

# House of Representatives

# Supplementary Order Paper

**Tuesday, 23 February 2021**

## **Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill**

### *Proposed amendment*

Christopher Luxon, in Committee, to move the following amendment:

*New clause 7A*

After *clause 7* (page 2, after line 34), insert:

#### **7A New sections 19ZGA and 19ZGB inserted**

Before section 19ZH, insert:

#### **19ZGA Public notice of proposals to establish Māori wards or Māori constituencies and responsibilities in relation to submissions**

- (1) A territorial authority or regional council that makes a resolution under section 19Z must within 14 days give public notice of the resolution.
- (2) The public notice must—
  - (a) include—
    - (i) the details of the proposal for establishment of the Māori ward or wards or Māori constituency or constituencies; and
    - (ii) a description of any relevant boundary; and
    - (iii) a statement about how persons interested in the proposals may inspect the full proposals; and
  - (b) specify a period of not less than 1 month from the date of the first or only publication of the notice within which persons

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- interested in the resolution may make submissions on the resolution to the territorial authority or regional council.
- (3) A territorial authority or regional council to whom **subsection (1)** applies must—
- (a) ensure that any person who makes a submission on the proposal within the period referred to in **subsection (2)(b)**—
    - (i) is sent a written notice acknowledging receipt of that person's submission; and
    - (ii) is given a reasonable opportunity to be heard by the territorial authority or regional council (if that person so requests); and
  - (b) ensure that the notice given to a person under **paragraph (a)** contains information—
    - (i) advising that person of that person's opportunity to be heard; and
    - (ii) explaining how that person may exercise that person's opportunity to be heard; and
  - (c) ensure that, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987, every meeting at which submissions on a resolution referred to in **subsection (1)** are heard or at which the territorial authority or regional council deliberates on the proposal is open to the public; and
  - (d) subject to the Local Government Official Information and Meetings Act 1987, make all written submissions on a resolution of that kind available to the public.
- (4) The territorial authority or regional council must, within 6 weeks after the end of the period allowed for the making of submissions and specified in the notice given under **subsection (2)**,—
- (a) consider all submissions received and may, by resolution, make such amendments to the resolution made under section 19Z, as it thinks fit; and
  - (b) give public notice of its proposals.
- (5) The public notice must—
- (a) incorporate any amendments resolved under **subsection (4)(a)**; and
  - (b) state both the reasons for the amendments and the reasons for any rejection of submissions; and
  - (c) if the territorial authority or regional council has amended its proposals under **subsection (4)(a)**, specify the right of

- objection conferred by **section 19ZGB**, including the place and closing date for the receipt of objections.
- (6) The territorial authority or regional council by which the public notice was given must—
- (a) send a copy of that notice to—
    - (i) the Commission; and
    - (ii) the Surveyor-General; and
    - (iii) the Government Statistician; and
    - (iv) the Remuneration Authority; and
  - (b) if that notice was given by a territorial authority, send a copy of that notice to any regional council for a region in which the district of the territorial authority or any part of that district is situated; and
  - (c) if that notice was given by a regional council, send a copy of that notice to every territorial authority whose district or a part of whose district is within the region.

**19ZGB Objections to amendments to resolution**

- (1) If the territorial authority or regional council has, under section **19ZGA(4)(a)**, amended the resolution made by it under section 19Z, any interested person or organisation (including a local board or community board) may lodge a written objection to the amended resolution at the principal office of the territorial authority or regional council on or before the date specified in the public notice of that decision.
- (2) That date—
- (a) must not be earlier than 1 month after the date of the first or only publication of the public notice; and
  - (b) must not, in a year immediately before the year of a triennial general election, be later than 20 December.
- (3) An objection lodged under this section must identify the matters to which the objection relates.

**Explanatory note**

This Supplementary Order Paper amends the Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill. It provides that a council that resolves to establish a Māori ward would be required to publicly notify and call for submissions, similar to the requirements in section 19M of the Local Electoral Act 2001 relating to other wards. This gives effect to the policy intention of the Bill to align the treatment of Māori wards and Māori constituencies with general wards and general constituencies.

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