

## ELECTORAL AMENDMENT BILL (NO. 2)

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### EXPLANATORY NOTE

THIS Bill makes a number of amendments to the Electoral Act 1956. There are 2 main sets of amendments. Both sets are derived from the interim report of the Select Committee on Electoral Law, which was presented to Parliament on 21 August 1985.

*Clause 1* relates to the Short Title and commencement of the Bill. The Bill is to come into force on 7 April 1986 (which is expected to be the date of the commencement of the next roll revision period).

*Clause 2:* The first main set of amendments relates to the qualifications of electors.

The period of continuous residence required in an electoral district before a person qualifies as an elector of that district is reduced from 3 months to 1 month.

This change was recommended by a majority of the members of the Select Committee on Electoral Law in paragraph 1.12 of the Interim Report presented by it to Parliament on 21 August 1985.

*Clause 3* provides that the Chief Registrar of Electors may, at the request of any person, make available for public inspection, under the supervision of any Registrar of Electors or officer of the Post Office, at any meeting or hui, the main roll and the supplementary rolls, for any district, and the most recent computer compiled list in respect of that district.

Such a request may not be granted unless the Chief Registrar of Electors is satisfied that a large number of persons are likely to attend the meeting or hui.

The provisions of this clause parallel provisions set out in *clause 4* of this Bill in respect of the dormant file.

*Clause 4:* The second main set of amendments provide both for the updating of the dormant file and for public access to the dormant file.

These amendments were recommended by a majority of the members of the Select Committee on Electoral Law in paragraphs 2.6 and 2.7 of the Interim Report presented by it to Parliament on 21 August 1985.

*Hon. Geoffrey Palmer*

## ELECTORAL AMENDMENT (NO. 2)

### ANALYSIS

Title	
1. Short Title and commencement	65AB. Computer compiled list of names on dormant file
2. Qualification of electors	65AC. Inspection of computer compiled list of names on dormant file
3. Inspection and purchase of main and supplementary rolls	65AD. Purchase by candidates and political parties of computer compiled lists of names on dormant file
4. New sections substituted	
65A. Dormant file	
65AA. Removal of names from dormant file by Registrar	

### A BILL INTITULED

#### **An Act to amend the Electoral Act 1956**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

- 5     **1. Short Title and commencement**—(1) This Act may be cited as the Electoral Amendment Act (No. 2) 1985, and shall be read together with and deemed part of the Electoral Act 1956\* (hereinafter referred to as the principal Act).
- 10    (2) This Act shall come into force on the 7th day of April 1986.
- 15     **2. Qualification of electors**—(1) Section 39 (1) (c) of the principal Act (as substituted by section 3 (1) of the Electoral Amendment Act 1983) is hereby amended by omitting the words “3 months” in both places where they appear, and substituting in each case the words “1 month”.
- 20    (2) Section 39 (2) of the principal Act (as so substituted) is hereby amended—
- (a) By omitting the words “3 months”, and substituting the words “1 month”; and
- (b) By omitting the words “3 months’ ”, and substituting the words “1 month’s”.

\*R.S. Vol. 14, p. 57

(3) Section 57 (1)(d) of the principal Act (as substituted by section 10 (1) of the Electoral Amendment Act 1983) is hereby amended by omitting the words “3 months”, and substituting the words “1 month”.

(4) Section 99 (da) of the principal Act (as inserted by section 31 of the Electoral Amendment Act 1981) is hereby amended by omitting the words “3 months”, and substituting the words “1 month”.

**3. Inspection and purchase of main and supplementary rolls**—(1) Section 64 of the principal Act (as inserted by section 29 (1) of the Electoral Amendment Act 1980) is hereby amended by inserting, after subsection (2), the following subsections:

“(2A) The Chief Registrar of Electors may, at the request of any person, make available for public inspection, under the supervision of any Registrar of Electors or officer of the Post Office, at any meeting or hui—

“(a) The main roll and the supplementary rolls kept for any district:

“(b) The most recent computer compiled list which is held by the Registrar of Electors for any district and which shows the names and particulars of the persons who are on the roll for the district.

“(2B) A request made under **subsection (2A)** of this section shall not be granted unless the Chief Registrar of Electors is satisfied that a large number of persons are likely to attend the meeting or hui in respect of which the request is made.

“(2C) Where a roll or list is made available for public inspection under **subsection (2A)** of this section, the roll or list shall be made available at such times and places as the Chief Registrar of Electors thinks fit.”

(2) Section 64 of the principal Act (as so inserted) is hereby further amended by repealing subsection (3), and substituting the following subsection:

“(3) In the case of a computer compiled list, neither the power of inspection conferred by subsection (2) of this section nor the power to inspect the list when it is made available for public inspection under **subsection (2A)** of this section includes the power to copy the list.”

**4. New sections substituted**—(1) The principal Act is hereby amended by repealing section 65A (as inserted by section of the Electoral Amendment Act 1980), and substituting the following sections:

“65A. **Dormant file**—(1) The Registrar shall keep a dormant file showing the particulars of those persons whose names have been removed from the roll for the district as a result of the latest revision of the roll under section 43A of this Act.

5 “(2) The file kept under **subsection (1)** of this section may be used for the purpose of determining whether any person is qualified, under section 99 (c) or (d) of this Act, to vote at any election in the district.

10 “65AA. **Removal of names from dormant file by Registrar**—(1) The Registrar shall remove from the dormant file—

“(a) The name of any person who registers as an elector after the revision of the roll under section 43A of this Act has been completed:

15 “(b) The name of every person of whose identity the Registrar is satisfied and whose death has been notified to him—

“(i) By any Registrar of Births and Deaths; or

20 “(ii) By the father, mother, or spouse of that person or by a sister or brother of that person.

“(2) Notwithstanding **subsection (1)** of this section, the Registrar shall maintain, until the next revision of the roll under section 43A of this Act, a copy of the dormant file as first created and that copy shall be the copy used for the purposes of  
25 **section 65A (2)** of this Act.

“65AB. **Computer compiled list of names on dormant file**—The Registrar shall from time to time cause to be printed a computer compiled list showing the names and other particulars of the persons whose particulars are held in the  
30 dormant file.

“65AC. **Inspection of computer compiled list of names on dormant file**—(1) A copy of the most recent computer compiled list printed pursuant to **section 65AB** of this Act for an electoral district shall be kept for inspection by the public  
35 at the office of the Registrar of the electoral district.

“(2) Where land in a General electoral district is included within the boundaries of a Maori electoral district, a copy of the most recent computer compiled list printed pursuant to **section 65AB** of this Act in respect of the Maori electoral district  
40 shall be kept open for inspection by the public at the office of the Registrar of the General electoral district as well as at the office of the Registrar of the Maori electoral district.

“(3) Any person may inspect at the Registrar’s office without payment at any time between 9 a.m. and 4 p.m. on any day

on which the office is open for the transaction of business any computer compiled list that is kept for inspection by the public at the Registrar's office.

“(4) The Chief Registrar of Electors may, at the request of any person, make any computer compiled list printed pursuant to **section 65AB** of this Act available for public inspection, under the supervision of any Registrar of Electors or officer of the Post Office, at any meeting or hui if the Chief Registrar of Electors is satisfied that a large number of persons are likely to attend the meeting or hui.

“(5) Where a list is made available for public inspection under **subsection (4)** of this section, that list shall be made available at such times and places as the Chief Registrar of Electors thinks fit.

“(6) In the case of a computer compiled list, neither the power of inspection conferred by **subsection (3)** of this section nor the power to inspect the list when it is made available for public inspection under **subsection (4)** of this section includes the power to copy the list.

**“65AD. Purchase by candidates and political parties of computer compiled lists of names on dormant file—**(1) Any person, being a candidate or a person acting on behalf of a political party, may obtain for the purposes of the candidate or the political party (and not for resale or commercial purposes)—

“(a) A copy of a computer compiled list containing the names, residences, and occupations (if any) of the persons whose names are on the dormant file for an electoral district; or

“(b) A computer tape containing the names, residences, and occupations (if any) of the persons whose names are on the dormant file for an electoral district.

“(2) Where any person to whom **subsection (1)** of this section applies informs the Registrar that that person wishes to obtain, under that subsection, a copy of a computer compiled list containing the names, residences, and occupations (if any) of the persons whose names are on the dormant file for an electoral district, the Registrar shall, in accordance with regulations made under this Act and on payment of the prescribed fee, supply a copy of that list to that person.

“(3) Where any person to whom **subsection (1)** of this section applies informs the Chief Registrar that that person wishes to obtain, under that subsection, a computer tape containing the names, residences, and occupations (if any) of the persons

whose names are on the dormant file for an electoral district, the Chief Registrar shall, in accordance with regulations made under this Act and on being supplied with a computer tape by that person and on payment of the prescribed fee, record  
5 those names, residences, and occupations (if any) on that tape and return it to that person.

“(4) Regulations made under section 188 of this Act may prescribe a scale of fees for the purposes of **subsection (2)** or **subsection (3)** of this section.”

10 (2) Section 64B of the principal Act (as inserted by section 25 of the Electoral Amendment Act 1981 and renumbered by **section 16** of the Electoral Amendment Act 1985) is hereby amended by inserting, after the words “or **section 64A**” (as inserted by **section 17** of the Electoral Amendment Act 1985),  
15 the words “or **section 65AD**”.