualification that affect a very small number of people. Registrars of Electors are notified of people covered by any such ground. A Registrar of Electors would contact any person applying to enrol who appeared to be subject to such disqualification to discuss his or her qualification to enrol. However, if you have any questions or concerns about other grounds of disqualification, call 0800 ENROL NOW (0800 36 76 56) or see [www.elections.org.nz](http://www.elections.org.nz)

### What happens if I don't enrol?

The law requires you to enrol as a voter if you are qualified to do so. You are required to provide all the information on the form. It is an offence not to enrol if you are qualified to do so. People who are convicted of the offence, face a fine of up to \$100 for a first conviction, and up to \$200 for a further conviction.

### Instructions for filling in the form

#### Truth

You must be sure that what you say in this form is true.

#### What parts of the form do I fill out?

You must fill in sections A and B.

You also need to fill in section C if you live in New Zealand and you have answered "No" in section A to the question "Have you resided for at least the last month at this address?", or if you live outside New Zealand.

You will need to fill in section D if you want to be able to update your enrolment details electronically in future, and section E if your house or flat does not have a street or road number.

### Signing the application

You must sign this form yourself unless you are physically disabled or you are outside New Zealand. If you are physically disabled or you are outside New Zealand, another person may sign on your behalf.

That person must be:

- someone to whom you have granted a power of attorney, or
- someone who is already enrolled as a voter, and who says on the form that the form is being signed and returned by your direction.

The person signing must also say on the form that you are physically disabled or are outside New Zealand (whichever applies).

If the application is for a person who is unable to understand the nature of the decision to enrol as a voter, then you may be able to apply for them. Call 0800 ENROL NOW (0800 36 76 56) for details.

### How do we work out your electorate?

Your electorate will be the last one in which you resided for at least one month.

### What does "reside" mean?

People have a wide range of living arrangements which may involve living in more than one place at various times. However, you can be enrolled only for one electorate. We will enrol you for the electorate in which you "reside".

You "reside" at the place where you choose to make your home because of family or personal relations or for other domestic or personal reasons. Just because you may be occasionally or temporarily absent from that place does not mean that you do not reside there. Being absent from your place of residence because of your employment or education (or your spouse's employment or education) does not affect where you "reside" either. The most important factor in working out where you reside is where you choose to make your home.

If you have questions about where you "reside", please contact your Registrar of Electors or the staff of any New Zealand PostShop or agency or call 0800 ENROL NOW (0800 36 76 56).

### What happens if I change my address?

Every time you change your address, you must tell the Registrar of Electors. You can do this by filling in a change of address form at any New Zealand PostShop or by filling in this form. You can also use this form to tell the Registrar of Electors that you wish to be able to update your enrolment details electronically, in future - see 'Electronic Transactions' in this information sheet.

If you do not tell us your new address or re-enrol, your vote may not count.

continue →

**What happens to the information I supply?**

**What is the information about voters used for?**

When you enrol, we will publish your name, the address where you reside, and your occupation in the roll of your electorate. The roll is a list of voters which any member of the public can look at and is used on election day for voting. We may give this information to scientific or health researchers, political candidates, members of Parliament or political parties. We can also tell them your age group, postal address and whether you are of Māori descent. The information is also used to make up lists of people who might be called to serve on a jury.

**Is there any way to stop the information being published?**

Yes. If you think you, or your family's personal safety could be put at risk because information about you is published in the roll, you can ask to have details put in an unpublished roll. This cannot be looked at by members of the public. However, before we put your details in an unpublished roll, you will need to show us that you or your family's safety could be put at risk.

There are a number of ways of doing this, for example showing us a protection order, or a restraining order, or a statutory declaration from a constable.

**Access to information**

You have the right to ask for access to information about you held by the Registrar of Electors. You may also ask for this information to be corrected.

**Checking the information**

We may carry out information matching with details from a number of government agencies (under authorised information matching programmes) to ensure that the electoral roll is complete and correct.

**Electronic transactions**

A person is able to update their enrolment details electronically once they have filled in, and the Registrar of Electors has accepted, an 'Enrolling to vote: Application' form that shows they want to opt in to this service. An applicant's email address is also required.

The electronic updating of enrolment details is accessed via an igovt logon which allows the use of the same logon details to access various government online services – igovt is secure and maintains your privacy.

Once your enrolment has been processed you will be contacted at the email address provided on your application form to complete registration with the elections enrolment online service. This will either require you to set up an igovt logon, or to use your existing igovt logon if you have one.

Should you decide you no longer wish to be able to update your enrolment details electronically, you need to advise the Registrar of Electors that you opt out of the electronic transactions option. Access to your enrolment record will be amended accordingly.

If you would like an acknowledgement when you hand in your completed application at a New Zealand PostShop, fill in your name in the panel below and have a staff member sign and date stamp it.

To: _____ Applicant's name	
I have received your application. The Registrar of Electors will write to you when your application has been dealt with.	DATE STAMP
_____	
for New Zealand Post Limited	



**Choosing to enrol in a Māori electorate**

If you are a New Zealand Māori or a descendant of a New Zealand Māori, you have a choice of enrolling for either a General electorate or a Māori electorate **IF**:

- you are enrolling for the first time, or
- although you are not enrolling for the first time, you were not, on [insert date on which last Māori Electoral Option began], on the roll for any electorate and you have not enrolled for any electorate since that date, or
- you are completing this form during a Māori Electoral Option.

If none of the above situations applies to you, but you are using this form to update your electoral details, you do not have a choice. You must remain enrolled for the same type of electorate (Māori or General) for which you are currently enrolled.

If you answered 'yes' to the question in section A asking whether you are a New Zealand Māori or a descendant of New Zealand Māori you will be sent an option form at the time of the next Māori Electoral Option in [insert year]. You will then be able to change from one type of roll to the other if you choose to do so.

If you do not answer the question, or if you answer 'no', then you will be treated for electoral purposes as a person who is not of New Zealand Māori descent. You will be enrolled for a general electorate and will not be sent an option form for the next Māori Electoral Option.

**Ko tō kōwhiringa kia rēhita ki tētahi rohe pōti Māori**

Mēnā he Māori koe nō Aotearoa, he uri rānei nō tētahi Māori nō Aotearoa, ka taea e koe te whiriwhiri me rēhita ki tētahi rohe pōti whānui, ki tētahi rohe pōti Māori rānei **mehemea**:

- koianei te wā tuatahi e rēhita ana koe hei kaupōti,
- ahakoa rānei ehara tēnei i te wā tuatahi e rēhita ana koe, kāhore koe i rēhitatia ki te rārangi pōti i tētahi rohe pōti i te [insert date on which last Māori Electoral Option began], ā, kāhore koe i rēhita ki tētahi rohe pōti mai i taua rā,
- kei te whakaki rānei koe i tēnei puka i te wā o te Kōwhiringa Pōti Māori.

Mehemea kāhore tētahi āhuatanga o runga nei i te pā ki a koe engari e whakamahi kē koe i tēnei pukapuka hei whakahou i ngā kōrero mōu, kāhore i a koe te kōwhiringa nei. Me noho /tonu koe ki te momo rohe pōti (Māori, whānui rānei) e noho nei koe i tēnei wā.

Me i 'ae' mai koe ki te pātai i te Wāhanga A, e pātai ana mehemea he Māori koe nō Aotearoa, he uri rānei nō tētahi Māori nō Aotearoa, ka tukuna he puka kōwhiringa ki a koe mō te Kōwhiringa Pōti Māori o muri atu, arā, ā te tau [insert year]. Hei reira rawa koe ka āhei ki te whakawhiti mai i tētahi momo rohe pōti ki tētahi, mehemea e pirangi ana koe.

Ki te kore koe e whakautu i te pātai, ki te whakautu rānei i te pātai ki te 'kāo', ka kīia koe ehara i te tangata whakapapa Māori mō ngā take pōti. Ka whakaurua koe ki tētahi rohe pōti whānui, ā, e kore e tukuna he puka kōwhiringa ki a koe i te wā o te Kōwhiringa Pōti Māori o muri atu.

## Notes

### **1** *General*

This is a consolidation of the Electoral (Administration) Amendment Act 2011 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Secondary Legislation Act 2021 (2021 No 7): section 3

Electoral Amendment Act 2014 (2014 No 8): section 50