

Electoral Options Referenda Bill

Member's Bill

Explanatory note

This bill provides for the holding of 2 referenda on the electoral system.

The first referendum, an indicative referendum, is designed to indicate if electors wish to change from a mixed member proportional (MMP) electoral system and to decide which electoral system (the first-past-the post system, the preferential voting system, the supplementary member system or the single transferable vote system) will go forward to a second, binding, referendum where voters will be asked to choose between that system and the present MMP system.

Clause by clause analysis

Clause 1 relates to the title.

Clause 2 provides for the bill's commencement on the day after the date on which it receives the Royal assent.

Clause 3 sets out the purpose of the bill.

Clause 4 provides for the holding of an indicative referendum on proposals for electoral reform as soon as practicable after this bill receives the Royal assent.

Clause 5 provides for the holding of a binding referendum in conjunction with the general election immediately following the holding of the binding referendum. The binding referendum will take place only if a majority of voters at the indicative referendum vote in favour of a change from the present mixed member proportional system.

Clause 6 applies any necessary provisions of the Electoral Act 1993 to the holding of the referenda.

Clause 6 and *clauses 7 to 14* provide for the appointment of Returning Officers and scrutineers.

Clauses 15 to 17 provide for the taking of the ballot.

Clauses 18 to 22 provide for the declaration of the results and recounts.

Clause 23 to 24 provide for an electoral petition in the event of a disputed result.

Clause 25 relates to the determination of the High Court on an electoral petition.

Clause 26 provides for the holding of a fresh referendum if the High Court declares the referendum result void.

Clauses 27 to 28 contain provisions relating to influencing voters, and the display of emblems, logos etc.

Clause 29 contains offence provisions.

Clause 30 provides for regulation-making powers in relation to the holding of the referenda.

The Schedule contains the forms for the referenda, the nominations and appointment of scrutineers, and an electoral petition.

Rt Hon Jenny Shipley

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Contents

1	Title		<i>Declaration of result by Returning Officer</i>
2	Commencement		
3	Purpose	18	Declaration of result of indicative referendum
	<i>Indicative referendum</i>	19	Declaration of result of binding referendum
4	Indicative referendum of electors on proposals for electoral reform		<i>Recount</i>
	<i>Binding referendum</i>	20	Application to District Court Judge for recount
5	Binding referendum to be held		<i>Declaration of result by Chief Electoral Officer</i>
	<i>General provisions</i>	21	Declaration of result of indicative referendum
6	Application of Electoral Act 1993	22	Declaration of result of binding referendum
7	Provisions subject to which binding referendum to be taken		<i>Petitions</i>
	<i>Scrutineers</i>	23	Sections of Electoral Act 1993 applied
8	Nomination of scrutineers by electors in favour of proposal	24	Petition for inquiry
9	Nomination paper to be lodged with Returning Officer	25	Determination of Court as to result
10	Returning Officer to select fit persons to appoint scrutineers	26	Fresh referendum
11	Selection to be in writing		<i>Miscellaneous provisions</i>
12	Appointments of scrutineers to be in writing	27	Interfering with or influencing voters
13	Powers and rights of scrutineers	28	Power to remove statements, names, emblems, slogans, or logos
14	Remuneration of scrutineers not expenses of referendum	29	Offences
	<i>The ballot</i>	30	Regulations
15	Method of voting		
16	Spoilt ballot papers		
17	Counting of votes		

Schedule

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Electoral Options Referenda Act **2001**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Purpose

The purpose of this Act is to—

- (a) provide for the holding of an indicative referendum on proposals about the electoral system; and
- (b) provide for the holding, in conjunction with the general election immediately following the indicative referendum, of a further, binding, referendum on proposals about the electoral system.

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*Indicative referendum***4 Indicative referendum of electors on proposals for electoral reform**

(1) As soon as possible after the commencement of this Act a referendum of electors of each electoral district (within the meaning of the Electoral Act 1993) must be taken on proposals about the electoral system.

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(2) For the purposes of this Act, the referendum required by **subsection (1)** is referred to in this Act as the **indicative referendum**.

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(3) Subject to **subsection (4)**, the proposals about the electoral system that are the subject of the indicative referendum are to be submitted in the voting paper in **form 1** in the **Schedule**.

(4) For the purposes of the indicative referendum, the proposals listed under the heading “Reform options” in **form 1** in the **Schedule**—

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(a) must be listed in the voting paper in the order determined by lot by the Chief Electoral Officer; and

(b) must not be listed in the order shown in **form 1** in the **Schedule** unless the result of the determination made under **paragraph (a)** requires.

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*Binding referendum***5 Binding referendum to be held**

(1) If a majority of the votes cast in the indicative referendum held under **section 4** is for a change to the electoral system, on

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the day appointed for the general election immediately following that indicative referendum, a binding referendum of the electors of each electoral district must be taken on proposals about the electoral system.

- (2) The 2 proposals that are to be the subject of the binding referendum are— 5
- (a) the present mixed member proportional system as provided in the Electoral Act 1993; and
 - (b) the proposal that has been declared under **section 18(1)** to have received the greatest number of votes at the indicative referendum. 10
 - (c) the proposals about the electoral system that are the subject of the binding referendum must be submitted in the voting paper in **form 2** in the **Schedule**.

General provisions

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6 Application of Electoral Act 1993

- (1) Subject to the provisions of this Act and of any regulations made under this Act, the provisions of the Electoral Act 1993 and of any regulations made under that Act, as far as they are applicable and with any necessary modifications, apply as if an indicative referendum conducted under **section 4** or a binding referendum conducted under **section 5** were an electoral poll. 20
- (2) The provisions of the Electoral Act 1993 and of any regulations made under that Act, unless the context otherwise requires, apply for the purposes of the indicative referendum and the binding referendum as if all references to the ballot paper were references to the voting paper. 25
- (3) No writ is issued under the Electoral Act 1993 for the conduct of the indicative referendum or the binding referendum, as the case may be. 30

7 Provisions subject to which binding referendum to be taken

For the purposes of conducting the binding referendum,—

- (a) the Returning Officer of the electoral district must be the Returning Officer, and the Deputy Returning 35

- Officers appointed by the Returning Officer for the taking of the electoral poll must be the Deputy Returning Officers, for the taking of the binding referendum:
- (b) the poll clerks, interpreters, and ushers appointed for the taking of the electoral poll must, by virtue of being so appointed, be, in addition, poll clerks, interpreters and ushers for the taking of the binding referendum: 5
 - (c) the polling booths in each electoral district for the taking of the electoral poll must be the same as those used for the taking of the binding referendum. 10

Scrutineers

8 Nomination of scrutineers by electors in favour of proposal

- (1) Any 10 or more electors who are in favour of any of the proposals,— 15
 - (a) for the purposes of the indicative referendum, described under the heading “Voting system proposals” or the heading “Reform options” in **form 1** in the **Schedule**; or
 - (b) for the purposes of the binding referendum, described under the heading “Voting system proposals” in **form 2** in the **Schedule**,— 20

may by nomination paper under their hands nominate any 2 specified persons to appoint one scrutineer to act at each polling booth in the district in the interests of all electors who are in favour of that proposal. 25
- (2) The nomination paper must be in **form 3** in the **Schedule**.

9 Nomination paper to be lodged with Returning Officer

The nomination paper must be lodged with the Returning Officer of the electoral district not later than the twelfth day before the date fixed for the holding of the indicative referendum or before polling day, as the case may be, and must be open to public inspection. 30

10 Returning Officer to select fit persons to appoint scrutineers

- (1) On a day to be publicly notified by the Returning Officer for the electoral district, but not earlier than the tenth day nor later than the fifth day before the day set for the holding of the indicative referendum or before polling day, as the case may 35

- be, the Returning Officer must publicly consider all the nomination papers lodged.
- (2) The Returning Officer must, after hearing all objections, select 2 fit persons to appoint one scrutineer to act at each polling booth in the interests of all electors; and the persons so selected may appoint accordingly. 5
- 11 Selection to be in writing**
The selection of scrutineers under **section 10(2)** must be signed by the Returning Officer and must be in **form 4** in the **Schedule**.
- 12 Appointments of scrutineers to be in writing** 10
The appointment of scrutineers under **section 10(2)** must in each case be signed by the persons selected, and must be in **form 5** in the **Schedule**.
- 13 Powers and rights of scrutineers**
(1) Every scrutineer who is appointed has, for the purposes of the indicative referendum or the binding referendum, all the powers and rights of a scrutineer under the Electoral Act 1993, and must make a declaration in form 1 in the Second Schedule of the Electoral Act 1993 (which form must be used with all necessary modifications). 15
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- (2) Without limiting **subsection (1)**, a scrutineer—
(a) may be present at the office of the Registrar of Electors when the Registrar of Electors is performing his or her duties under section 172 of the Electoral Act 1993 (as applied by this Act) in relation to declarations in respect of special votes, but not more than one such scrutineer per proposal may be present at the office of the Registrar of Electors at any time; and 25
(b) may be present at the scrutiny of the rolls conducted by the Returning Officer under section 175 of the Electoral Act 1993 (as applied by this Act), but only one such scrutineer per proposal, or such greater number as is permitted by the Returning Officer, may be present at the scrutiny of the rolls at any time. 30
- 14 Remuneration of scrutineers not expenses of referendum** 35
The remuneration (if any) of the scrutineers must not be paid out of money appropriated by Parliament for the purpose of

conducting the indicative referendum or the binding referendum, as the case may be.

The ballot

15 Method of voting

- (1) Every voter at the indicative referendum or the binding referendum, as the case may be, must vote by marking the voting paper with a tick within the circle immediately after the proposal for which the voter wishes to vote. 5
- (2) In the case of the indicative referendum, where a voting paper is or is intended to be divided into 2 or more pieces, the voter must, before leaving the inner compartment, fold each piece in the ballot box designated for this purpose. 10

16 Spoilt ballot papers

Section 169 of the Electoral Act 1993 has effect for the purposes of the indicative referendum as if there were substituted, for the words “not having deposited his or her ballot paper in the ballot box”, the words “not having deposited any part of the voter’s voting paper in the ballot box”. 15

17 Counting of votes

- (1) The Returning Officer must reject as informal— 20
- (a) any voting paper or piece of voting paper that does not bear the official mark if there is reasonable cause to believe that it was not issued to a voter by any Deputy Returning Officer or a poll clerk authorised by a Deputy Returning Officer to issue ordinary voting papers; and 25
- (b) a voting paper or piece of a voting paper that does not clearly indicate the proposal for which the voter desired to vote.
- (2) No voting paper or piece of voting paper may be rejected as informal only by reason of some error or omission on the part of an official, if the Returning Officer is satisfied that the voter was qualified to vote at the referendum. 30

Declaration of result by Returning Officer

18 Declaration of result of indicative referendum

- (1) Where all the voting papers for the indicative referendum have been dealt with in accordance with section 178 of the 35

- Electoral Act 1993 (as applied by this Act), the Returning Officer, having ascertained the total number of votes recorded for each proposal described in the voting paper under the heading “Voting system proposals” and for each proposal described in the voting paper under the heading “Reform options”, must declare the result of the referendum in the electoral district by giving public notice of the total number of votes recorded for each proposal. 5
- (2) Where there is an equality of votes between— 10
- (a) any of the proposals described in the voting paper under the heading “Voting system proposals”; or
- (b) any of the proposals described in the voting paper under the heading “Reform options”,— 15
- the Returning Officer must immediately apply to a District Court Judge for a recount under **section 20**, and all the provisions of that section apply except that a deposit is not necessary.
- (3) Section 179 of the Electoral Act 1993 does not apply in relation to the indicative referendum.
- 19 Declaration of result of binding referendum** 20
- (1) Where all the voting papers for the binding referendum have been dealt with in accordance with section 178 of the Electoral Act 1993 (as applied by this Act), the Returning Officer, having ascertained the total number of votes recorded for each proposal described in the voting paper under the heading “Voting system proposals”, must declare the result of the referendum in the electoral district by giving public notice of the total number of votes recorded for each proposal. 25
- (2) Section 179 of the Electoral Act 1993 does not apply in relation to the binding referendum. 30

Recount

- 20 Application to District Court Judge for recount**
- If any result of the indicative referendum or the binding referendum in any electoral district is disputed on the ground that the public declaration by the Returning Officer in accordance with either **section 18(1)** or **section 19(1)** was incorrect, the following provisions apply: 35

- (a) any 6 electors may, within 3 working days after the public declaration, apply to a District Court Judge for a recount of the votes:
- (b) every application must be accompanied by a deposit of \$200 (which deposit is inclusive of goods and services tax): 5
- (c) the District Court Judge must cause a recount of the votes to be commenced within 3 working days of receiving the application, and must give notice in writing to the applicants and to any scrutineers appointed under **section 10** of the time and place at which the recount will be made: 10
- (d) sections 180, 182, and 184 of the Electoral Act 1993, so far as they are applicable and with the necessary modifications, apply to the recount. 15

Declaration of result by Chief Electoral Officer

21 Declaration of result of indicative referendum

- (1) After the Returning Officer has made a public declaration in accordance with **section 18(1)**, and after the time for an application for a recount has elapsed, the Returning Officer must send to the Chief Electoral Officer a statement of the number of informal votes and of the total number of electors casting valid votes and of the number of valid votes recorded for each proposal. 20
- (2) On receipt of the statements from all Returning Officers and on or before a date to be fixed by the Governor-General by Order in Council, the Chief Electoral Officer must ascertain and declare— 25
 - (a) the total number of valid votes cast for each proposal; and 30
 - (b) the result of the referendum as determined by those votes.
- (3) The Chief Electoral Officer must notify in the *Gazette* the number of votes cast in respect of each proposal as ascertained under **subsection (2)** and the result of the indicative referendum. 35

- 22 Declaration of result of binding referendum**
- (1) After the Returning Officer has made a public declaration in accordance with **section 19(1)**, and after the time for an application for a recount has elapsed, the Returning Officer must send to the Chief Electoral Officer a statement of— 5
- (a) the number of informal votes cast in respect of the voting paper; and
- (b) the total number of valid votes cast in respect of the voting paper; and
- (c) the number of valid votes recorded for each proposal in the voting paper. 10
- (2) On receipt of the statements from all Returning Officers the Chief Electoral Officer must ascertain the total number of valid votes cast for each of the voting system proposals.
- (3) If a majority of the valid votes cast favour a change to the voting system determined by the indicative referendum, that proposal is carried. 15
- (4) In the event that the majority of valid votes cast favour the proposal to retain the present mixed member proportional system as provided in the Electoral Act 1993 or in the event that there is a tie between the 2 voting system proposals, the proposal to retain the present mixed member proportional system as provided in the Electoral Act 1993 is carried. 20
- (5) After ascertaining the results of the referendum in accordance with the provisions of this section, the Chief Electoral Officer must declare, by notice in the *Gazette*,— 25
- (a) the results of the referendum; and
- (b) which proposal is carried.

Petitions

- 23 Sections of Electoral Act 1993 applied** 30
- Sections 235 to 262 of the Electoral Act 1993, with any necessary modifications, apply to a petition for an inquiry under **section 24** of this Act.
- 24 Petition for inquiry**
- (1) Where any 50 electors in an electoral district are dissatisfied with the result of the indicative referendum or, as the case may be, the binding referendum in their district, they may, within 20 working days after the Returning Officer has made a public 35

- declaration in accordance with either **section 18(1)** or **section 19(1)**, file a petition in the High Court for an inquiry as to the conduct of the referendum or of any person connected with it.
- (2) If the petition complains of the conduct of a Returning Officer or Registrar of Electors, the person complained of must be a respondent to the petition. 5
- (3) The petition must allege the specific grounds on which the complaint is founded, and no other grounds than those stated may be investigated, except by leave of the Court and upon reasonable notice being given, which leave may be given upon such terms and conditions as the Court considers just. 10
- (4) Evidence may be given that the total number of votes cast for any proposal was higher or lower than that given in the public declaration made under **section 18(1)** or **section 19(1)**, as the case requires. 15
- (5) A petition must be in **form 6** in the **Schedule** and must be filed in the registry of the High Court nearest to the place where the referendum was held. The Registrar of the Court must send a copy of the petition to the Returning Officer. 20
- (6) The petition must be served as nearly as may be in the manner in which a statement of claim is served, or in such other manner as may be prescribed by rules of Court.
- 25 Determination of Court as to result** 25
- At the conclusion of the trial of a petition for an inquiry, the Court must determine whether, because of some irregularity that in its opinion materially affected the result of the referendum, the referendum is void, or whether the number of votes declared for the proposal contained in the public declaration made under **section 18(1)** or **section 19(1)** was wrong. 30
- 26 Fresh referendum**
- (1) Where a referendum is determined by the Court to be void under **section 25**, the Court must notify the returning Officer and a fresh referendum must be taken not less than 30 working days after the date of the notification. 35
- (2) Any fresh referendum must be taken in the same manner as the previous referendum, using the same roll of electors.

*Miscellaneous provisions***27 Interfering with or influencing voters**

- (1) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 who, at the indicative referendum or the binding referendum,— 5
- (a) in any way interferes with any elector, either in the polling booth or while the elector is on the way to the polling booth, with the intention of influencing the elector or advising the elector as to the elector's vote: 5
- (b) at any time on the day on which the referendum is held before the close of the poll in or in view or hearing of any public place holds or takes part in any demonstration or procession having direct or indirect reference to the referendum, by any means whatsoever: 10
- (c) subject to **subsection (2)**, at any time on the day on which the referendum is held before the close of the poll, makes any statement having direct or indirect reference to the referendum, by means of any loudspeaker or public address apparatus or cinematograph or television apparatus: 15 20
- (d) at any time before the close of the poll, conducts in relation to the referendum a public opinion poll of persons voting before the day on which the referendum is held: 20
- (e) at any time on the day on which the referendum is held before the close of the poll, conducts a public opinion poll in relation to the referendum: 25
- (f) at any time on the day on which the referendum is held before the close of the poll, or at any time on any of the 3 days immediately preceding that day, prints or distributes or delivers to any person any thing being or purporting to be in imitation of the voting paper to be used at the poll, together with any direction or indication as to the proposal for which the elector should or should not vote, or in any way containing any such direction or indication, or containing any matter likely to influence any vote: 30 35
- (g) subject to **subsection (3)**, at any time on the day on which the referendum is held before the close of the poll, exhibits in or in view of any public place, or publishes or distributes or broadcasts,— 40

- (i) any statement advising or intended or likely to influence any elector as to the proposal for which the elector should or should not vote; or
- (ii) any statement advising or intended or likely to influence any elector to abstain from voting; or 5
- (iii) any name, emblem, slogan, or logo identified with any political party or with any proposal to which the referendum relates or with any proponent of any such proposal; or
- (iv) any ribbons, streamers, rosettes, or items of a similar nature in colours that are identified with any political party or with any proposal to which the referendum relates or with any proponent of any such proposal: 10
- (h) at any time on the day on which the referendum is held before the close of the poll prints or distributes or delivers to any person any card or paper (whether or not it is an imitation voting paper) containing the proposals to which the referendum relates or any of them: 15
- (i) exhibits or leaves in any polling booth any card or paper containing any direction or indication as to how any person should vote or as to the method of voting: 20
- (j) subject to any regulations made under this Act, at any time on the day on which the referendum is held before the close of the poll, within, or at the entrance to, or in the vicinity of, any polling place,— 25
 - (i) gives or offers to give any person any written or oral information derived from a main or supplementary roll as to any name or number on the main roll or any supplementary roll being used at the election: 30
 - (ii) permits or offers to permit any person to examine any copy of the main roll or any supplementary roll being used at the election.
- (2) Nothing in **subsection (1)(c)** restricts the publication by radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989 of— 35
 - (a) any advertisement placed by the Chief Electoral Officer or a Returning Officer; or
 - (b) any non-partisan advertisement broadcast, as a community service, by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989; or 40

- (c) any news in relation to the referendum.
- (3) Nothing in **subsection (1)(g)** applies to—
- (a) any statement, name, emblem, slogan, or logo in a newspaper published before 6 pm on the day before the day on which the referendum is held: 5
- (b) any statement, name, emblem, slogan, or logo which does not relate specifically to the referendum and which is exhibited before the day on which the referendum is held in a fixed position and in relation to the New Zealand or regional or campaign headquarters (not being mobile headquarters) of a political party or of a proponent of a proposal to which the referendum relates on the day on which the referendum is held: 10
- (c) the publication of the name of any political party or of any proponent of a proposal to which the referendum relates in any news which relates to the referendum and which is published in a newspaper or other periodical or in a radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989: 15 20
- (d) ribbons, streamers, rosettes, or items of a similar nature, that are worn or displayed by any person (not being an electoral official) on his or her person or on any vehicle in colours that are identified with any political party or with any proposal to which the referendum relates or with any proponent of any such proposal or to a lapel badge worn by any person (not being an electoral official). 25
- (4) It is a defence to a prosecution for an offence against **subsection (1)(g)** that relates to the exhibition in or in view of a public place of a statement, name, emblem, slogan, or logo, if the defendant proves that— 30
- (a) the exhibition was inadvertent; and
- (b) the defendant caused the exhibition to cease as soon as the defendant was notified by a Returning Officer or a Deputy Returning Officer that the exhibition was taking place. 35
- (5) Nothing in this section applies to any official statement or announcement made or exhibited under the authority of this Act or the Electoral Act 1993. 40

- (6) Section 197 of the Electoral Act 1993 does not apply in relation to the indicative referendum or the binding referendum.
- 28 Power to remove statements, names, emblems, slogans, or logos** 5
- (1) The Returning Officer may at any time on the day on which the referendum is held before the close of the poll cause to be removed or obliterated—
- (a) any statement advising or intended or likely to influence any elector as to the proposal for which the elector should or should not vote; or 10
- (b) any statement advising or intended or likely to influence any elector to abstain from voting; or
- (c) any name, emblem, slogan, or logo identified with any political party or with any proposal to which the binding referendum relates or any proponent of any such proposal,— 15
- which is exhibited in or in view of any public place.
- (2) Nothing in **subsection (1)(c)** applies to ribbons, streamers, rosettes, or items of a similar nature which are worn or displayed by any person (whether on his or her person or on any vehicle) in colours that are identified with any political party or with any proposal or option to which the referendum relates or with any proponent of any such proposal or option or to a lapel badge worn by any person. 20
- (3) Nothing in **subsection (1)** applies to a statement, name, emblem, slogan, or logo which does not relate specifically to the referendum and which was exhibited before the day on which the referendum is held in a fixed position and in relation to the New Zealand or regional or campaign headquarters (not being mobile headquarters) of a political party or of a proponent of a proposal or option to which the referendum relates. 30
- (4) All expenses incurred by the Returning Officer in carrying out the power conferred by **subsection (1)** may be recovered by the Returning Officer from the persons by whom or by whose direction the statement, name, emblem, slogan, or logo was exhibited, as a debt due by them jointly and severally to the Crown. 35
- (5) Section 198 of the Electoral Act 1993 does not apply in relation to the referendum. 40

29 Offences

Every person commits an offence and is liable on summary conviction to a fine not exceeding \$2,000 who, at the indicative referendum or the binding referendum,—

- (a) except in accordance with any regulations made under the Electoral Act 1993 or this Act in relation to special voters, obtains possession of or has in his or her possession any voting paper other than the one given to him or her by the Returning Officer or Deputy Returning Officer for the purpose of recording his or her vote, or retains any voting paper in his or her possession after leaving the polling booth; or 5
- (b) does or omits to do an act (other than an act to which **section 27** of this Act applies) that if done or omitted to be done at an electoral poll would be an offence under the Electoral Act 1993. 10 15

30 Regulations

The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes: 20

- (a) applying, with or without modifications, for the purposes of this Act, any of the following provisions:
 - (i) the provisions of sections 174 to 177, and of sections 187 to 190 of the Electoral Act 1993: 25
 - (ii) the provisions of any regulations made under the Electoral Act 1993:
 - (iii) prescribing forms for the purposes of this Act:
- (c) prescribing the time at which, and the manner in which, special voters may vote (whether at a polling place or not and whether in or outside New Zealand) at the indicative referendum or the binding referendum: 30
- (d) prescribing conditions upon or subject to which special voters may vote at the indicative referendum or the binding referendum:
- (e) prescribing, for the purposes of the indicative referendum and the binding referendum, different methods of voting for different classes of special voters: 35

- (f) providing for such other matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration.
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Schedule

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Form 1
Voting paper

Part A



.....
(Consecutive number)

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..... Electoral District

Directions

(Read carefully before voting)

1. The voting paper for this referendum consists of 2 separate pieces. This piece (part A) contains the voting system proposals. The second piece (Part B) contains the reform options. 10
2. To vote in this referendum, you must vote for 1 of the voting system proposals. You may, but you do not have to, vote for 1 of the reform options.
3. Vote for 1 of the voting system proposals by putting a tick in the circle immediately after the proposal you choose. 15
4. If you wish to vote for 1 of the reform options, put a tick in the circle immediately after the reform option you choose.
5. Fold each piece so that its contents cannot be seen and place it in the ballot box. 20
6. If you spoil either of the pieces of this voting paper, return both pieces to the officer who issued them and apply for another voting paper.
7. You must not take either of the pieces of the voting paper out of the polling booth.

Form 1—continued

Part A—continued

Voting system proposals

The form consists of a large black rectangle. At the top center of this rectangle is a white circle containing a black checkmark. Below this icon is a black downward-pointing arrow, and below the arrow is the text "Vote Here". To the left of the rectangle, there are two white rectangular boxes stacked vertically. The top box contains the text "I VOTE TO RETAIN THE PRESENT MIXED MEMBER PROPORTIONAL SYSTEM." and the bottom box contains "I VOTE FOR A CHANGE TO THE VOTING SYSTEM.". To the right of these two boxes are two white circles, one above the other, representing voting options. To the right of the circles is the text "TICK ONE PROPOSAL".

The reform options for which you may vote are set out in Part B

..... perforations

Form 1—continued

Part B

OFFICIAL MARK
OFFICIAL MARK

.....
(Consecutive number)

..... Electoral District

If a majority of votes cast in this referendum is for the retention of the present mixed member proportional system, no further referendum on the voting system will be held. If a majority of votes cast in this referendum is for change, a further referendum on the voting system will be held at the time of the next general election. 5

That referendum will offer a choice between the present mixed member proportional system and the reform option that receives the most votes at this referendum. 10

If you wish to vote for 1 of the reform options, indicate which of the following reform options you wish to see as the alternative to the present system if a second referendum is held. 15

Form 1—*continued*

Part B—*continued*

Reform options

Vote Here

I VOTE FOR THE PREFERENTIAL VOTING SYSTEM (PV).

I VOTE FOR THE FIRST-PAST-THE-POST SYSTEM (FPP).

I VOTE FOR THE SUPPLEMENTARY MEMBER SYSTEM (SM).

I VOTE FOR THE SINGLE TRANSFERABLE VOTE SYSTEM (STV).

TICK ONE OPTION

Note: This form must have a counterfoil in form 13 in the Second Schedule of the Electoral Act 1993

Form 2
Voting paper

s 5



.....
(Consecutive number)

..... Electoral District

Directions

5

(Read carefully before voting)

- 1. You may vote for only 1 proposal.
- 2. If you wish to vote, vote by putting a tick in the circle immediately after the proposal you choose.
- 3. After voting, fold this voting paper so that its contents cannot be seen and place it in the ballot box. 10
- 4. If you spoil this voting paper, return it to the officer who issued it and apply for another.
- 5. You must not take this voting paper out of the polling booth.

Voting system proposals

15

If 50% or more of votes in this referendum are for the retention of the present mixed member proportional system, there will be no change to the method of electing members of the House of Representatives.

If a majority of votes in this referendum is for the system below, favoured by the most voters at the indicative referendum, the next general election of members of the House of Representatives will be conducted using that system. 20



Vote Here

I VOTE FOR THE PRESENT MIXED MEMBER PROPORTIONAL (MMP) SYSTEM.	<input type="radio"/>
I VOTE FOR THE (INSERT NAME OF SYSTEM AGREED TO IN INDICATIVE REFERENDUM).	<input type="radio"/>

TICK ONE PROPOSAL

Note: This form must have a counterfoil in form 13 in the Second Schedule of the Electoral Act 1993.

*Not to be printed as part of the form.

s 8

Form 3

Nomination of scrutineers for purposes of indicative referendum or binding referendum

- 1. For the purposes of the indicative/binding referendum to be taken in the Electoral District on the day of 2....., we, the undersigned electors of the district, hereby nominate [Full names, addresses, and occupations of the 2 persons nominated] as fit persons to appoint one scrutineer to act at each polling booth in the interest of all electors who are in favour of the [Specify proposal]. 5
10
- 2. In support of our nomination we hereby severally, each for himself or herself, solemnly and sincerely declare that we are, and we believe each of the persons nominated to be, honestly in favour of the proposal.

We severally make this solemn declaration conscientiously believing the same to be true, and by virtue of the Oaths and Declarations Act 1957. 15

	Signature, Address, and Occupation	
	1.	
	2.	
	3.	
	4.	20
	5.	
	6.	
	7.	
	8.	
	9.	25
	10.	

NOTE—Not less than 10 electors must sign.

Form 4

s 11

Returning officer's selection for purposes of indicative referendum or binding referendum

Having considered the nominations duly lodged in this behalf, and having heard all objections thereto, I hereby select [Full names, addresses, and occupations of the 2 persons selected, etc, (as above)] as fit persons to appoint one scrutineer to act at each polling booth at the indicative/binding referendum for the Electoral District on the day of 2....., in the interest of all electors who are in favour of the [Specify proposal].

5

10

Dated at this day of 2.....

....., Returning Officer.

s 12

Form 5

Appointment of scrutineers for purposes of indicative referendum or binding referendum

To the Returning Officer

For the purposes of the indicative/binding referendum for the 5
Electoral District to be taken on the day of

2..... we, the undersigned, being duly authorised in this behalf, hereby
appoint the persons named in the Schedule hereto to act as scrutineers at the
polling booths named in the Schedule, in the interest of all electors who are in
favour of the [Specify proposal]. 10

SCHEDULE

Scrutineer	Polling booth
[Full name, address, and occupation of the scrutineer]	[Name of polling booth]

Dated at this day of 2..... 15

[Signatures of the 2 persons
authorised to appoint].

Form 6

s 24(5)

Petition for inquiry as to result of indicative referendum or binding referendum

In the matter of the indicative/binding referendum held in the
 Electoral District on the day of 2..... 5
 The petition of the undersigned electors of the Electoral
 District, namely, A.B, of, C.D, of, etc.

1. Your petitioners state that the indicative/binding referendum was held
 on the day of, 2....., and that the
 Returning Officer has given public notice that the total number of votes 10
 recorded for the proposal that [Specify] was [Specify].

2. And your petitioners say that [State the facts and grounds on which the
 petitioners rely].

Wherefore your petitioners pray that it may be determined that the total
 number of votes cast for the proposal was higher (or lower) than that 15
 given in the public notice [or that the referendum was void].

A B,
C D,
etc