



THE ELECTORAL REGULATIONS 1981, AMENDMENT NO. 9

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 14th day of May 1990

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Electoral Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Purchase of habitation indexes 4. Issue of special votes 5. Tangata whenua vote 6. Hospital votes 7. Special vote before polling day either in district or at issuing office for district | <ul style="list-style-type: none"> 8. Special vote out of district on polling day 9. Duties of Registrar of Electors 10. Allowance or disallowance of votes by Returning Officer 11. Forms 12. Revocation Schedule |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Electoral Regulations 1981, Amendment No. 9, and shall be read together with and deemed part of the Electoral Regulations 1981* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 2 (1) of the principal regulations is hereby amended by revoking the definition of the term “Issuing Officer”, and substituting the following definition:

“ ‘Issuing Officer’—

“(a) Means any person, whether in New Zealand or overseas, authorised to issue ballot papers to special voters; and

“(b) Subject to paragraph (c) of this definition, includes any person authorised to issue ballot papers to ordinary voters under the Act; but

“(c) Does not include a poll clerk authorised by a Deputy Returning Officer to issue ballot papers to ordinary voters:”.

3. Purchase of habitation indexes—Regulation 12 of the principal regulations (as substituted by regulation 2 of the Electoral Regulations 1981, Amendment No. 7) is hereby amended by adding to the proviso the words “that is required by or under any Act”.

4. Issue of special votes—(1) Regulation 15 of the principal regulations (as substituted by regulation 12 (1) of the Electoral Regulations 1981, Amendment No. 8) is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) Subject to regulation 14 of these regulations, any Issuing Officer may, upon application made by or on behalf of an elector as hereinbefore provided, issue a special ballot paper in form 13.”

(2) Regulation 15 (5) of the principal regulations (as so substituted) is hereby amended by omitting the words “or the statement in form 15A”.

5. Tangata whenua vote—Regulation 15A of the principal regulations (as inserted by regulation 6 of the Electoral Regulations 1981, Amendment No. 6) is hereby amended by revoking subclause (8), and substituting the following subclause:

“(8) The following provisions of these regulations shall not apply in respect of a special vote under this regulation:

“(a) Regulation 15 (4) (b) (i);

“(b) Regulations 18 to 21.”

6. Hospital votes—Regulation 16 (3) of the principal regulations (as substituted by regulation 14 of the Electoral Regulations 1981, Amendment No. 8) is hereby amended by revoking paragraph (b), and substituting the following paragraph:

“(b) Regulations 17 to 35.”

7. Special vote before polling day either in district or at issuing office for district—Regulation 17 of the principal regulations (as substituted by regulation 14 of the Electoral Regulations 1981, Amendment No. 8) is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Where under regulation 15 (1) (a) hereof an application for a special vote is made in person by an elector before polling day either within the

*S.R. 1981/296 (Reprinted with Amendments Nos. 1 to 6 incorporated: S.R. 1987/107)

Amendment No. 7: S.R. 1989/177

Amendment No. 8: S.R. 1990/45

elector's own district or at an office maintained under regulation 14 (1A) (b) of these regulations by the Returning Officer of the elector's own district, an Issuing Officer, instead of issuing a special ballot paper under regulation 15 (2) hereof, may issue a ballot paper in accordance with section 105 of the Act; and in any such case that section shall apply with the necessary modifications."

8. Special vote out of district on polling day—Regulation 17A (2) of the principal regulations (as inserted by regulation 14 of the Electoral Regulations 1981, Amendment No. 8) is hereby amended by revoking paragraph (a), and substituting the following paragraph:

"(a) Regulation 15 (4) (b) (i) and (iii):"

9. Duties of Registrar of Electors—Regulation 29 (2) of the principal regulations (as substituted by regulation 17 (1) of the Electoral Regulations 1981, Amendment No. 8) is hereby amended by revoking paragraph (b), and substituting the following paragraph:

"(b) Shall take into account, and may accept as sufficient evidence that the name recorded in the tangata whenua form or stated in the declaration is that of a person qualified to vote, any endorsement made, pursuant to regulation 15 (5) hereof, on the tangata whenua form or declaration:"

10. Allowance or disallowance of votes by Returning Officer—(1) Regulation 30 (2) of the principal regulations (as substituted by regulation 17 (1) of the Electoral Regulations 1981, Amendment No. 8) is hereby amended by inserting, after the expression "subclause (4)", the expression "or subclause (5)".

(2) Regulation 30 of the principal regulations (as so substituted) is hereby further amended by revoking subclause (7), and substituting the following subclause:

"(7) The Returning Officer shall not disallow the vote of an elector on the ground that the elector has failed to show his or her date of birth or former names in a tangata whenua form or in a declaration or in a statement in form 15A (being a form, declaration, or statement of the kind mentioned in subclause (2) of this regulation)."

11. Forms—(1) The Schedule to the principal regulations is hereby amended by omitting from the front of page 1 of form 3A (as inserted by regulation 2 (2) of the Electoral Regulations 1981, Amendment No. 1) the words "Post Office" wherever they appear, and substituting in each case the words "New Zealand Post Shop".

(2) The Schedule to the principal regulations is hereby further amended by omitting from form 6A (as inserted by regulation 24 (10) of the Electoral Regulations 1981, Amendment No. 8) the expression "Reg. 6A", and substituting the expression "Reg. 6 (a)".

(3) The Schedule to the principal regulations is hereby further amended by omitting from form 14 (as substituted by regulation 24 (15) of the Electoral Regulations 1981, Amendment No. 8) the expression "Regs. 15 (5) (a), 18 (2)", and substituting the expression "Regs. 15 (4) (b), 18 (2)".

(4) The Schedule to the principal regulations is hereby further amended by omitting from form 15 (as substituted by regulation 25 (16) of the Electoral Regulations 1981, Amendment No. 8) the expression "Regs. 15 (5) (a), 18 (4)", and substituting the expression "Regs. 15 (4) (b), 18 (4)".

(5) The Schedule to the principal regulations is hereby further amended by omitting from form 15 (as substituted by regulation 24 (16) of the

Electoral Regulations 1981, Amendment No. 8) the words “I will be absent”, and substituting the words “I intend to be absent”.

(6) The Schedule to the principal regulations is hereby further amended by omitting from form 16 (as substituted by regulation 24 (18) of the Electoral Regulations 1981, Amendment No. 8) the expression “Regs. 15 (5) (a), 18 (2)”, and substituting the expression “Regs. 15 (4) (b), 18 (2)”.

(7) The Schedule to the principal regulations is hereby further amended by omitting from form 16 (as substituted by regulation 24 (18) of the Electoral Regulations 1981, Amendment No. 8) the following words:

“If your name has changed since you enrolled, please complete the following statement:

“My former name was:

“(You do not have to show your former name but you will help with the checking of your enrolment if you do so.)”.

(8) The Schedule to the principal regulations is hereby further amended by revoking form 18 (as substituted by regulation 24 (20) of the Electoral Regulations 1981, Amendment No. 8), and substituting the form 18 set out in the Schedule to these regulations.

(9) The Schedule to the principal regulations is hereby further amended by omitting from form 19 (as substituted by regulation 24 (21) of the Electoral Regulations 1981, Amendment No. 8) the words **“(if known)”**.

12. Revocation—Regulation 24 (20) of the Electoral Regulations 1981, Amendment No. 8 is hereby consequentially revoked.

Reg. 11 (8)

SCHEDULE

NEW FORM 18 SUBSTITUTED IN SCHEDULE TO PRINCIPAL REGULATIONS

Regs. 18 (3), 38

Form 18

OFFICIAL MARK
OFFICIAL MARK

DECLARATION BY OVERSEAS SPECIAL VOTER

PART A — Details of Elector

- 1. **My surname is:**
- 2. **My full given or christian names are:**
- 3. **My occupation is:**
- 4. **My date of birth is:**

(You do not have to show your date of birth but you will help with the checking of your enrolment if you do so.)

- 5. **If your name has changed since you enrolled, please complete the following statement:**
My former name was:

(You do not have to show your former name but you will help with the checking of your enrolment if you do so.)



Tick if applicable

- 6. I am a New Zealand citizen who is outside New Zealand but who has been in New Zealand within the last 3 years.
- 7. I am a permanent resident of New Zealand (but not a New Zealand citizen) who is outside New Zealand but who has been in New Zealand within the last 12 months.
- 8. I am outside New Zealand in the course of my duties as—
 - (a) A public servant; or
 - (b) An officer, rating, soldier, or airman (within the meaning of section 2 of the Defence Act 1990); or
 - (c) A head of mission or head of post within the meaning of the External Relations Act 1988; or
 - (d) An officer or employee of the New Zealand Trade Development Board established by the New Zealand Trade Development Board Act 1988.

SCHEDULE—continued

Form 18—continued

9. I am a person—

- (a) Who is accompanying a person described in paragraph 8 of this declaration; and
- (b) Who is the spouse or the child or the child of the spouse of that person.

PART B — Details of Electorate

10. The electorate for which I am qualified to be registered is:

(This must be the electorate in which you last resided continuously for at least one month.)

11. My residential address in that electorate is or was:

house/flat no: _____
street/road: _____
town, city, or locality: _____

PART C — Grounds for Special Vote

12. I intend to be outside New Zealand on polling day.

I declare that to the best of my knowledge and belief both the details given in Parts A and B and the ground given in Part C are true.

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Signature of elector

Date

• — Details of Witness — If witness is NOT the issuing officer

My surname is:

My full given or christian names are:

My residential address is:

house/flat no: _____
street/road: _____
town, city, or locality: _____

I certify that this declaration was signed in my presence by the above-named elector.

Signature of witness

SCHEDULE—continued
Form 18—continued

Qualification of witness — Show your qualification below. Delete those not applicable:

- Issuing Officer, *or*
- Commonwealth representative, *or*
- _____
(Give the qualification such as "Commissioner of Oaths", "notary public", *or* "Justice of the Peace", etc., if the witness is a person authorised to take a statutory declaration in New Zealand *or* a person authorised to administer an oath for the purpose of a judicial proceeding in the country in which the declaration is made), *or*
- Relative, *or* member of the household, of the special voter.

Office use only		Page	Line
No. on Roll:			
No-licence District			
Eden	Grey Lynn	Roskill	Tawa Wellington East

OFFICIAL MARK IF

WITNESS IS ISSUING OFFICER

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations effect a number of amendments of a tidying-up nature to the Electoral Regulations 1981.

A new form of Declaration By Overseas Special Voter is prescribed.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 17 May 1990.
These regulations are administered in the Department of Justice.