

[AS REPORTED FROM THE INTERNAL AFFAIRS AND LOCAL
GOVERNMENT COMMITTEE]

House of Representatives, 10 November 1994.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

Joy McLauchlan

(RATEPAYER ELECTORAL ROLL)
LOCAL ELECTIONS AND POLLS AMENDMENT

ANALYSIS

Title	7BDA. Requirement to apply for enrolment on ratepayer electoral roll
1. Short Title	7BDB. Publication of enrolment procedure for ratepayer electoral roll
2. Purpose	4. Enrolment on ratepayer electoral roll
3. New sections inserted	5. Consequential amendments

A BILL INTITULED

An Act to amend the Local Elections and Polls Act 1976

BE IT ENACTED by the Parliament of New Zealand as follows:

- 5 **1. Short Title**—This Act may be cited as the *(Ratepayer Electoral Roll Act 1993)* Local Elections and Polls Amendment Act 1994, and shall be read together with and deemed part of the Local Elections and Polls Act 1976* (hereinafter referred to as the principal Act).

*R.S. Vol. 28, p. 683

No. 271—2

Price Code: J

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2. Purpose—The purpose of this Act is to promote efficiencies in the compilation of the ratepayer electoral roll by—

- (a) Removing the obligation under section 7^{BE} of the principal Act for the principal administrative officer of a local authority, in each year in which a triennial general election of the local authority is to be held, to send to persons listed on the valuation roll as the occupiers of a separately rateable property within the local government area an application for enrolment on the ratepayer electoral roll; and
- (b) Requiring ratepayer electors in each local government area, whose names were not contained on the ratepayer electoral roll compiled for the preceding triennial general election of the local authority in that area, to apply to enrol on the ratepayer electoral roll.

3. New sections inserted—The principal Act is hereby amended by inserting, after section 7^{BD} (as substituted by section 2 of the Local Elections and Polls Amendment Act 1991), the following sections:

“7^{BDA}. Requirement to apply for enrolment on ratepayer electoral roll—Every person,—

- “(a) Who qualifies as an elector in terms of section 101^F (2) of the Local Government Act 1974; and
- “(b) Whose name is not contained on the ratepayer electoral roll compiled for the preceding triennial general election of the local authority; and

“(c) Who wishes to enrol on the ratepayer electoral roll,— shall apply for his or her name to be entered on the ratepayer electoral roll at any time in the prescribed form.

“7^{BDB}. Publication of enrolment procedure for ratepayer electoral roll—For the purposes of compiling the ratepayer electoral roll, the principal administrative officer shall, before the end of April in each year in which a triennial general election is to be held,—

- “(a) Send to the person or persons listed on the valuation roll as the occupier or occupiers of a separately rateable property within the local government area written

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notice of the procedures for enrolment on the
ratepayer electoral roll; and
5 “(b) Give public notice of the procedures for enrolment on
the ratepayer electoral roll.”

New

2. **Ratepayer electoral roll**—The principal Act is hereby
amended by repealing section 7^{BB} (as substituted by section 2 of
the Local Elections and Polls Amendment Act 1991 and
10 amended by section 7 of the Local Elections and Polls
Amendment Act 1992), and substituting the following section:

“7^{BB}. (1) The ratepayer electoral roll shall comprise the
names, arranged in alphabetical order of their surnames, of
every person—

15 “(a) Who is for the time being qualified as an elector of the
local authority under section 101^F (2) of the Local
Government Act 1974; and

20 “(b) Who, in the period beginning on the 2nd day of March
and ending with the close of the 13th day of July of
the year in which the triennial general election is to
be held,—

25 “(i) Is enrolled as a ratepayer elector as a result of
the making in that period of either an application
for enrolment under section 7^{BE} of this Act or a
nomination under section 7^{BC} of this Act; or

“(ii) Is confirmed as a ratepayer elector as a result
of the delivery in that period to the principal
administrative officer of an enrolment confirmation
form duly completed.

30 “(2) The ratepayer electoral roll—

“(a) Shall include the address of the property in respect of
which each elector is enrolled or nominated; and

“(b) May also contain—

35 “(i) The occupations and postal addresses of
ratepayer electors; and

“(ii) The addresses in respect of which ratepayer
electors are registered as Parliamentary electors;
and

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New

“(iii) Identification of the elections in which the ratepayer electors are qualified to vote.”

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4. Enrolment on ratepayer electoral roll—The principal Act is hereby amended by repealing subsection (1) of section 7^{BE} (as substituted by section 2 of the Local Election and Polls Amendment Act 1991), and substituting the following subsection:

“(1) The principal administrative officer shall,— 10

“(a) Before the end of May in each year in which a triennial general election is to be held, send to every person whose name is contained on the ratepayer electoral roll for the preceding triennial general election in the local government area, and who is listed on the valuation roll as the occupier of a separately rateable property within the local government area, an application for enrolment on the ratepayer electoral roll: 15

“(b) On request, send to the person or persons listed on the valuation roll as the occupier or occupiers of a separately rateable property within the local government area an application for enrolment on the ratepayer electoral roll in the prescribed form.” 20

New

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4. New sections substituted—The principal Act is hereby amended by repealing section 7^{BE} (as substituted by section 2 of the Local Elections and Polls Amendment Act 1991 and amended by section 8 of the Local Elections and Polls Amendment Act 1992), and substituting the following sections: 30

“7^{BE}. **Enrolment on ratepayer electoral roll**—(1) Any person who qualifies as an elector in terms of section 101^F (2) of the Local Government Act 1974 may apply at any time in the prescribed form for enrolment on the ratepayer electoral roll.

New

5 “(2) After making such inquiries as the principal administrative officer considers appropriate and after determining that the name of no other person has been included on the ratepayer electoral roll in respect of the separately rateable property of which the applicant is an occupier, the principal administrative officer shall include on the ratepayer electoral roll the name of the applicant if the principal administrative officer is satisfied that the applicant is qualified.

10 “(3) The principal administrative officer shall keep a supply of applications for enrolment in the prescribed form to issue on request.

15 **7BEA. Confirmation of enrolment on ratepayer electoral roll**—(1) The occupier or occupiers of any separately rateable property may, at any time in the period specified in section 7BB (1) (b) of this Act, confirm the enrolment of any person as a ratepayer elector in respect of that property, by delivering to the principal administrative officer a duly completed enrolment confirmation form in respect of that person and that separately rateable property.

20 “(2) Where, in any year in which a triennial general election is to be held,—

25 “(a) The name of any person is, on the 1st day of March of that year, on the ratepayer electoral roll for a local government area; or

“(b) Any person has, before the close of the 1st day of March in that year (but since the electoral roll in force on that 1st day of March was compiled),—

30 “(i) Applied for enrolment on the ratepayer electoral roll for a local government area; or

“(ii) Been nominated under section 7BG of this Act to have his or her name entered on the ratepayer electoral roll for a local government area,—

35 the principal administrative officer for the relevant territorial authority shall, before the end of April in that year, send an enrolment confirmation form in the prescribed form to the person or persons listed in the valuation roll as the occupier or occupiers of each separately rateable property in respect of

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which any such name is entered or any such application or nomination has been made.

“(3) Where 2 or more persons are listed on the valuation roll as the occupiers of a separately rateable property within the local government area, it shall be sufficient for the purposes of subsection (1) of this section if the principal administrative officer sends an enrolment confirmation form in the prescribed form to one of those persons. 5

“**7BEB. Public notice of procedures for enrolment on ratepayer electoral roll**—(1) The principal administrative officer— 10

“(a) Shall ensure that public notice of the qualifications and procedures for enrolment or nomination as a ratepayer elector, in the prescribed form, is given during the month of May in each year in which a triennial general election is held; and 15

“(b) May give such additional public notice and such specific notice of the qualifications and procedures for enrolment or nomination as a ratepayer elector as the principal administrative officer considers desirable. 20

“(2) Any public notice given under subsection (1) of this section may be given jointly by the principal administrative officers of 2 or more territorial authorities, and in determining whether any such public notice is to be given jointly, each such principal administrative officer shall have regard to the effectiveness and cost of the public notice. 25

“**7BEC. Rating qualification**—Every person whose name is entered on a ratepayer electoral roll shall, for the purposes of any election or poll, be deemed to possess a rating qualification for the purpose of voting.” 30

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5. Consequential amendments—Section 7^{BE} of the principal Act (as substituted by section 2 of the Local Elections and Polls Act 1991 and amended by section 8 of the Local 35

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Elections and Polls Amendment Act 1992) is hereby
consequentially amended by—

- 5 (a) Omitting the words “subsection (1) of this section” in each
case where they appear in subsections (2), (2A), and
(2B), and substituting in each case the words
“**section 7BDB (a)** of this Act or subsection (1) of this
section”:
(b) Repealing subsection (4).

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New

5. Repeals—Sections 7 and 8 of the Local Elections and Polls
Amendment Act 1992 are hereby consequentially repealed.