

# **Local Government Law Reform Bill (No 3)**

Government Bill

## **Explanatory note**

### **General policy statement**

The Business Committee has agreed to the introduction of the Local Government Law Reform Bill (No 3) as an omnibus Bill.

The purpose of the Bill is to further ensure that the legislative framework in which local government operates is as comprehensive and clear as possible. In recent years major changes to local government legislation has provided modern, empowering, flexible, and principle-based legislation. As a result of an extensive joint local and central government education and implementation programme for the new legislation, a number of necessary minor and technical amendments to the legislation have been identified which are contained in this Bill. The amendments will help provide the necessary certainty and clarity both to local authorities in administering the legislation and to local communities in their dealings with their local authority.

Amendments are to be made to the following Acts:

- Chatham Islands Council Act 1995:
- Dog Control Act 1996:
- Local Electoral Act 2001:
- Local Government Act 2002:
- Local Government Official Information and Meetings Act 1987:
- Local Government (Rating) Act 2002.

### Clause by clause analysis

*Clause 1* relates to the Bill's Title.

*Clause 2* is a commencement provision. *Clauses 12, 13, and 14* come into force on 1 November 2004. The rest of the Bill comes into force on the day after assent.

#### Part 1

##### Chatham Islands Council Act 1995

*Clause 4* amends section 7 of the principal Act, which sets out the functions, duties, and powers of the Council. The amendment provides the Council with the powers of a regional council under the Resource Management Act 1991 in order to support the functions it already has under that Act.

*Clause 5* is a consequential repeal.

#### Part 2

##### Dog Control Act 1996

*Clause 7* corrects the use of terminology in section 15 of the principal Act.

*Clause 8* amends section 21 of the principal Act. The amendment is consequential to the amendment in *clause 11* to section 25 of the principal Act.

*Clause 9* amends section 23A of the principal Act, which relates to the powers of a territorial authority to require a probationary dog owner to undertake training on the keeping or controlling of a dog. *Clause 9(1)* expands the class of probationary owner to whom the power applies from those under section 21(1) of the principal Act to all probationary owners under section 21. *Clause 9(2)* is an offence provision. A defendant who, without reasonable excuse, fails to comply with a requirement of section 23A(1) will be liable on summary conviction to a fine not exceeding \$3,000.

*Clause 10* adds an offence provision to section 24 of the principal Act, which relates to the obligation of probationary dog owners to dispose of unregistered dogs. A defendant who fails to comply with the matters set out in *new section 24(5)(a) to (d)* will be liable on summary conviction to a fine not exceeding \$3,000.

*Clause 11* amends section 25 of the principal Act, which relates to disqualifying dog owners from owning dogs. The amendment clarifies when the presumption of disqualification of ownership is displaced.

*Clause 12* amends section 32 of the principal Act, which relates to the effects of classification of a dog as a dangerous dog. *New subsection (5A)* requires a dog control officer or dog ranger to give written notice in the prescribed form to the owner of a dog, or person in charge of the dog, when seizing the dog. *New subsection (5B)* authorises recovery from the owner of a dog of the reasonable costs incurred in the seizure, custody, sustenance, and transport of the dog under the section.

*Clause 13* amends section 33A(3) of the principal Act, which requires a territorial authority to give written notice to the owner of a dog if the dog is classified as a menacing dog. The amendment requires the written notice to be in the prescribed form.

*Clause 14* amends section 33E of the principal Act, which relates to the effect of classification of a dog as a menacing dog. *New subsection (3A)* requires a dog control officer or dog ranger to give written notice in the prescribed form to the owner of a dog, or person in charge of the dog, when seizing the dog. *New subsection (3B)* authorises recovery from the owner of a dog of the reasonable costs incurred in the seizure, custody, sustenance, and transport of the dog under the section.

*Clause 15* amends section 36A of the principal Act, which relates to the requirement that certain dogs be implanted with a microchip transponder. *New subsection (5)* clarifies the time period within which an owner must comply with this requirement.

*Clause 16* amends section 54A of the principal Act, which requires the owner of a dog to use or carry a leash when with the dog in a public place. The amendment clarifies the requirement in relation to working dogs.

*Clause 17* corrects cross referencing errors in section 62 of the principal Act.

*Clause 18* amends section 69A of the principal Act, which requires registered dogs that have been impounded to be microchipped before being released. The amendment extends this requirement to all dogs that are impounded.

*Clause 19* inserts into the principal Act *new section 72A*. *New section 72A* authorises a dog control officer or dog ranger to recapture a dog that has been unlawfully released or uplifted from custody and retain custody of the dog until the statutory requirements under the Act in relation to the initial impounding of the dog have been complied with.

*Clause 20* inserts into Schedule 1 of the principal Act 3 new entries. Schedule 1 lists those offences under the Act that are infringement offences. The new infringement offences are—

- failure to supply information or wilfully stating false particulars about a dog (\$1,000):
- failure to comply with the effects of classification of a dog as dangerous (\$300):
- failure to comply with the effects of classification of a dog as menacing (\$300).

### Part 3

#### Local Electoral Act 2001

*Clause 22* amends section 5 of the principal Act, which is the interpretation provision. A definition of **First Past the Post** is inserted and the definitions of **New Zealand method of counting single transferable votes** and **Single Transferable Voting** are amended. These amendments are consequential to the amendments made in *clause 23* and *clause 35*.

*Clause 23* inserts in the principal Act *new sections 5A and 5B*. *New section 5A* provides, for local electoral purposes, a general description of the First Past the Post (**FPP**) electoral system. *New section 5B* provides, for local electoral purposes, a general description of the Single Transferable Voting (**STV**) electoral system. Previously, the principal Act has not contained a description of the FPP electoral system. The description of the STV electoral system has been transferred from Schedule 1 of the principal Act and regulation 5A of the Local Electoral Regulations 2001 to the principal Act (to be repealed by *clauses 35 and 36(2)*).

*Clause 24* amends section 18 of the principal Act, which relates to the conduct of an election or poll by a local authority other than a territorial authority in conjunction with an election or poll of 1 or more territorial authorities in the same local government area. The amendment clarifies the responsibilities of the electoral officer or officers of the territorial authorities in this situation. The amendment

is required in order to take account of the ability of local authorities to use the STV electoral system for elections and polls.

*Clause 25* inserts into the principal Act *new sections 19AA and 19AB*, which relate to duties of programmers and certifiers of the New Zealand method of counting single transferable votes. This amendment is consequential on the repeal of Schedule 1 of the Act in *clause 35*.

*Clause 26* amends section 19V of the principal Act, which relates to the determination of membership for wards, constituencies, and subdivisions of a territorial authority or regional council. The amendment (to subsection (2)) clarifies that the calculation for the number of members to be elected by a ward, constituency, or subdivision excludes reference to members elected by electors of a territorial authority as a whole.

*Clause 27* amends section 24(1) of the principal Act by updating the rating terminology used in the section to that used in the current rating legislation, the Local Government (Rating) Act 2002.

*Clause 28* amends section 57B of the principal Act. Section 57B prohibits a person from being a candidate for election for more than 1 ward or constituency of the same local authority at the same election. The amendment clarifies that the prohibition does not apply to a person who is a candidate for election as a member in a ward and as mayor of the territorial authority of which that ward forms part.

*Clauses 29 to 36* are consequential amendments that are required in order to take account of the ability of local authorities to use the STV electoral system for elections and polls. *Clause 35* repeals Schedule 1 of the principal Act. The matters contained in the schedule are now contained in the body of the principal Act or the Local Electoral Regulations 2001.

## **Part 4**

### **Local Government Act 2002**

*Clauses 38 to 43* amend certain provisions of the principal Act relating to council-controlled organisations (CCOs). The amendments—

- give entities controlled by port companies and entities controlled by listed CCOs the same exemptions in the principal Act as to those for port companies;
- rationalise definitions in the principal Act relating to CCOs.

*Clause 44* amends section 79 of the principal Act, which sets out the manner in which a local authority must comply with the procedures required under the Act for its decision-making processes. The amendment clarifies that, in complying with the section, a local authority may consider the extent to which the requirements for such decision-making are prescribed under any other enactment (for example, the Resource Management Act 1991).

*Clause 45* corrects a cross referencing error in section 93(9) of the principal Act.

*Clauses 46 and 47* amend the cross-heading before section 137, and section 137 of the principal Act. The amendments are to eliminate confusion from the use of the term **joint ventures** in these provisions as opposed to elsewhere in the Act.

*Clause 48* amends section 148 of the principal Act to clarify that a local authority may comply with its consultation requirements under this section in the same process as its consultation requirements under the Act in relation to bylaws.

*Clause 49* corrects the use of terminology in section 170(1)(b).

*Clause 50* amends section 238 of the principal Act to clarify certain terminology relating to offences under liquor prohibition bylaws in section 169.

*Clause 51* clarifies that the exception in section 279 of the principal Act applies to amendments to statements of proposal and adopted long-term council community plans, as well as the statements of proposals and long-term council community plans to which the section relates.

*Clause 52* corrects a cross referencing error in clause 57(3) of Schedule 3 of the principal Act.

*Clause 53* corrects the use of terminology in clause 5(1)(b) of Schedule 6 of the principal Act.

*Clause 54* amends several provisions of Schedule 7 of the principal Act. The most significant amendments are—

- *subclause (2)*, which amends clause 10 and inserts a *new clause 10A* (relating to the levy on local authorities for certain costs of the Remuneration Authority);
- *subclause (7)*, which clarifies the voting rights of members under clause 24;

- *subclause (8)*, which clarifies the method by which certain appointments can be made under clause 25;
- *subclause (11)*, which clarifies the powers of joint committees under clause 30.

*Clause 55* makes amendments to Schedule 10 of the principal Act that are consequential to the amendments made in *clauses 38 to 43*.

*Clause 56* makes various amendments to Schedule 15 of the principal Act. The most significant amendments are to update the rating terminology used in the schedule to that used in the current rating legislation, the Local Government (Rating) Act 2002.

*Clause 57* makes minor drafting corrections in Schedule 16 of the principal Act.

## **Part 5**

### **Local Government Official Information and Meetings Act 1987**

*Clause 59* amends section 46A of the principal Act, which sets out procedural matters for local authority meetings. The amendment (to subsection (7)) removes the restriction that only minor matters may be dealt with at a meeting of a local authority if the matter is not an item on the agenda.

*Clause 60* inserts a *new section 51A* into the principal Act. *New section 51A* requires a local authority to publicly notify any resolution passed at an extraordinary meeting of the local authority unless—

- the resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- the extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.

## **Part 6**

### **Local Government (Rating) Act 2002**

*Clause 62* corrects the use of terminology in section 9(a) of the principal Act.

*Clause 63* amends section 38(1) of the principal Act, which relates to who may inspect a local authority's rates records. Subsection (1)(d) is amended so that the general access to records by solicitors, landbrokers and real estate agents is restricted to solicitors, conveyancers, and other persons who are acting for a party to a transaction

relating to the rating unit and who reasonably require the information in the rates record for the purposes of the transaction.

*Clause 64* makes drafting corrections in section 75 of the principal Act.

*Clause 65* substitutes in the principal Act a *new section 90*. Section 90 authorises a local authority to register a charge on a rating unit for any postponed rates that are owed to the local authority. *New section 90* requires a local authority to register a notice of charge on a rating unit. Instead of the charge being a fixed amount (and therefore requiring amendment every time the amount changes), the charge is the amount owing from time to time to the local authority. A notice of charge must be removed by a notice of release of charge if all postponed rates for a rating unit are paid (see *new subsection (4)*).

*Clause 66* makes a minor drafting correction in Schedule 5 of the principal Act.

*Clause 67* makes consequential amendments to the Local Electoral Regulations 2001. These are principally to update the rating terminology used in the regulations to that used in the current rating legislation, the Local Government (Rating) Act 2002.

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Hon Chris Carter

# Local Government Law Reform Bill (No 3)

## Government Bill

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## The Parliament of New Zealand enacts as follows:

### 1 Title

This Act is the Local Government Law Reform Act (No 3) **2004.**

### 2 Commencement

- (1) **Sections 12, 13, and 14** come into force on **1 November 2004.**
- (2) The rest of this Act comes into force on the day after the date on which it receives the Royal assent.

## Part 1 Chatham Islands Council Act 1995

- 3 Chatham Islands Council Act 1995 called principal Act in this Part** 5  
 In this Part, the Chatham Islands Council Act 1995<sup>1</sup> is called “the principal Act”.
- <sup>1</sup> 1995 No 41
- 4 Functions, duties, and powers**  
 Section 7 of the principal Act is amended by repealing subsection (1), and substituting the following subsection:
- “(1) Except as otherwise provided under this or any other Act, the Chatham Islands Council has the functions, duties, and powers of—
- “(a) a territorial authority under—
- “(i) the Local Government Act 2002; and
- “(ii) the Local Government Act 1974; and 15
- “(iii) the Local Government (Rating) Act 2002; and
- “(iv) the Resource Management Act 1991; and
- “(v) any other public Act; and
- “(b) a regional council under the Resource Management Act 1991.” 20
- 5 Section 35 repealed**  
 Section 35 of the principal Act is repealed.

## Part 2 Dog Control Act 1996

- 6 Dog Control Act 1996 called principal Act in this Part** 25  
 In this Part, the Dog Control Act 1996<sup>2</sup> is called “the principal Act”.
- <sup>2</sup> 1996 No 13
- 7 Power of dog control officer or dog ranger to feed and shelter dogs**
- (1) Section 15(3)(a) of the principal Act is amended by omitting the word “property”, and substituting the words “land or premises”. 30

- (2) Section 15(4) of the principal Act is amended by omitting the word “property” in both places where it occurs, and substituting in each case the words “land or premises”.
- 8 Classification of probationary owners** 5  
 Section 21 of the principal Act is amended by adding the following subsection:  
 “(5) This section applies only if **section 25(1A)** applies.”
- 9 Territorial authority may require probationary owner to undertake training**  
 (1) Section 23A of the principal Act is amended by omitting the expression “section 21(1)”, and substituting the expression “section 21”. 10  
 (2) Section 23A of the principal Act is amended by adding, as subsection (2), the following subsection:  
 “(2) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$3,000 who, without reasonable excuse, fails to comply with a requirement under subsection (1).” 15
- 10 Obligation of probationary owners to dispose of unregistered dogs** 20  
 Section 24 of the principal Act is amended by adding the following subsection:  
 “(5) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$3,000 who—  
 “(a) fails to comply with subsection (1); or 25  
 “(b) fails, in disposing of a dog under subsection (1), to comply with subsection (2); or  
 “(c) at any time while classified as a probationary owner becomes the registered owner of a dog (unless the person was the registered owner of the dog on the date of the offence or the date of the third infringement offence in respect of which the classification was made under section 21); or 30  
 “(d) disposes or gives custody or possession of any dog to any person, knowing that the person is disqualified under section 25.” 35

**11 Disqualification of owners**

- (1) Section 25(1) of the principal Act is amended by omitting the words “, unless it is satisfied that the circumstances of an offence or offences do not warrant disqualification or probationary ownership,”. 5
- (2) Section 25 of the principal Act is amended by inserting, after subsection (1), the following subsection:
- “(1A) Subsection (1) does not apply if the territorial authority is satisfied that the circumstances of the offence or offences are such that— 10
- “(a) disqualification is not warranted; or
- “(b) the territorial authority will instead classify the person as a probationary owner under section 21.”

**12 Effect of classification as dangerous dog**

- (1) Section 32(1)(d) of the principal Act is amended by omitting the expression “paragraph (c):”, and substituting the words “paragraph (c)(i); and”. 15
- (2) Section 32(1)(e) of the principal Act is amended by adding the word “and”. 20
- (3) Section 32 of the principal Act is amended by inserting, after subsection (5), the following subsections: 20
- “(5A) If a dog is seized under subsection (5), the dog control officer or dog ranger must give written notice in the prescribed form to the owner of the dog or, if the owner is not present, to the person for the time being appearing to be in charge of the dog. 25
- “(5B) All reasonable costs incurred in the seizure, custody, sustenance, and transport of a dog under this section may be recovered as a debt from the owner of the dog.”

**13 Territorial authority may classify dog as menacing**

- Section 33A(3) of the principal Act is amended by inserting, after the words “written notice”, the words “in the prescribed form”. 30

**14 Effect of classification as menacing dog**

- (1) Section 33E of the principal Act is amended by inserting, after subsection (3), the following subsections: 35

- “(3A) If a dog is seized under subsection (3), the dog control officer or dog ranger must give written notice in the prescribed form to the owner of the dog or, if the owner is not present, to the person for the time being appearing to be in charge of the dog.
- “(3B) All reasonable costs incurred in the seizure, custody, sustenance, and transport of a dog under this section may be recovered as a debt from the owner of the dog.” 5
- (2) Section 33E(5) of the principal Act is amended by omitting the words “or controlled on a leash”.
- 15 Microchip transponder must be implanted in certain dogs** 10
- (1) Section 36A(3)(b)(ii) is amended by omitting the word “and”.
- (2) Section 36A of the principal Act is amended by repealing subsection (5), and substituting the following subsections:
- “(5) The owner must comply with subsection (2)— 15
- “(a) within 2 months from 1 July 2006, if the dog is classified as dangerous or menacing on or after 1 December 2003 but before 1 July 2006; or
- “(b) within 2 months after the date on which the dog is classified or registered (as the case may be), in any other case. 20
- “(5A) **Subsection 5** does not apply if the dog has been previously implanted with a functioning microchip transponder of the prescribed type.”
- 16 Owner must use or carry leash in public** 25
- Section 54A(3) of the principal Act is amended by adding the words “in relation to the working dog”.
- 17 Allowing dogs known to be dangerous to be at large unmuzzled**
- (1) Section 62(3) and (4) of the principal Act is amended in each case by omitting the expression “subsection (1)”, and substituting the expression “subsection (2)”. 30
- (2) Section 62(5) of the principal Act is amended by omitting the expression “subsection (2)”, and substituting the expression “subsection (3)”. 35

- 18 Impounded dog must be microchipped before release**  
Section 69A(1) of the principal Act is amended by omitting the word “registered”.
- 19 New section 72A inserted**  
The principal Act is amended by inserting, after section 72, the following section: 5
- “72A Power of dog control officer or dog ranger to seize released dog**  
A dog control officer or dog ranger may—
- “(a) seize and impound a dog that has been released or uplifted in breach of section 72; and 10
- “(b) retain custody of the dog until the dog control officer, dog ranger, or territorial authority (as the case may be) is satisfied that the requirements under this Act in relation to the initial impounding of the dog have been complied with.” 15
- 20 Schedule 1 amended**  
Schedule 1 to the principal Act is amended by inserting, in their appropriate order, the following items:
- |          |   |       |    |
|----------|---|-------|----|
| s 19A(2) | Failure to supply information or wilfully stating false particulars about dog | 1,000 | 20 |
| s 32(2)  | Failure to comply with effects of classification of dog as dangerous dog      | 300   |    |
| s 33E(2) | Failure to comply with effects of classification of dog as menacing dog       | 300   | 25 |

### Part 3 Local Electoral Act 2001

- 21 Local Electoral Act 2001 called principal Act in this Part**  
In this Part, the Local Electoral Act 2001<sup>3</sup> is called “the principal Act”. 30
- <sup>3</sup> 2001 No 35
- 22 Interpretation**  
(1) Section 5 of the principal Act is amended by inserting, after the definition of **extraordinary vacancy**, the following definition: 35

- “**First Past the Post** means the electoral system that is described generally in **section 5A**”.
- (2) Section 5 of the principal Act is amended by omitting from the definition of **New Zealand method of counting single transferable votes**, the expression “Schedule 1”, and substituting the words “Schedule 1A of the Local Electoral Regulations 2001”. 5
- (3) Section 5 of the principal Act is amended by inserting, after the definition of **roll or roll of electors**, the following definition: 10
- “**Single Transferable Voting** means the electoral system described generally in **section 5B**”.
- 23 New sections 5A and 5B inserted**
- The principal Act is amended by inserting, after section 5, the following sections: 15
- “**5A General description of First Past the Post electoral system**
- For local electoral purposes, the First Past the Post electoral system,—
- “(a) in the case of an election, has the following features: 20
- “(i) voters may cast as many votes as there are positions to be filled:
- “(ii) where a single position is to be filled, the candidate who receives the highest number of votes is elected: 25
- “(iii) where more than 1 position is to be filled, the candidates equal to the number of positions who receive the highest number of votes are elected:
- “(b) in the case of a poll, has the features specified in **paragraph (a)** as if, with all necessary modifications, every reference to a candidate were a reference to the matter or matters that are the subject of the poll. 30
- “**5B General description of Single Transferable Voting electoral system**
- For local electoral purposes, the Single Transferable Voting electoral system,— 35
- “(a) in the case of an election for multi-member vacancies, has the following features:



- “(i) voters express a first preference for 1 candidate and may express second and further preferences for other candidates:
- “(ii) a quota for election is calculated from the number of votes and positions to be filled: 5
- “(iii) the first preferences are counted and any candidate whose first preference votes equal or exceed the quota is elected:
- “(iv) if insufficient candidates are elected under **subparagraph (iii)**, the proportion of an elected candidate’s votes above the quota is redistributed according to voters’ further preferences, and— 10
- “(A) candidates who then reach the quota are elected; and
- “(B) the candidate with the fewest votes is excluded: 15
- “(v) the excluded candidate’s votes are redistributed according to voters’ further preferences:
- “(vi) if insufficient candidates are elected under **subparagraphs (iv) and (v)**, the steps described in **subparagraphs (iv) and (v)** are repeated until all positions are filled: 20
- “(b) in the case of an election for a mayoral or single member vacancy, has the following features:
- “(i) voters express a first preference for 1 candidate and may express second and further preferences for other candidates: 25
- “(ii) an absolute majority of votes for election is calculated from the number of votes and positions to be filled: 30
- “(iii) the first preferences are counted and, if a candidate’s first preference votes equal or exceed the absolute majority of votes, that candidate is elected:
- “(iv) if no candidate is elected under **subparagraph (iii)**, the candidate with the fewest votes is excluded and that candidate’s votes are redistributed according to voters’ further preferences: 35
- “(v) if no candidate is elected under **subparagraph (iv)**, the steps described in **subparagraph (iv)** are repeated until a candidate is elected: 40

“(c) in the case of a poll, has the features specified in **paragraphs (a) and (b)** as if, with all necessary modifications, every reference to a candidate were a reference to the matter or matters that are the subject of the poll.”

- 24 Conduct of election or poll in conjunction with other election or poll** 5
- Section 18 of the principal Act is amended by repealing paragraph (c), and substituting the following paragraph:
- “(c) the electoral officer or officers of the territorial authority or authorities that are wholly or partly within the local government area of the local authority that is not a territorial authority are responsible for—
- “(i) issuing and receiving ordinary and special votes and other official documents; and
- “(ii) carrying out any power or duty delegated to that officer or officers under section 12(2)(a); or
- “(iii) carrying out any power or duty that the officer or officers have been appointed or engaged to carry out under section 12(2)(b); and”.
- 25 New heading and sections 19AA and 19AB inserted** 20
- The principal Act is amended by inserting, after section 19, the following heading and sections:
- “Duties of programmers and certifiers*
- “19AA Duties of programmers** 25
- Every person responsible for the design of a counting program intended to implement the New Zealand method of counting single transferable votes must take all reasonable steps to ensure that the program produces outcomes that are consistent with the process specified in Schedule 1A of the Local Electoral Regulations 2001. 30
- “19AB Duties of certifiers**
- A counting program may not be used at an election or poll under this Act, for the purpose of implementing the New Zealand method of counting single transferable votes, unless a certifier appointed for the purpose by the Secretary for Local Government has first certified that the program produces outcomes that are consistent with the process specified in Schedule 1A of the Local Electoral Regulations 2001.” 35

- 26 Requirement for fair representation and other factors in determination of membership for wards, constituencies, and subdivisions**
- Section 19V(2) of the principal Act is amended by inserting, after the words “other than”, the words “members elected by the electors of a territorial authority as a whole, if any, and”.
- 27 Ratepayer electors**
- Section 24(1) of the principal Act is amended by omitting—
- (a) from paragraph (a) the words “rateable property”, and substituting the words “rating unit”; and
  - (b) from paragraph (b)—
    - (i) the word “property”, and substituting the words “a rating unit”; and
    - (ii) the word “occupied”, and substituting the word “owned”.
- 28 Candidacy for ward and membership at large prohibited**
- Section 57B of the principal Act is amended by adding, as subsection (2), the following subsection:
- “(2) Subsection (1) does not apply to a person who is a candidate for election—
- “(a) as a member in a ward; and
  - “(b) as mayor of the territorial authority of which that ward forms part.”
- 29 Early processing of votes**
- (1) Section 79 of the principal Act is amended by omitting the word “territorial”, and substituting the word “local”.
- (2) Section 79 of the principal Act is amended by adding the following subsection:
- “(4) For the purposes of this section, **local authority** means—
- “(a) a territorial authority; and
  - “(b) a local authority that undertakes the processing of votes for the election to which a resolution under subsection (1) or subsection (2) relates.”

- 
- 30 Scrutiny of roll**  
Section 83(1) of the principal Act is amended by omitting the words “or after”.
- 31 Declaration of result**  
Section 86(a) of the principal Act is repealed. 5
- 32 Electoral records**  
Section 89(1) of the principal Act is amended by omitting the word “official”.
- 33 Electoral systems**  
Section 140A of the principal Act is amended by inserting, after paragraph (a), the following paragraph: 10  
“(ab) for the purposes of assisting programmers and certifiers to perform the duties imposed by **sections 19AA and 19AB**, a technical description of the processes involved in the implementation of the New Zealand method of counting single transferable votes:” 15
- 34 Conduct of elections and polls**  
Section 143(1)(b)(x) of the principal Act is amended by omitting the word “official”.
- 35 Schedule 1 repealed** 20  
Schedule 1 of the principal Act is repealed.
- 36 Consequential amendments to Local Electoral Regulations 2001**
- (1) Regulation 4 of the Local Electoral Regulations 2001 is amended by omitting— 25
- (a) from the definition of **First Past the Post electoral system** the expression “regulation 5”, and substituting the words “**section 5A of the Act**”; and
- (b) from the definition of **Single Transferable Voting electoral system** the expression “regulation 5A”, and substituting the words “**section 5B of the Act**”. 30
- (2) Regulations 5, 5A, and 90A of the Local Electoral Regulations 2001 are revoked.

- (3) Regulation 91 of the Local Electoral Regulations 2001 is amended by omitting from paragraph (b) of the definition of **informal voting document** the words “any recognisable preference for any candidate”, and substituting the words “the voter’s unique first preference”. 5
- (4) Clause 1 of Schedule 1A of the Local Electoral Regulations 2001 is revoked.
- (5) Clause 37(b) of Schedule 1A of the Local Electoral Regulations 2001 is amended by inserting, after the words “a preference”, the words “(other than a first preference)”. 10

## Part 4

### Local Government Act 2002

- 37 Local Government Act 2002 called principal Act in this Part**  
 In this Part, the Local Government Act 2002<sup>4</sup> is called “the principal Act”. 15  
<sup>4</sup> 2002 No 84
- 38 Meaning of council-controlled organisation and council organisation**
- (1) Section 6(1) of the principal Act is amended by omitting from paragraph (b) of the definition of **council-controlled organisation** the word “organisation” in the first place where it occurs, and substituting the word “entity”. 20
- (2) Section 6(1) of the principal Act is amended by omitting from paragraph (b) of the definition of **council organisation** the word “organisation” in the first place where it occurs, and substituting the word “entity”. 25
- (3) Section 6(2) of the principal Act is amended by omitting—  
 (a) the word “**organisation**”, and substituting the word “**entity**”; and  
 (b) the words “a company, or”. 30
- 39 Statements of intent for council-controlled organisations**  
 Section 64(2) and (3) of the principal Act is repealed.

**40 Performance monitoring**

- (1) Section 65(2) of the principal Act is amended by inserting, after the words “statement of intent”, the words “of a council-controlled organisation”.
- (2) Section 65(2)(a) of the principal Act is amended by omitting the words “a council-controlled organisation’s”, and substituting the word “the”. 5

**41 Annual report**

Section 67(3) of the principal Act is repealed.

**42 New section 71A inserted** 10

The principal Act is amended by inserting, after section 71, the following section:

**“71A Application of Part to listed companies**

- “(1) This section applies to a council-controlled organisation if the shares of any of the following are listed on a stock exchange: 15
- “(a) the council-controlled organisation;
- “(b) a holding company of the council-controlled organisation;
- “(c) controlling companies of the council-controlled organisation. 20
- “(2) If **subsection (1)** applies, the council-controlled organisation is not required to—
- “(a) have a statement of intent under section 64;
- “(b) deliver a half-yearly report under section 66;
- “(c) deliver an annual report under section 67. 25
- “(3) In this section,—
- “**controlling companies** means 2 or more companies whose degree of control over a council-controlled organisation, if exercisable by one notional company, would make the notional company a holding company of the council-controlled organisation 30
- “**holding company** has the same meaning as in the Companies Act 1993.”

**43 New section 72 substituted**

The principal Act is amended by repealing section 72, and substituting the following section: 35

- “72 **Application of Act to related and associated companies**  
Sections 57 to 71 apply to a company as if it were a council-controlled organisation if the company is a related company (within the meaning of section 2(3) and (4) of the Companies Act 1993) of a council-controlled organisation.” 5
- 44 Compliance with procedures in relation to decisions**  
Section 79 of the principal Act is amended by adding the following subsections:
- “(3) The nature and circumstances of a decision referred to in subsection (2)(c) include the extent to which the requirements for such decision-making are prescribed under any other enactment (for example, the Resource Management Act 1991). 10
- “(4) **Subsection (3)** is for the avoidance of doubt.”
- 45 Long-term council community plan** 15  
Section 93(9) of the principal Act is amended by omitting the expression “subsection (4)”, and substituting the expression “subsection (8)”.
- 46 New heading substituted** 20  
The principal Act is amended by repealing the heading above section 137, and substituting the following heading:  
*“Joint local government arrangements and joint arrangements with other entities”.*
- 47 Partnerships and joint ventures**
- (1) Section 137 of the principal Act is amended by omitting the heading, and substituting the heading “**Joint local government arrangements and joint arrangements with other entities**”. 25
- (2) Section 137(1) of the principal Act is amended by repealing subsection (1), and substituting the following subsection: 30
- “(1) In this section,—  
“**joint arrangement** means an arrangement entered into by 1 or more local government organisations with 1 or more bodies that are not local government organisations for the purpose of providing water services or any aspect of a water service 35

**“joint local government arrangement** means an arrangement entered into by 2 or more local government organisations for the purpose of providing water services or any aspect of a water service.”

- (3) Section 137(2) and (3) of the principal Act is amended by omitting the words “joint venture”, and substituting in each case the words “joint local government arrangement”. 5
- (4) Section 137(2)(a), (3), and (4) of the principal Act is amended by omitting the word “partnership” wherever it occurs, and substituting in each case the words “joint arrangement”. 10
- (5) Section 137(3)(c) of the principal Act is amended by omitting the words “to its policy on partnerships adopted under section 102(4)(e)”, and substituting the words “(where relevant) to its policy under section 102(4)(e) (which relates to partnerships between the local authority and the private sector)”. 15

**48 Special requirements for bylaws relating to trade wastes**  
Section 148 of the principal Act is amended by adding the following subsection:

- “(7) The requirements on a territorial authority under this section are in addition to the requirements on the territorial authority under section 156, but the territorial authority may comply with both sections by using a single process.” 20

**49 Conditions relating to power of search**

Section 170(1)(b) of the principal Act is amended by omitting the word “liquor”, and substituting the word “container”. 25

**50 Offence of failing to comply with Act**

Section 238 of the principal Act is amended by adding the following subsection:

- “(4) In this section **direction** includes a request by a member of the police under section 169(2)(d).” 30

**51 Long-term council community plan**

Section 279 of the principal Act is amended by adding the following subsections:



- “(5) Subsections (3) and (4) also apply to amendments made to—  
 “(a) a statement of proposal in relation to the adoption of a  
 long-term council community plan to which subsection  
 (1) applies; and  
 “(b) an adopted long-term council community plan to which  
 subsection (1) applies. 5
- “(6) **Subsection (5)** is for the avoidance of doubt.”
- 52 Schedule 3 amended**  
 Clause 57(3) of Schedule 3 of the principal Act is amended by  
 omitting the words “sections 31 to 33”, and substituting the  
 words “sections 44 to 46”. 10
- 53 Schedule 6 amended**  
 Clause 5(1)(b) of Schedule 6 of the principal Act is amended  
 by omitting the word “ordinary” in both places where it  
 occurs. 15
- 54 Schedule 7 amended**
- (1) Clause 5(1)(d) of Schedule 7 of the principal Act is amended  
 by omitting the words “ordinary meetings”, and substituting  
 the words “meetings (other than extraordinary meetings)”.  
 (2) Schedule 7 of the principal Act is amended by repealing  
 clause 10 and substituting the following clauses: 20
- “10 **Levy regulations for Remuneration Authority costs**  
 “(1) The Governor-General may, by Order in Council (made on  
 the recommendation of the Minister), make regulations pre-  
 scribing the method by which the Minister responsible for the  
 Remuneration Authority may levy local authorities an annual  
 amount for the purpose of recovering the costs in the previous  
 financial year of the Remuneration Authority, in making  
 determinations under clause 6. 25
- “(2) Regulations made under **subclause (1)**— 30  
 “(a) must specify—  
 “(i) the date by which the Minister responsible for the  
 Remuneration Authority must set the levy; and  
 “(ii) the basis on which the amount of the levy is to be  
 calculated for each local authority; and 35  
 “(iii) when the levy must be paid; and  
 “(iv) how the levy is to be notified and collected; and

- “(b) may provide for—
- “(i) the deduction of over-recoveries for a financial year from a levy payable in subsequent financial years; and
  - “(ii) the addition of under-recoveries for a financial year to a levy payable in a subsequent year. 5
- “10A **Minister responsible for Remuneration Authority to set levy**
- “(1) The Minister responsible for the Remuneration Authority may, in each financial year, set a levy on local authorities in accordance with any regulations made under **clause 10**. 10
- “(2) The levy comes into effect on the 28th day after the date on which the Minister responsible for the Remuneration Authority notifies in the *Gazette*—
- “(a) his or her intention to set the levy; and 15
  - “(b) the amount of levy payable by each local authority.
- “(3) The Minister responsible for the Remuneration Authority must notify the Minister of the information required under **subclause (2)** prior to acting under that subsection.
- “(4) A local authority must pay a levy set under this clause; and any amount of unpaid levy is recoverable in a court of competent jurisdiction by the Crown as a debt due.” 20
- (3) Clause 19(4) of Schedule 7 of the principal Act is amended by omitting the word “ordinary”.
- (4) Clause 19(5) of Schedule 7 of the principal Act is amended by omitting the words “an ordinary”, and substituting the word “a”. 25
- (5) Clause 19(6) of Schedule 7 of the principal Act is amended by omitting the word “ordinary”.
- (6) Clause 21(5)(d) of Schedule 7 of the principal Act is amended by omitting the word “ordinary” in both places that it occurs. 30
- (7) Schedule 7 of the principal Act is amended by omitting clause 24, and substituting the following clause:
- “24 **Voting**
- “(1) Unless otherwise provided in this Act or in any standing orders, the acts of a local authority must be done, and the questions before the local authority must be decided, at a meeting by— 35
- “(a) vote; and

- “(b) the majority of members that are present and voting.
- “(2) Unless otherwise provided in this Act, the mayor, chairperson, or other person presiding at the meeting—
- “(a) has a deliberative vote; and
- “(b) in the case of equality of votes, does not have a casting vote. 5
- “(3) In the case of equality of votes, the question is defeated and the status quo is preserved.
- “(4) **Subclause (3)** is for the avoidance of doubt.”
- (8) Clause 25 of Schedule 7 of the principal Act is amended by revoking subclauses (2) and (3), and inserting the following subclauses: 10
- “(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting: 15
- “(a) the voting system in **subclause (3) (system A)**;
- “(b) the voting system in **subclause (4) (system B)**.
- “(3) System A— 20
- “(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- “(b) has the following characteristics:
- “(i) there is a first round of voting for all candidates; and 25
- “(ii) if no candidate is successful in the round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- “(iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and 30
- “(iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot. 35
- “(4) System B—
- “(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and 40

- “(b) has the following characteristics:  
 “(i) there is only 1 round of voting; and  
 “(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.”
- (9) Clause 26(6) of Schedule 7 of the principal Act is amended by 5  
 omitting—  
 (a) the word “are” where it first occurs, and substituting the word “is”; and  
 (b) the words “deputy chairperson”, in the last place where they occur, and substituting the words “mayor or chairperson”. 10
- (10) Clause 30(8) of Schedule 7 of the principal Act is amended by omitting the words “(subject to the law applicable to the committees of that other local authority or public body)”.
- (11) Clause 30 of Schedule 7 of the principal Act is amended by 15  
 revoking subclauses (9) and (10), and substituting the following subclauses:
- “(9) This Part applies to a joint committee except that—  
 “(a) the powers to discharge any individual member and appoint another in his or her stead must be exercised by 20  
 the local authority or public body that made the appointment; and  
 “(b) the quorum at a meeting consists of—  
 “(i) half of the members if the number of members (including vacancies) is even; or 25  
 “(ii) a majority of members if the number of members (including vacancies) is odd; and  
 “(c) the committee may appoint and remove its own chairperson or deputy chairperson.
- “(10) For the purposes of a public body that is not a local authority, 30  
**subclauses (8) and (9)** apply to the extent that they are not inconsistent with the law applicable to committees of the public body.”
- 55 Schedule 10 amended**
- (1) Clause 4 of Schedule 10 of the principal Act is amended by 35  
 omitting the words “in which the local authority is a shareholder”.

- (2) Clause 16 of Schedule 10 of the principal Act is amended by omitting the words “in which the local authority is a shareholder”.

**56 Schedule 15 amended**

- (1) Clause 17(1)(b) of Schedule 15 of the principal Act is amended by omitting the words “on the chairperson or on”, and substituting the words “on the mayor, chairperson, or”. 5
- (2) Clause 17(2) of Schedule 15 of the principal Act is revoked.
- (3) Clause 17(4) of Schedule 15 of the principal Act is amended by omitting the words “make, levy, and recover rates and charges within the district”, and substituting the words “set, assess, and collect rates and charges within the district or region”. 10
- (4) Clause 24(4) of Schedule 15 of the principal Act is revoked.
- (5) Clause 24(5) of Schedule 15 of the principal Act is amended by omitting the words “made the special order, special resolution, or”, and substituting the words “used the special consultative procedure or made a”. 15
- (6) Clause 24(6) of Schedule 15 of the principal Act is amended by omitting the words “make, levy, and recover rates, charges, and assessments within the district and any out-district and to expend the proceeds of the rates, charges, and assessments”, and substituting the words “set, assess, and collect rates and charges within the district or region and expend the proceeds of the rates and charges”. 20 25

**57 Schedule 16 amended**

- (1) Schedule 16 of the principal Act is amended by omitting the item relating to the Land Transfer Act 1952.
- (2) Schedule 16 of the principal Act is amended by omitting from the item relating to the Reserves Act 1977, the words “Repeal the second proviso to section 92(2).” 30

**Part 5**  
**Local Government Official Information and**  
**Meetings Act 1987**

- 58 Local Government Official Information and Meetings Act 1987 called principal Act** 5  
 In this Part, the Local Government Official Information and Meetings Act 1987<sup>5</sup> is called “the principal Act”.  
<sup>5</sup> 1987 No 174
- 59 Availability of agendas and reports** 10  
 Section 46A(7) of the principal Act is amended by omitting the words “Subject to subsection (7A) of this section, where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if”, and substituting the words “An item that is not on the agenda for a meeting may be dealt with at the meeting if”.
- 60 New section 51A substituted** 15  
 The principal Act is amended by repealing section 51A, and substituting the following section:
- “51A Public notification of resolution at extraordinary meeting** 20  
 A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless—
- “(a) the resolution was passed at a meeting or part of a meeting from which the public was excluded; or  
 (b) the extraordinary meeting was publicly notified at least 25  
 5 working days before the day on which the meeting was held.”

**Part 6**  
**Local Government (Rating) Act 2002**

- 61 Local Government (Rating) Act 2002 called principal Act** 30  
 In this Part, the Local Government (Rating) Act 2002<sup>6</sup> is called “the principal Act”.  
<sup>6</sup> 2002 No 6

- 62 Non-rateable land liable for certain rates**  
Section 9(a) of the principal Act is amended by omitting the word “waste”, and substituting the word “refuse”.
- 63 Inspection of rates records**  
Section 38(1) of the principal Act is amended by repealing paragraph (d), and substituting the following paragraph: 5  
“(d) a solicitor, a person (not being a lawyer) who provides conveyancing services, a real estate agent, or any other person who—  
“(i) is a party to (or acting as an agent for a party to) a transaction relating to the rating unit; and 10  
“(ii) reasonably requires the information in the rates record for the purposes of the transaction:”.
- 64 Application of proceeds of rating sale or lease**  
(1) Section 75(d) of the principal Act is amended by omitting the expression “section 66”, and substituting the expression “section 65”. 15  
(2) Section 75(g) of the principal Act is amended by omitting the expression “section 66”, and substituting the expression “section 65”. 20
- 65 New section 90 substituted**  
The principal Act is amended by repealing section 90, and substituting the following section:  
**“90 Postponed rates may be registered as charge on rating unit** 25  
“(1) A local authority may register a notice of charge on a rating unit if the local authority has postponed the requirement to pay rates for the rating unit under section 87(1).  
“(2) If **subsection (1)** applies,—  
“(a) a charge on the rating unit is created for the amount 30  
owing from time to time to the local authority under section 87(2); and  
“(b) except with the consent of the local authority, the Registrar must not register any dealing by the owner of the rating unit of the land comprising the rating unit. 35

- “(3) A notice of charge must—
- “(a) be signed by the chief executive of the local authority; and
  - “(b) identify—
    - “(i) the rating unit (for example by its street address or rates record identifier); and
    - “(ii) the land comprising the rating unit; and
    - “(iii) the owner of the rating unit; and
  - “(c) give a summary of how the amount of the charge is determined under section 87(2).
- “(4) A local authority must register a notice of release of charge if all postponed rates for a rating unit are paid.
- “(5) A notice of release of charge must—
- “(a) be signed by the chief executive officer of the local authority; and
  - “(b) identify the notice of charge to which it relates.
- “(6) For the purposes of **subsection (3)(b)(ii)**, the land comprising a rating unit is sufficiently identified—
- “(a) in the case of land for which there is a certificate of title (as defined in section 5A of the Rating Valuations Act 1998) or an instrument (as defined in section 5C(7) of the Rating Valuations Act 1998), by reference to the certificate of title or instrument; and
  - “(b) in any other case, by a description adequate for the purposes of this section which may include a plan.
- “(7) For the purposes of this section, **Registrar** means the Registrar-General of Land.”

## 66 Schedule 5 amended

Part 3 of Schedule 5 of the principal Act is amended by omitting the item relating to the Local Government (Electoral) Regulations 1992. 30

## 67 Consequential amendments to Local Electoral Regulations 2001

- (1) Regulation 15 of the Local Electoral Regulations 2001 is amended by— 35
- (a) omitting from paragraph (a) the words “an occupier of a separately rateable property”, and substituting the words “a ratepayer of a rating unit”; and
  - (b) omitting from paragraph (b)—



- (i) the words “separately rateable property”, and substituting the words “rating unit”; and
  - (ii) the word “occupiers” in both places where it occurs, and substituting in each case the word “owners”; and 5
  - (iii) the words “the property”, and substituting the words “the rating unit”; and
- (c) omitting from paragraph (d) the words “no matter how many properties are owned within that area”, and substituting the words “even if more than one rating unit is owned in that area”. 10
- (2) Regulation 16(1) of the Local Electoral Regulations 2001 is amended by omitting the words “occupier or occupiers of each separately rateable property”, and substituting the words “ratepayer or ratepayers of each rating unit”. 15
- (3) Regulation 16 of the Local Electoral Regulations 2001 is amended by revoking subclause (2), and substituting the following subclause:
  - “(2) The ratepayer or ratepayers of any rating unit may, at any time in the period specified in regulation 10(2), confirm the enrolment of any person as a ratepayer elector of the rateable unit by delivering to the electoral officer a completed enrolment confirmation form for the person and the rateable unit.” 20
- (4) Regulation 16(3) of the Local Electoral Regulations 2001 is amended by omitting the words “occupiers of a separately rateable property”, and substituting the words “ratepayer of a rating unit”. 25
- (5) Regulation 17(1)(a)(ii) of the Local Electoral Regulations 2001 is amended by omitting the word “property”, and substituting the words “rating unit”. 30
- (6) Regulation 18 of the Local Electoral Regulations 2001 is amended by—
  - (a) omitting from subclause (1)—
    - (i) the words “occupies any separately rateable property within the meaning of the Rating Powers Act 1988 and whose name appears in the occupier’s column of the district valuation roll as the occupier of that separately rateable property”, and substituting the words “is the ratepayer of a rating unit”; and 35

- 
- (ii) the words “the property”, and substituting the words “the rating unit”.
  - (b) omitting from subclause (2)—
    - (i) the words “jointly occupy any separately rateable property within the meaning of the Rating Powers Act 1988 and whose names appear in the occupier’s column of the district valuation roll as the joint occupiers of that separately rateable property may nominate 1 of those joint occupiers”, and substituting the words “are ratepayers for a rating unit may nominate 1 of those ratepayers”; and 5
    - (ii) the words “the property”, and substituting the words “the rating unit”; and 10
  - (c) omitting from subclause (3) the word “property”, and substituting the words “rating unit”; and 15
  - (d) omitting from subclause (4) the words “occupiers, own 2 or more separately rateable properties within the region, district, or community, the organisation, body, society, or association, or the joint occupiers”, and substituting the words “owners, own 2 or more rating units within the region, district, or community, the organisation, body, society, or association, or the joint owners”. 20
  - (e) omitting from subclause (5) the word “occupiers”, and substituting the word “owners”. 25
- (7) Regulation 19(2) of the Local Electoral Regulations 2001 is amended by omitting the words “separately rateable property of which the applicant is an occupier”, and substituting the words “rating unit of which the applicant is a ratepayer”.
  - (8) The Local Electoral Regulations 2001 are amended by repealing Schedule 1 and substituting the schedule set out in the Schedule to this Act. 30
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s 67(8)

**Schedule**  
**New Schedule 1 substituted in Local Electoral**  
**Regulations 2001**

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**Schedule 1**  
**Enrolment form for ratepayer electors** 5

This form must be used for every application for enrolment as a ratepayer elector and for every nomination for enrolment as a ratepayer elector. People who may be eligible to enrol as ratepayer electors or to nominate certain people for enrolment as ratepayer electors are— 10

- parliamentary electors who are owners of rateable property within the region, district, or community but whose addresses as parliamentary electors are outside that region, district, or community: 15
- legal persons such as companies, banks, or bodies corporate who are owners of rateable property in the region, district, or community: 20
- people such as joint tenants and tenants in common who are owners of rateable property in the region, district, or community. 20

You are entitled to be a ratepayer elector only in respect of a property that is a rating unit under the Local Government (Rating) Act 2002. If a property is a rating unit, the local authority will generally have issued a rates assessment for it.

(Please note that sole ratepayers must complete section A (E1, E2, and E3) on the form, and that ratepayers appointing a nominee (for example, joint ratepayers or companies) must complete section B (E4, E5, and E6) on the form. You may be required to complete section C if you are applying in respect of more than 1 property. The ratepayer elector and property information will be published in the electoral roll and other information provided may be included on that roll. (You may apply to the local authority at any time for the correction of that information.) 25  
30

## Schedule 1—continued

To:		
The Electoral Officer		
[insert name and address of local authority]		
<b>Section A</b>	<b>If you are the sole ratepayer (sole person) for the property, complete the following:</b>	<b>5</b>
<b>E1</b>	This application relates to the property at [street address of the property]: ..... .....	
	Assessment/billing no [if known]:.....	<b>10</b>
<b>E2</b>	I, ..... [full name]	
	apply for enrolment as a ratepayer elector. My residential address [as it appears on the parliamentary electoral roll] is: ..... .....	<b>15</b>
	My postal address is: .....	
<b>E3</b>	I declare that—	
	• I am a parliamentary elector.	<b>20</b>
	• I am the sole person named as owner in the district valuation roll for the property described in E1.	
<b>either</b>	* I have not applied or been nominated to be enrolled as ratepayer elector for any other property.	<b>25</b>
<b>or</b>	* details of all other properties for which I have applied to be enrolled, or been nominated to be enrolled, as a ratepayer elector are shown in section C of this form.	
	*Delete if inapplicable.	<b>30</b>
	The statements made by me and the information provided on this form are correct: Signature: ..... Date: ..... Contact phone number: .....	

**Schedule 1**—continued

<b>Section B</b>	<b>If you are the joint ratepayer, or a firm, company corporation, society (etc) ratepayer for the property, complete the following:</b>	
<b>E4</b>	This application relates to the property at <i>[street address of the property]</i> : ..... .....	5
	Assessment/billing no <i>[if known]</i> :.....	
<b>E5</b>	The name of the person nominated for enrolment as a ratepayer elector is: ..... <i>[full name]</i>	10
	The nominee’s residential address <i>[as it appears on the parliamentary electoral roll]</i> is: ..... .....	
	The nominee’s postal address is:.....	15
<b>E6</b>	I declare that— • I am eligible to make this nomination on behalf of: ..... <i>[full name that appears on rates notice]</i> whose name(s) appear(s) as owner in the district valuation roll for the property described in E4.	20
<b>either</b>	* the nominee has not applied to be enrolled, or been nominated to be enrolled, as a ratepayer elector for any other property.	
<b>or</b>	* details of all other properties for which the nominee has applied to be enrolled, or been nominated to be enrolled, as a ratepayer elector are in section C of this form.	25
<b>either</b> <i>[delete whichever does not apply]</i>	* no other person has been nominated to be enrolled as a ratepayer elector by, or on behalf of, the ratepayer(s) listed above for any property.	30
<b>or</b>	* details of all other properties in respect of which other nominations have been made by, or on behalf of, the ratepayer(s) listed above are shown in section C of this form.	35
	*Delete if inapplicable.	
	The statements made by me and the information provided on this form are correct: Name: ..... Date: ..... Signature: ..... Contact phone number: .....	40
	The nominee consents to their nomination and has signed the form immediately below. Signature of nominee: ..... Date: .....	45

**Schedule 1**—continued

**Section C**

**Details to be supplied in relation to application or nomination**

Details of other properties in respect of which the person to be enrolled has applied to be enrolled, or been nominated to be enrolled, as a ratepayer elector.

Address of property [ <i>in full</i> ]:	City or district council to which the application or nomination has been made:	5
.....	.....	
.....	.....	
.....	.....	10
.....	.....	

[Continue on a separate sheet, if necessary.]

I declare the properties listed above are the only properties in respect of which I have applied to be enrolled, or been nominated to be enrolled, as a ratepayer elector.

Signature of applicant or nominee [*as the case may require*]: 15

.....

Date: .....

**Additional details to be supplied in relation to nomination.**

Details of other properties in respect of which the ratepayer or ratepayers making this nomination have made a nomination for enrolment as a ratepayer elector. 20

Address of property [ <i>in full</i> ]:	City or district council to which the application or nomination has been made:	
.....	.....	
.....	.....	
.....	.....	25
.....	.....	

[Continue on a separate sheet, if necessary.]