

Electoral (District Boundaries) Amendment Bill

Government Bill

As reported from the Justice Committee

Commentary

Recommendation

The Justice Committee has examined the Electoral (District Boundaries) Amendment Bill and recommends by majority that it be passed. We recommend all amendments by majority.

Introduction

The Electoral (District Boundaries) Amendment Bill would amend the Electoral Act 1993 to address the electoral implications of the shift to annual publication of census data and statistics. This shift is being progressed through the Data and Statistics (Census) Amendment Bill. The two bills are closely related, and we are considering them alongside each other. We refer to them in this commentary as the Electoral Bill and the Census Bill.

Background to the Electoral Bill as introduced

The purpose of electoral boundary divisions is to ensure that each electoral district has roughly the same number of people. The Electoral Act requires an independent entity, the Representation Commission, to review and set parliamentary electoral boundaries after each five-yearly census. The census triggers the review of electoral boundaries and operates as the statutory trigger for a range of other related processes.

The Government is working to modernise the census through an “administrative-data-first” census approach. The approach entails use of administrative data for key census variables.¹ It would be supplemented by an annual census survey of a proportion of

¹ This is data collected by government agencies when people interact with public services to meet legal requirements, or as records of transactions or events. Examples include interactions

the population and tailored solutions designed to meet the needs of groups that are harder to measure.

The Census Bill would amend the Data and Statistics Act 2022 to enable a census to be conducted annually, beginning from 2030. As the Electoral Act stands, shifting to an annual census would result in boundary divisions being triggered annually, which would be unsustainable and unworkable. The Electoral Bill would amend the Electoral Act to decouple the timing of electoral boundary divisions from censuses. From 2030, electoral boundary divisions would instead be tied to every second electoral cycle. Boundary divisions would continue to be based on population data from the most recently available census.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Definitions of “counting day”

Clauses 4(3) and 6(3) of the bill would amend section 3 of the Electoral Act. Clause 4 would insert a definition of “counting day” for the purpose of determining the General electoral population, while clause 6(3) would replace the definition of “counting day” when it is applied to the Māori electoral population.

The bill contains slightly different definitions for each term. We consider that using the same term for two related, but distinct, concepts could make the provisions confusing. To distinguish between them, we recommend replacing “counting day” in clause 6(3) with “calculation day”. We note that our proposed amendment would only affect the term used and not the substance of the definition.

Time frames for the first boundary division in 2030

At present, the Representation Commission uses the total ordinarily resident population as shown in the last census to calculate the General electoral population. Clause 4(1) would replace the definition of the “General electoral population” to mean the total ordinarily resident population on counting day, excluding the Māori electoral population.

The General electoral population would still be calculated using census data. However, because the census will be published annually, the legislation needs to set clear parameters as to which data to use. The bill would enable the most recently available census data to be used, provided that it can be available in time for the Representation Commission to meet its statutory deadline for formally completing the boundary divisions. Clauses 9(1) and 13(5) would replace sections 40(1) and 45(9) of the Electoral Act, respectively. They would insert provisions requiring the Representation Com-

with services such as schools and vehicle licensing, registrations of births, deaths, and marriages, and records of tax payments and overseas travel.

mission to fix the boundaries of the General electoral districts and Māori electoral districts no later than 12 months before a relevant parliamentary term is scheduled to expire.

Clause 4(3) provides that the counting day used to determine the General electoral population would need to use census data depending on one of two potential scenarios. In the first scenario, the Representation Commission would use the most recent data with a reference date² that was in the specified parliamentary term but before the start of a 20-month exclusion period. The relevant census data would also need to have been published before the exclusion period started. The second scenario would apply if the relevant data was not published before that exclusion period started. The Commission would need to use the most recently published census with a reference date from before that parliamentary term. The purpose of the exclusion period is to require the Commission to use the most recently available population data, while allowing time to complete its processes and meet its statutory deadline. Clauses 6 and 13 would apply similar provisions for the purposes of determining the Māori electoral population and the boundaries of Māori electorates.

We note that data from the first census conducted after the Census Bill commenced would be published in 2030/31, with a reference date of 30 June 2030. The first boundary division, which is scheduled to begin in 2030, could therefore only use population data from that first census. The boundary division expected before the 2032 General Election could not be completed in time if later census data (with a reference date of 30 June 2031) was used. However, there is a risk for the first boundary division that the 20-month exclusion period could start before the 2030 Census was published. If this happened, the Representation Commission would not have up-to-date census data that it could legally use. To address this, we propose amending the start of the exclusion period for the first boundary review to make it impossible for it to begin before the latest date by which the Statistician must publish the census.

We therefore recommend inserting a transitional provision, clause 13(2) into Schedule 1AA of the Electoral Act, to specify that the exclusion period would commence on 1 July 2031 for the first boundary division after the bill came into force.

Reporting the electoral populations to the Representation Commission

Section 35(6) of the Electoral Act requires the Government Statistician to report the results of the census and their calculation of the Māori electoral population to the Representation Commission. The Government Statistician must do so when they have the census results, and the Electoral Commission has given them the information needed under section 79(1). That section relates to the determination of the Māori electoral population.

² The Census Bill would require the Government Statistician to publish an annual census in relation to a reference date. This would always be 30 June of any given financial year, unless the Government Statistician notified an earlier date.

Clause 5(4) of the bill as introduced would replace section 35(6) of the Electoral Act. It specifies that the Government Statistician must report to the Representation Commission the figures calculated for the Māori and General electoral populations as soon as reasonably practicable after the Electoral Commission has supplied the information about the Māori electoral population.

We consider that the bill should provide more certainty as to when the population reports should be provided to the Representation Commission. We think that a period of no later than 8 months before the Commission's 12-month statutory reporting deadline would allow it time to complete the remaining steps of a boundary review. We recommend replacing section 35(6) of the Electoral Act with new subsections (6) and (6A) to provide for this.

Electoral data to be provided to the Government Statistician

Section 79(1) of the Electoral Act states that the Electoral Commission must, as soon as practicable after counting day, provide certain information to the Government Statistician. The information is related to the total number of Māori electors on the Māori and General electoral rolls and on the dormant rolls, as on counting day.

Clause 6(3) of the bill provides that counting day:³

- is a date that is during a term of Parliament in which a boundary review is due, outside a 20-month exclusion period; and
- is the same date as the reference date for the most recently published census if it is also published before the 20-month exclusion period commences.

If both criteria cannot be fulfilled, counting day is the day after the return of the writ for the last general election.

The Census Bill provides that the Government Statistician must, in each financial year, publish statistics from the census of population and dwellings about a specified reference date in the previous financial year. It is therefore possible that more than one census will be published before the exclusion period commences in a parliamentary term. In this situation, the Electoral Commission would need to use the reference date for the most recently published census. We note that there is uncertainty about publication time frames, so the Electoral Commission would not know when counting day was until the relevant census was published. The Representation Commission's time frames to complete a boundary division would also be constrained if a census was published close to the commencement of the exclusion period. Consequently, we propose an amendment to provide more certainty about the Electoral Commission's responsibilities under section 79 of the Act and avoid unnecessary delays to the start of the boundary review.

³ We have recommended that bill be amended to replace the term "counting day" with "calculation day".

We recommend that clause 15 replace section 79 with a provision that would require the Electoral Commission to automatically supply the relevant Māori electoral data to the Government Statistician at fixed dates. These would be each reference date in the specified Parliament before the exclusion period commenced, and the day after the return of the writ for the most recent general election.

Extending the statutory deadline for the first boundary division

As noted earlier in our commentary, new sections 40(1) and 45(9) (inserted by clauses 9(1) and 13(5)), would require the Representation Commission to complete a boundary division no later than 12 months before a relevant parliamentary term expired. Clause 17 would insert a transitional provision as new Part 5 into Schedule 1AA of the Electoral Act (new clauses 11, 12, and 13). New clause 13(2) in Schedule 1AA of the Electoral Act would provide that the Representation Commission must complete the first boundary division no later than 8 months before the expiry of the parliamentary term. The transitional arrangement is intended to allow additional time for stakeholders to adapt to any challenges that may emerge as part of the first boundary division.

We sought advice on how to extend the statutory deadline for the first boundary division to 12 months before Parliament expired. We are concerned that 8 months is too short and does not allow sufficient time to prepare for an election. Processes that would be affected with an 8-month deadline include candidate selection, community outreach, socialisation of new boundaries, and early election campaigning.

We received advice that the timing of two events would have the most effect on the time frame for the first boundary division. The events are the immediately preceding general election, which determines the statutory deadline, and the completion of the census to provide population data for the boundary review.

The completion of a boundary division hinges on the availability of the Government Statistician's reports of the counts of the electoral populations. These are reported to the Representation Commission under section 35(6) of the Electoral Act. Under the standard boundary division process, boundaries are usually fixed about 8 months after the Government Statistician's electoral reports are prepared.

Statistics New Zealand has stated that it can provide reports of the electoral populations no later than 28 February 2031. Given this, we were advised the following about the feasibility of a 12-month statutory deadline for the first boundary division:

- It would be feasible if Parliament was scheduled to expire between late October and December 2032, or earlier in October 2032. However, in the second scenario, the Commission would need to run an expedited review process.
- It would not be possible if Parliament was scheduled to expire before 30 September 2032. This is because it is difficult to provide certainty that an electoral report could be made available in time to enable the completion of a boundary division on this time frame.

We recommend inserting new clause 13(5) into Schedule 1AA to enable a staggered transitional arrangement if the relevant term of Parliament was scheduled to expire on or before 30 September 2032. Our proposed amendment provides for the first boundary division to be completed:

- no later than 8 months before the scheduled expiry of Parliament if the Parliament is due to expire on or before 31 July 2032
- no later than 10 months before the scheduled expiry of Parliament if the Parliament is due to expire between 1 August 2032 and 30 September 2032
- no later than 12 months before the scheduled expiry of Parliament if the Parliament is due to expire on or after 1 October 2032.

Other matter that we wish to highlight

At present, there are seven Māori electoral districts. Many submitters commented on the possibility of the number of Māori seats in Parliament increasing to eight after the next boundary review. Some submitters were concerned that the bill's commencement in 2030 would mean that a boundary division would not take place before the 2029 General Election. Their concerns included that electoral boundaries would be based on data from the 2023 Census and that the number of Māori seats would be fixed at seven until 2032. We took the concerns seriously and sought advice on this provision.

For reasons set out below, even if a 2028 Census were undertaken, there would be no division completed for the 2029 General Election under the current law.

For the avoidance of doubt, if the proposed bills were not passed (therefore requiring a 2028 Census) the electoral boundaries set through the Boundary Review 2025 would still stand. This would be the case regardless of the change in the date of the next census to 2030.

We received advice on what would happen under the existing boundary review settings if the traditional census was held in 2028. A census would trigger a boundary review, which would likely set public and political expectations that parliamentary boundaries would be refixed before the 2029 election. Although the Electoral Act triggers a boundary review after each census, there is no statutory deadline for its completion.⁴ There is no legal requirement that a boundary division is completed ahead of an election.

We were advised that the necessary population data would not be available in time for the boundary review to be completed before the 2029 General Election. Statistics New Zealand has indicated that an electoral report would not be available until around May 2029 (assuming a March 2028 census), which is too late to be used for a boundary review ahead of the 2029 General Election. Census results under the traditional model typically take around a year to finalise and publish, followed by produc-

⁴ The Act sets a maximum 6-month period between the preparation of provisional electoral boundaries and the Commission formally fixing them.

ing an electoral report, and then approximately eight months for a boundary review. The boundaries set in the 2025 boundary review would therefore remain for the 2029 election.

The bill's regulatory impact statement acknowledged the possible public and political expectations that a boundary review would be completed before the 2029 General Election. It considered the option of enabling a one-off transitional boundary division ahead of that election. The benefit of this approach is that the General and Māori electoral districts at the 2029 election would more likely have reflected population changes since 2023. The transitional review would have required an alternative source of population data to be used because updated census data would not be available before 2030. However, the Ministry of Justice departmental report identified a risk that an alternative source of data may not be publicly and politically trusted.

The Minister of Justice and the Minister of Statistics consulted political party leaders on this option. The bill's proposed approach of electoral boundaries remaining fixed until the 2032 General Election reflects the outcome of the consultation.

Green Party of Aotearoa New Zealand differing view

Six of 1,628 submissions to the Justice Select Committee stated they supported this bill. This is overwhelming opposition to a bill that requires 75 percent of Parliament to pass. The Green Party opposes this bill for several reasons.

Suppression of Māori representation was the dominant concern. The bill would keep the number of Māori electorates at seven for at least two election cycles.

Dr Harpreet Singh's submission put it starkly: the bill produces a clear, foreseeable, and disproportionate outcome; it suppresses Māori political representation by freezing Māori electorate numbers at a time of rapid Māori roll growth and population growth.

The NZ Law Society and others raised serious concerns about the process of developing the bill. The Regulatory Impact Statement itself confirmed that no public consultation was undertaken in relation to the changes in the Electoral Bill, despite the bill proposing to amend entrenched provisions of constitutional significance. The truncated select committee process is no substitute for more in-depth development of such important changes. The option of reviewing boundaries every electoral cycle was not followed up. As electorate MPs may well change from one election to another, we place greater emphasis on equal democratic representation by population over developing relationships on the fringes of electorates so support reviews every electoral cycle which will not disadvantage Māori who are experiencing more rapid population growth.

No consultation was undertaken with Māori on the Electoral Bill, despite officials identifying that the amendments engage the Crown's obligations under te Tiriti o Wai-tangi—particularly because the Māori electoral population calculation directly influences the number of reserved Māori seats. We note Te Kāhui Raraunga led development of the Māori Data Governance (MDG) Model and in 2023 the national census lifted the quality of the iwi affiliation variable from "very poor" in 2018 to "moderate" in 2023.

The Minister overrode officials' advice

Officials confirmed that provision for a transitional boundary review before 2029 was their preferred approach, noting it would meet public expectations and increase the perceived legitimacy of representation, and that the benefits of excluding a transitional review did not outweigh the costs. See the Regulatory Impact Statement 20251008-RIS-Census-Modernisation-and-the-Electoral-Act-1993_Redacted_.pdf.

We understand that at this stage, even if the 2028 full enumeration census was to be carried out, official advice is that there would not be time to collate data and conduct electoral boundaries review in time for the 2029 election. However, we strongly believe that if these issues had been considered at the beginning of this term of Government, resources could have been applied to make it happen.

Pattern of electoral constraint on Māori

Several submitters placed the bill in a broader political context. Under the current National–ACT–New Zealand First coalition government, Māori political representation has faced multiple forms of constraint, including legislation affecting enrolment restriction to before voting begins, prisoner voting, and now the timing of electorate boundary reviews. The cumulative effect reduces Māori political influence.

The NZ Council for Civil Liberties, submitting jointly on the Electoral (District Boundaries) Bill and the Data and Statistics (Census) Amendment Bill, opposed both bills primarily on the grounds that data will inevitably decline in quality, especially data about Māori, Pasifika, and other minorities thus undermining the very population data used to set electorate boundaries.

There is a complexity that this bill changes entrenched provisions and thus requires a 75 percent majority of Parliament whereas the related Census Bill merely requires a simple majority. We suggest that changes around census and electoral processes such as the recent Electoral Amendment Act, also need more cross-party consensus than a simple majority.

The Green Party recommends that neither bill pass in their current form and that a Census is carried out in 2028 with urgency and sufficient resources for an iwi-led data approach.

New Zealand Labour Party differing view

The New Zealand Labour Party opposes both the Data and Statistics (Census) Amendment Bill and the Electoral (District Boundaries) Amendment Bill.

We are not opposed in principle to modernising the census. Our opposition to these bills rests on a straightforward concern: we are not satisfied that there is sufficient certainty that the proposed administrative data-first model would be accurate or reliable enough to justify a step as significant and as permanent as ending New Zealand's long-standing Census of Population and Dwellings.

The census is one of the foundations of our national statistics and electoral system, and the changes proposed by these bills will have consequences that extend beyond

statistics alone, affecting the integrity of electoral boundary reviews, democratic representation, public trust, and the quality of evidence available to inform government decision-making. A reform of this significance should not proceed while so many important questions remain unanswered. Labour holds a number of concerns about the pace and design of this proposed census overhaul. In our view, departmental officials have not, largely because of the time constraints they were working under, carried out sufficient public consultation with the communities most affected.

For these reasons, Labour does not support these bills proceeding in their current form. We consider they should not proceed until an independent review of the proposed census model, including an independently assured costing of the options available, has been completed and made available to the House.

Public Consultation

Submitters consistently told the committee that the public was given too little opportunity to engage with a reform of this scale. Mr Len Cook, a former Government Statistician, noted that recent census reviews were conducted largely within the public sector, and that this select committee process has been one of the few real opportunities for experts and the wider public to test the proposals. Research Association New Zealand made a similar point on behalf of the research and insights sector. Labour shares the view that the consultation undertaken by departmental officials, constrained by the timeframes they were given, has not been adequate for a decision of this importance. The same concern applies to the Electoral (District Boundaries) Amendment Bill, where the consequences for the timing and work of the Representation Commission have not been sufficiently explained or consulted on. We are sympathetic to the proposal of an independent review of the proposed changes, and that review being made available for further public scrutiny.

Data Quality

The central question is whether the enactment of an administrative data-first model as proposed by this bill can produce statistics that are accurate and reliable enough to replace the census. Submitters were not confident that it can. Numerous submitters cautioned that administrative records collected by different agencies are not held to consistent standards and can be out of date. They warned that the quality of information for small areas and for smaller population groups is likely to suffer, and that the continuity of statistics New Zealand has relied on for generations could be broken.

We are particularly concerned about the effect this could have on Māori, Pasifika, rainbow communities, disabled people, and hard-to-reach rural communities. We concur with the submission from Te Kāhui Raraunga that Statistics New Zealand's proposed tailored solutions to address these issues rely on trust, and that they are not a sufficiently certain basis for a decision of this importance. We also note that officials have themselves acknowledged that accuracy and coverage would reduce in the early years of the new model. Until there is far greater certainty on these points, we do not accept that the case for ending the census has been made.

Te Tiriti o Waitangi and Māori Data Sovereignty

A recurring theme across submissions was the disproportionate impact these changes may have on Māori. The census is a key source of the data that supports Māori development and the fair allocation of resources, and it underpins the calculation of the Māori electoral population. Submitters, including Māori organisations, were concerned that a model that is less accurate for communities that are less easily reached risks undercounting Māori in a way that is harder to see and therefore harder to challenge. They also emphasised that a change of this nature should be developed in genuine partnership with Māori, consistent with Te Tiriti o Waitangi and the principles of Māori data sovereignty, rather than through limited consultation. Labour considers these concerns have not been adequately addressed.

Te Pāti Māori differing view

Te Pāti Māori strongly opposes the Electoral (District Boundaries) Amendment Bill because this bill will further harm voters on the Māori Electoral Roll.

This bill represents Māori voter suppression. As currently drafted, this bill will delay the next boundary review from 2029 to 2032, and it will link future boundary reviews to every second election cycle (every six years), rather than every five years. Te iwi Māori should have an eighth Māori seat right now, but this bill will ensure that the number of Māori seats remains at seven until 2032.

This is completely unacceptable, especially in the context of decades of deliberate Māori disenfranchisement, as well as the electoral reforms of the current government that are set to disenfranchise tens of thousands of people—a disproportionate number of whom will be Māori.

The most recent boundary review was informed by electoral data from 1 April 2024, and the number of Māori seats was set to seven after being rounded down from 7.43. This date was months before the Hīkoi mō Te Tiriti o Waitangi, which saw a mass influx of Māori switching to the Māori roll. If the number of Māori electorates was informed by electoral populations from 6 January 2025 onwards, there would be eight Māori electorate seats in the 2026 General Election.

Māori electorate voters will be significantly disadvantaged for all future elections that maintain these boundaries. The average Māori electorate will be made up of approximately 74,367 voters, while the average General electorate will be made up of 69,916 voters, significantly reducing the voting power of every voter on the Māori roll.

This bill will water down the voting power of tangata whenua until 2032 and ensure that electoral boundaries will continue to lag behind the growth of the Māori roll indefinitely.

This is an unjust restriction of indigenous representation in Aotearoa, and a violation of articles two and three of Te Tiriti o Waitangi.

Te Pāti Māori has consistently recommended that a boundary review is conducted before the 2029 General Election. Māori voters on the Māori roll are guaranteed to

have their voting power diluted in the 2026 General Election, and this injustice will only become more egregious if the current boundaries remain until 2032.

We have also consistently called for a boundary review to be conducted before every subsequent election. More frequent boundary reviews will ensure that Māori who choose to be on the Māori roll will not be disadvantaged for future elections, as they will be in 2026 and 2029.

This bill must address the concerns and recommendations that we have shared with the Ministers, and with the select committee. We are calling for:

- a boundary review to be conducted before the 2029 election
- a boundary review to be conducted before every subsequent election.

We need to ensure that tangata whenua have a proportionate representation for all future elections. This should be the bare minimum; anything less is voter suppression and a violation of Te Tiriti o Waitangi.

Appendix

Committee process

The Electoral (District Boundaries) Amendment Bill was referred to this committee on 5 March 2026. The House instructed us to report the bill back no later than 6 July 2026.

We called for submissions on the bill with a closing date of 15 April 2026. We received and considered submissions from 1,628 interested groups and individuals. We heard oral evidence from 14 submitters at hearings by videoconference and in Wellington.

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Advice on the bill was provided by the Ministry of Justice and Statistics New Zealand. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

We have accepted Te Pāti Māori's differing view but note that it did not participate in our consideration of this bill. We also note that it does not have a permanent member on the committee.

Committee membership

Tom Rutherford (Chairperson from 2 July 2026)

Hon Andrew Bayly (Chairperson and member until 1 July 2026)

Hon Ginny Andersen (until 25 March 2026)

Jamie Arbuckle

Carl Bates

Camilla Belich (from 25 March 2026)

Tākuta Ferris

Paulo Garcia (from 1 July 2026)

Rima Nakhle

Dan Rosewarne (from 25 March 2026)

Todd Stephenson

Vanushi Walters (until 25 March 2026)

Hon Dr Duncan Webb

Dr Lawrence Xu-Nan

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted by a majority

~~text deleted by a majority~~

Hon Paul Goldsmith

Electoral (District Boundaries) Amendment Bill

Government Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Electoral (District Boundaries) Amendment Act **2026**.

2 Commencement

This Act comes into force on **1 January 2030**.

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3 Principal Act

This Act amends the Electoral Act 1993.

Part 1

Amendments to reserved provisions

4	Section 3 amended (Interpretation)	10
(1)	In section 3(1), replace the definition of General electoral population with: General electoral population means the total ordinarily resident population on counting day, excluding the Māori electoral population	
(2)	In section 3(1), insert in their appropriate alphabetical order: 20-month exclusion period , in relation to a specified Parliament, means the <u>20-month period before the specified Parliament is due to expire</u> reference date means a reference date within the meaning of section 34 of the Data and Statistics Act 2022 specified Parliament means a Parliament during the term of which a periodic division of New Zealand into General electoral districts and Māori electoral districts must be made in accordance with the requirements of sections 35 and 45	15
(3)	After section 3(1), insert:	
(1A)	For the purposes of the definition of General electoral population,—	20

counting day means—

- (a) the day that—
 - (i) is during the term of a specified Parliament other than in the 20-month exclusion period ~~before the specified Parliament is due to expire (the 20-month exclusion period)~~; and
 - (ii) is the most recent reference date in relation to which statistics from a census were published by the Government Statistician before the commencement of the 20-month exclusion period; or
- (b) if there is no such day, the day that is the last reference date in the 12-month period before the commencement of the term of the specified Parliament referred to in **paragraph (a)** in relation to which statistics from a census were published by the Government Statistician (whether before or after the commencement of the specified Parliament).

Example of counting day in paragraph (a)

Say, in the 2035–38 parliamentary term, the term of Parliament commences on 15 July 2035 and expires on 15 July 2038.

The 20-month exclusion period commences on 15 November 2036.

The last date before 15 November 2036 on which the Government Statistician published statistics from a census was 1 October 2036.

The statistics published on 1 October 2036 were in relation to the reference date of 30 June 2036.

Counting day is therefore **30 June 2036** as this date is during the 2035–38 parliamentary term between 15 July 2035 and the commencement of the 20-month exclusion period on 15 November 2036 and is the last reference date in respect of which statistics were published before 15 November 2036.

Example of counting day in paragraph (b)

Say, in the 2035–38 parliamentary term, the term of Parliament commences on 15 July 2035 and expires on 15 July 2038.

The 20-month exclusion period commences on 15 November 2036.

The last reference date before 15 November 2036 was 30 June 2036 but the Government Statistician did not publish statistics from a census in relation to this date before 15 November 2036.

The previous reference date was 30 June 2035 but this date is before the 2035–38 parliamentary term started on 15 July 2035.

There is therefore no counting day during the 2035–38 parliamentary term between 15 July 2035 and the commencement of the 20-month exclusion period on 15 November 2036 as described in **paragraph (a)**.

Before 15 November 2036, the statistics from a census were last published by the Government Statistician on 20 September 2035.

The statistics published on 20 September 2035 were in relation to the reference date of 30 June 2035.

Counting day is therefore **30 June 2035** as this date is the last reference date in the 12-month period between 15 July 2034 and 15 July 2035 in relation to which statistics from a census were published by the Government Statistician.

5 Section 35 amended (Division of New Zealand into General electoral districts)

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(1) Replace section 35(1) and (2) with:

(1) The Commission must periodically divide New Zealand into General electoral districts.

(2) The periodic divisions must be made as follows:

- (a) the first division must be made during the current Parliament; and 10
- (b) the next and all following divisions must be made once during the term of every subsequent second Parliament following the Parliament in which the last periodic division was required to be made.

(2) In section 35(3), replace “Subject to section 269, each division effected under subsection (1) shall be effected” with “Each periodic division must be conducted”. 15

(3) Replace section 35(4) and (5) with:

(4) For the purpose of nominating a Chairperson of the Commission to be appointed under section 28(2)(f), the Surveyor-General must convene a meeting of the members of the Commission not later than 24 months before the term of the Parliament in which a division must be made is due to expire or, if the 2 members of the Commission referred to in section 28(2)(e) have not by then been appointed, a date that is as soon as possible after those 2 members of the Commission have been appointed. 20

(5) During a specified Parliament, the Electoral Commission must supply the Government Statistician with the information required to be supplied under **section 79** in accordance with that section. 25

(4) Replace section 35(6) with:

~~(6) As soon as is reasonably practicable after the Government Statistician has been supplied with the information referred to in subsection (5), the Government Statistician must report the following to the Commission:~~ 30

- ~~(a) the figure for the Māori electoral population calculated using that information; and~~
- ~~(b) the figure calculated for the General electoral population.~~

(6) **Subsection (6A)** applies when, in a specified Parliament, the Government Statistician has— 35

- (a) received the information referred to in **subsection (5)** for the day that is the calculation day; and

- (b) published statistics from the last census before the 20-month exclusion period, showing—
- (i) the total ordinarily resident population on counting day; and
 - (ii) the total number of ordinarily resident Māori persons on counting day.
- (6A) As soon as is reasonably practicable, but in any event not later than 8 months before the deadline stated in **sections 40(1) and 45(9)**, the Government Statistician must, using the information referred to in **subsection (6)** (and no other information), calculate and report the following to the Commission:
- (a) the figure for the Māori electoral population; and
 - (b) the figure for the General electoral population.
- (5) After section 35(8), insert:
- (9) In **subsection (6)**,—
- calculation day** has the meaning given in **section 3(1B)** for the purposes of paragraph (a) of the definition of Māori electoral population
- counting day** has the meaning given in **section 3(1A)** for the purposes of the definition of General electoral population.

Part 2

Amendments to other provisions

- 6 **Section 3 amended (Interpretation)**
- (1) ~~In section 3(1), definition of **Māori electoral population**, paragraph (b), replace “census day” with “the counting day used for the purposes of the definition of General electoral population (see **subsection (1A)**)”:~~
- (1) In section 3(1), definition of **Māori electoral population**,—
- (a) paragraph (a)(i) and (ii), replace “counting day” with “calculation day”:
 - (b) paragraph (b), replace “census day” with “the counting day used for the purposes of the definition of General electoral population (see **subsection (1A)**)”.
- (2) In section 3(1), repeal the definitions of—
- (a) **counting day**; and
 - (b) **on census day**.
- (3) After **section 3(1A)** (inserted by **section 4(3)** of this Act), insert:
- (1B) For the purposes of paragraph (a) of the definition of Māori electoral population,—
- ~~**counting**~~ **calculation day** means—
- (a) the day that—

- (i) is during the term of a specified Parliament other than in the 20-month exclusion period ~~before the specified Parliament is due to expire (the 20-month exclusion period)~~; and
- (ii) is the most recent reference date in relation to which statistics from a census were published by the Government Statistician before the commencement of the 20-month exclusion period; or
- (b) if there is no such day, the day that is the day after the return of the writ for the last general election preceding the commencement of the term of the specified Parliament referred to in **paragraph (a)**.

Example of counting-calculation day in paragraph (a)

Say, in the 2035–38 parliamentary term, the term of Parliament commences on 15 July 2035 and expires on 15 July 2038.

The 20-month exclusion period commences on 15 November 2036.

The last date before 15 November 2036 on which the Government Statistician published statistics from a census was 1 October 2036.

The statistics published on 1 October 2036 were in relation to the reference date of 30 June 2036.

Counting-Calculation day is therefore **30 June 2036** as this date is during the 2035–38 parliamentary term between 15 July 2035 and the commencement of the 20-month exclusion period on 15 November 2036 and is the last reference date in respect of which statistics were published before 15 November 2036.

Example of counting-calculation day in paragraph (b)

Say, in the 2035–38 parliamentary term, the term of Parliament commences on 15 July 2035 and expires on 15 July 2038.

The 20-month exclusion period commences on 15 November 2036.

The last reference date before 15 November 2036 was 30 June 2036 but the Government Statistician did not publish statistics from a census in relation to this date before 15 November 2036.

The previous reference date was 30 June 2035 but this date is before the 2035–38 parliamentary term started on 15 July 2035.

There is therefore no counting-calculation day during the 2035–38 parliamentary term between 15 July 2035 and the commencement of the 20-month exclusion period on 15 November 2036 as described in **paragraph (a)**.

The last general election preceding the commencement of the parliamentary term on 15 July 2035 was held on 1 June 2035.

The writ for that general election was returned on 15 July 2035.

Counting-Calculation day is therefore **16 July 2035** as this is the day after the day on which the writ was returned for the last general election that was held before the commencement of the term of Parliament on 15 July 2035.

7 Section 29 replaced (Term of office)

Replace section 29 with:

29 Term of office

- (1) The Chairperson and the members of the Commission appointed under section 28(2)(e) and (3)(b) cease to be members of the Commission on the dissolution or expiry of the term of the Parliament during which they were appointed.
- (2) **Subsection (1)** is subject to sections 30, **40A**, and **45A**.

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8 Section 33 amended (Deputies of *ex officio* members)

In section 33(2), replace “pursuant to section 8 of the Survey Act 1986 shall have” with “under section 6(1) of the Cadastral Survey Act 2002 has”.

9 Section 40 amended (Report of Commission)

- (1) Replace section 40(1) with: 10
- (1) Not later than 12 months before the term of the Parliament in which a division must be made is due to expire, the Commission must—
- (a) report to the Governor-General the names and boundaries of the General electoral districts ~~finally determined~~ fixed by the Commission; and
- (b) publish in the *Gazette* a notice stating— 15
- (i) that the Commission has ~~finally determined~~ fixed the names and boundaries of the General electoral districts; and
- (ii) that the names and boundaries of the General electoral districts fixed by the Commission are available for public inspection; and
- (iii) the places at which copies of the names and boundaries fixed by the Commission are available for public inspection without charge (which places must include the offices of the Electoral Commission). 20
- (2) In section 40(2), before “electoral districts”, insert “General”.
- (3) In section 40(3), before “electoral districts”, insert “General” in each place. 25

10 New section 40A inserted (Requirements in sections 35 to 40 to continue despite early dissolution of Parliament)

After section 40, insert:

40A Requirements in sections 35 to 40 to continue despite early dissolution of Parliament

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- (1) This section applies if the Parliament during the term of which a periodic division of New Zealand into General electoral districts must be made is dissolved before the Commission has complied with the requirements in section 40.
- (2) Sections 35 to 40 continue to apply as if the Parliament had not been dissolved and for that purpose the Chairperson and every member of the Commission referred to in section 28(2)(e) or (3)(b) continue to hold office until the Com-

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- mission reports to the Governor-General the names and boundaries of the General electoral districts.
- (3) A periodic division of New Zealand into General electoral districts completed in reliance on **subsection (2)** is to be treated as having been completed in the term of the Parliament in which the periodic division commenced. 5
- 11 Section 41 amended (Report and maps to be laid before House of Representatives)**
- Replace section 41(1) with:
- (1) A copy of reports provided to the Governor-General by the Commission under **sections 40(1)(a) and 45(9)(a)**, together with maps of the electoral districts fixed by the reports, must be presented by the Governor-General to the House of Representatives within 3 sitting days after the date of their receipt if Parliament is then in session or, if Parliament is not in session, within 3 sitting days after the date of the commencement of the next parliamentary session. 10
- 12 Section 42 amended (Indexes of streets and places)** 15
- Replace section 42(3) and (4) with:
- (3) Copies of each index compiled under subsection (1)(a) are available for purchase from Land Information New Zealand.
- (4) Copies of each index compiled under subsection (1)(b) in respect of an electoral district are available for purchase at every Land Information New Zealand office and at such other places as the Electoral Commission directs. 20
- 13 Section 45 amended (Maori representation)**
- (1) In the heading to section 45, replace “**Maori**” with “**Māori**”.
- (2) Replace section 45(1) and (2) with:
- (1) The Commission must periodically divide New Zealand into Māori electoral districts for the purposes of the representation of Māori persons in the House of Representatives. 25
- (2) The periodic divisions must be made as follows:
- (a) the first division must be made during the current Parliament; and
- (b) the next and all following divisions must be made once during the term of every subsequent second Parliament following the Parliament in which the last periodic division was required to be made. 30
- (3) In section 45(3), replace “Subject to section 269, each division effected under subsection (1) shall be effected” with “Each periodic division must be conducted”. 35
- (3A) In section 45(4), replace “section 35(6)” with “section 35(6A)”.**
- (4) In section 45(3) to (8), replace “Maori” with “Māori” in each place.
- (5) Replace section 45(9) with:

- (9) Not later than 12 months before the term of the Parliament in which a division must be made is due to expire, the Commission must—
- (a) report to the Governor-General the names and boundaries of the Māori electoral districts ~~finally determined~~ fixed by the Commission; and
 - (b) publish in the *Gazette* a notice stating—
 - (i) that the Commission has ~~finally determined~~ fixed the names and boundaries of the Māori electoral districts; and
 - (ii) that the names and boundaries of the Māori electoral districts fixed by the Commission are available for public inspection; and
 - (iii) the places at which copies of the names and boundaries fixed by the Commission are available for public inspection without charge (which places must include the offices of the Electoral Commission).
- (6) In section 45(10) to (12), replace “Maori” with “Māori” in each place.
- 14 New section 45A inserted (Requirements in section 45 to continue despite early dissolution of Parliament)**
- After section 45, insert:
- 45A Requirements in section 45 to continue despite early dissolution of Parliament**
- (1) This section applies if the Parliament during the term of which a periodic division of New Zealand into Māori electoral districts must be made is dissolved before the Commission has complied with the requirements in section 45.
 - (2) Section 45 continues to apply as if the Parliament had not been dissolved and for that purpose the Chairperson and every member of the Commission referred to in section 28(2)(e) or (3)(b) continue to hold office until the Commission reports to the Governor-General the names and boundaries of the Māori electoral districts.
 - (3) A periodic division of New Zealand into Māori electoral districts completed in reliance on **subsection (2)** is to be treated as having been completed in the term of the Parliament in which the periodic division commenced.
- ~~15 Section 79 amended (Determination of Māori electoral population)~~**
- ~~Replace section 79(2) with:~~
- ~~(2) In subsection (1), **counting day** has the meaning given in **section 3(1B)**.~~
- 15 Section 79 replaced (Determination of Māori electoral population)**
- Replace section 79 with:

79	<u>Determination of Māori electoral population</u>	
(1)	<u>For the purpose of enabling the Government Statistician to calculate the Māori electoral population, the Electoral Commission must, during a specified Parliament, supply to the Government Statistician, as soon as is reasonably practicable, the information, set out in subsection (2) for the following days:</u>	5
	<u>(a) the day after the return of the writ for the last general election preceding the commencement of the term of the specified Parliament;</u>	
	<u>(b) a day that is a reference date during the specified Parliament other than in the 20-month exclusion period.</u>	
(2)	<u>The information referred to in subsection (1) is—</u>	10
	<u>(a) the total number of persons registered as electors of Māori electoral districts; and</u>	
	<u>(b) the total number of Māori persons registered as electors of General electoral districts; and</u>	
	<u>(c) the total number of persons whose names are on the dormant rolls maintained under section 109 for Māori electoral districts; and</u>	15
	<u>(d) the total number of Māori persons whose names are on the dormant rolls maintained under section 109 for General electoral districts.</u>	
16	Section 268 amended (Restriction on amendment or repeal of certain provisions)	20
	In section 268(1)(c), replace “division of New Zealand into electoral districts after each census” with “periodic division of New Zealand into General electoral districts”.	
17	Schedule 1AA amended	
	In Schedule 1AA,—	25
	(a) insert the Part set out in the Schedule of this Act as the last Part; and	
	(b) make all necessary consequential amendments.	

Schedule

New Part 5 inserted into Schedule 1AA

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Part 5	
Provisions relating to Electoral (District Boundaries) Amendment Act 2026	5
11 Interpretation	
In this Part, —	
amendment Act means the Electoral (District Boundaries) Amendment Act 2026	10
commencement date means 1 January 2030.	
<u>In this Part, commencement date means 1 January 2030.</u>	
12 Representation Commission: term of office of appointed members ceases	
The members of the Representation Commission appointed under section 28(2)(e), (f), or (3)(b) before the commencement date cease to hold office on that date.	15
13 Reports, etc, of Commission under sections 40 and 45 for first periodic division after commencement of amendment Act	
(1) This clause applies for the purposes of the first periodic division of New Zealand into General electoral districts and Māori electoral districts after the commencement date.	20
(2) The deadline in sections 40(1)(a) and 45(9) for the Representation Commission to report and publish in the <i>Gazette</i> the names and boundaries of the General electoral districts and Māori electoral districts must be read as not later than 8 months before the term of the Parliament in which the division is being made is due to expire.	25
13 <u>First periodic division of New Zealand into General electoral districts and Māori electoral districts after commencement date</u>	
<u>(1) This clause applies for the purposes of the first periodic division of New Zealand into General electoral districts and Māori electoral districts after the commencement date (the first periodic division).</u>	30
<u>(2) Section 3(1) must be read as if the definition of 20-month exclusion period were replaced with:</u>	
<u>20-month exclusion period means the period commencing on 1 July 2031</u>	
<u>(3) Section 79(1)(a) does not apply.</u>	35

- (4) If the term of the Parliament in which the first periodic division is being made is due to expire before 31 October 2032, the reference in **section 35(6A)** to 8 months must be read as a reference to 7 months.
- (5) The deadline in **sections 40(1) and 45(9)** for the Representation Commission to report and publish in the *Gazette* the names and boundaries of the General electoral districts and Māori electoral districts must be read as—
- (a) not later than 8 months before the term of the Parliament in which the division is being made is due to expire, if the term of the Parliament in which the first periodic division is being made is due to expire on or before 31 July 2032; or
- (b) not later than 10 months before the term of the Parliament in which the division is being made is due to expire, if the term of the Parliament in which the first periodic division is being made is due to expire in the period commencing on 1 August 2032 and ending on 30 September 2032; or
- (c) not later than 12 months before the term of the Parliament in which the division is being made is due to expire, if the term of the Parliament in which the first periodic division is being made is due to expire on or after 1 October 2032.

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Legislative history

2 March 2026
5 March 2026

Introduction (Bill 251–1)
First reading and referral to Justice Committee