

# House of Representatives

# Supplementary Order Paper

Thursday, 8 June 2023

## Local Government Electoral Legislation Bill

### *Proposed amendments*

Hon Kieran McAnulty, in Committee, to move the following amendments:

#### *Clause 2*

Replace *clause 2(2)* (page 4, lines 1 to 5) with:

- (2) The following provisions (which relate to Māori representation in local government) come into force on **12 October 2025**:
  - (a) **sections 4(2), 5 to 10, 12(1) and (4), 13(2), 19(1) and (2), 20 to 23, 31(1) and (2), and 32(1), (3), (5), (6), and (8)**:
  - (b) **section 33**, but only for the purpose of giving effect to the item in **Part 1 of Schedule 2** relating to the Canterbury Regional Council (Ngāi Tahu Representation) Act 2022.

#### *Clause 4*

Replace *clause 4* (page 4, line 10 to page 5, line 13) with:

#### **4 Section 5 amended (Interpretation)**

- (1) In section 5(1), insert in their appropriate alphabetical order:

**assessment date** means a date after the last periodic census on which the Government Statistician assessed the number of persons

**estimated general electoral population** means the estimated total ordinarily resident population as at the assessment date with the exception of the estimated Māori electoral population

**estimated Māori electoral population** means an estimated figure representing both the persons registered as electors of the Māori

Proposed amendments to

SOP No 358

Local Government Electoral Legislation Bill

---

electoral districts and a proportion of Māori persons who are not registered as electors of any electoral district and a proportion of Māori persons under the age of 18 years, which figure must be fixed—

- (a) by ascertaining a proportion determined by dividing—
  - (i) the total number of persons, on the assessment date,—
    - (A) registered as electors of Māori electoral districts; or
    - (B) named on the dormant rolls for Māori electoral districts; by
  - (ii) the total number of Māori persons, on the assessment date,—
    - (A) registered as electors of Māori electoral districts or General electoral districts; or
    - (B) named on the dormant rolls for Māori electoral districts or General electoral districts; and
- (b) by applying the proportion ascertained under **paragraph (a)** to the total number of ordinarily resident Māori persons on the assessment date

**unitary authority** has the meaning given in section 5(1) of the Local Government Act 2002

- (2) In section 5(1), insert in its appropriate alphabetical order:

**specific Māori representation**, in relation to the representation arrangements for a territorial authority or regional council, means 1 or more members of the territorial authority (other than the mayor) or regional council elected only by electors who are parliamentary electors of a Māori electoral district

*Clause 8*

In *clause 8*, new section 19GA(5)(a), delete “as part of its consultation” (page 6, line 21).

*Clause 12*

Before *clause 12(1)* (page 9, after line 23), insert:

- (1AAA) Replace section 19K(1AA) with:

(1AA) A resolution under section 19H, 19I, 19J, or **19JAA** that affects the next triennial general election of members of a territorial authority, regional council, local board, or community board must be passed no earlier than 20 December of the year that is 2 years before the year of the election and no later than 31 July of the year that is immediately before the year of the election.

Replace *clause 12(3)* (page 10, lines 17 to 25) with:

- (3) Replace section 19K(3) with:
- (3) Subsection (1) applies to every resolution under any of the following provisions:
  - (a) section 19H(1)(a)(ii) or (iii) or (g):
  - (b) section 19I(1):
  - (c) section 19J(2)(a) to (e) or (h)(iii):
  - (d) **section 19JAA(1)**.
- (4) After section 19K(3)(d), insert:
  - (e) clause 1(2)(a) to (g) of Schedule 1A:
  - (f) clause 3(2)(a) to (f) of Schedule 1A.

#### *Clause 13*

Replace *clause 13* (page 10, lines 26 to 28) with:

- 13 Section 19L amended (Distribution of copies of resolution)**
- (1) In section 19L, replace “section 19H or section 19I or section 19J” with “section 19H, 19I, 19J, or **19JAA**”.
  - (2) In section 19L, replace “section 19H” with “**section 19GA**, 19H”.

#### *Clause 16*

In *clause 16(2)*, replace “30 November” (page 11, line 12) with “3 December”.

#### *Clause 31*

In *clause 31(2)*, *new clause 2(5) of Schedule 1*, replace “the date on which the Local Government Electoral Legislation Act **2022** came into force” (page 15, lines 7 and 8) with “its repeal by **section 22** of the Local Government Electoral Legislation Act **2022**”.

### **Explanatory note**

This Supplementary Order Paper amends the Local Government Electoral Legislation Bill (the **Bill**).

These amendments delay the commencement of several provisions of the Bill that relate to Māori representation in local government so that they do not come into force until after the 2025 triennial local elections. This Supplementary Order Paper also—

- makes minor consequential amendments in order to reflect the new commencement date; and
- makes some minor drafting corrections.

**Departmental disclosure statement**

The Department of Internal Affairs considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.