

House of Representatives

Supplementary Order Paper

Tuesday, 15 August 2023

Water Services Entities Amendment Bill

Proposed amendment

Simon Court, in Committee, to move the following amendment:

New clauses 10A and 10B

After *clause 10* (page 11, after line 15), insert:

10A Section 32 amended (Method of appointing territorial authority representatives to regional representative group)

After section 32(2), insert:

- (3) The appointment of a territorial authority representative may be revoked by the territorial authority that the representative was appointed to represent, by notice in writing to the representative and the regional representative group.

10B Section 37A inserted

After section 37, insert:

37A Removal of territorial authority representative by poll of electors

- (1) A specified number of electors of a territorial authority may, at any time, demand that a poll be held on the question of whether that territorial authority's representative on a regional representative group should be removed from office.
- (2) Upon receipt of a valid demand under **subsection (1)**, the territorial authority must arrange for a poll to be held.

- (3) A poll under this section must be held under the Local Electoral Act 2001 and the provisions of that Act apply, with any necessary modifications, to the conduct of that poll.
- (4) The Local Government Commission must ensure that 1 electoral officer is designated to conduct the poll and to declare the official result of the poll under this section.
- (5) A territorial authority representative that is the subject of the poll is removed from office if more than 50% of votes cast in the poll on a proposal to remove the representative are in favour of the removal.
- (6) In this section, **specified number of electors**, in relation to a territorial authority, means a number of electors equal to or greater than 5% of the number of electors enrolled as eligible to vote at the previous triennial general election of the territorial authority.

Explanatory note

This Supplementary Order Paper amends the Water Services Entities Bill. It is crucial that the representatives are democratically accountable. Without democratic legitimacy of “one person, one vote” or the ability of the people to recall their representatives, the water services entities will lack any political or popular legitimacy.