

Electoral Amendment Bill

Government Bill

As reported from the Justice Committee

Commentary

Recommendation

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

About the bill as introduced

The bill aims to improve the timeliness, efficiency, integrity, and resilience of the electoral system ahead of the 2026 General Election. It would make a range of amendments to the Electoral Act 1993, with consequential amendments to the Juries Act 1981, the Jury Rules 1990, and the Electoral Regulations 1996. The changes include:

- setting the enrolment deadline 13 days before election day
- disqualifying all sentenced prisoners who are detained in prison from enrolling and voting
- allowing people who are suspected or convicted of committing a crime but who are detained in a hospital or secure facility under mental health and intellectual disability legislation to enrol and vote
- modernising and streamlining the provisions relating to personal information collected for enrolment purposes
- enabling the Electoral Commission to use government data to update address information on the electoral rolls
- removing the mandatory postal requirements to enable the Commission to contact electors digitally
- setting an advance voting period of 12 consecutive days before election day

- prohibiting the provision of free food, drink, or entertainment within 100 metres of the entrance to a voting place
- expanding the existing offences of bribery, treating, and undue influence to include improperly influencing an elector not to enrol, or to enrol on a particular roll
- simplifying the process for adjusting the electoral expenditure limits.

Legislative scrutiny

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.

Report of the Attorney-General under the New Zealand Bill of Rights Act

On 25 July 2025, the Attorney-General presented a report on the bill to the House of Representatives under section 7 of the New Zealand Bill of Rights Act 1990 (NZBORA) and Standing Order 269(1). Section 7 requires the Attorney-General to bring to the House's attention any provision that appears to be inconsistent with any of the rights and freedoms contained in NZBORA. Standing Order 269(1) provides that the Attorney-General must indicate the provision to the House and how it appears to be inconsistent with NZBORA.

The Attorney-General concluded that the following four aspects of the bill appear inconsistent with NZBORA:

- 1 the **blanket disqualification** from electoral registration for people detained in prison under a sentence of imprisonment appears inconsistent with section 12 (right to vote)
- 2 the **transitional provisions** relating to prisoner voting appear inconsistent with section 25(g) (right to benefit of lesser penalty)
- 3 the **registration deadline** appears inconsistent with section 12 (right to vote)
- 4 the revised **bribery offence** appears inconsistent with sections 12 (right to vote) and 14 (right to freedom of expression).

We discuss each of these in turn below.

1 Disqualification from registration for prisoners

Section 12(a) of NZBORA provides that every New Zealand citizen aged 18 years or over has the right to vote in genuine periodic elections of members of the House of Representatives. Subpart 2 of Part 1 of the bill would disqualify from registration as an elector any person detained in a prison under a sentence of imprisonment. Registration as an elector is a prerequisite to voting. The Attorney-General considered that the blanket disqualification would engage section 12 because it would disenfranchise those who have a right to vote.

The Attorney-General recognised that section 12 is not an absolute right; it is subject to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society (under section 5 of NZBORA). However, she stated that the blanket disenfranchisement of prisoners proposed by the bill cannot be justified. The Attorney-General based this view on previous Attorney-General reports to the House, and on New Zealand, international, and comparative law.

The Attorney-General referred to the Attorney-General's report to the House on the Electoral (Disqualification of Sentenced Prisoners) Amendment Act 2010. That Act imposed a similar blanket disqualification, which was subsequently repealed in 2020. The Attorney-General's report at the time addressed why the justification could not be established. The principal reason was that a blanket disqualification disenfranchises in an irrational and irregular manner. In contrast, the Attorney-General pointed out, Crown Law has previously advised (and previous Attorneys-General have accepted) that more tailored schemes for disqualifying prisoners may constitute justified limits on the right to vote.

The Attorney-General noted that breach of civic responsibilities is the rationale given for imposing the disqualification. However, she suggested that a person's disenfranchisement would depend more on unrelated factors and accidents of timing than the type and degree of the breach. She observed that the Attorney General's overall conclusion on the 2010 bill would also apply to the Electoral Amendment Bill:

The disenfranchising provisions of this bill will depend entirely on the date of sentencing, which bears no relationship either to the objective of the bill or to the conduct of the prisoners whose voting rights are taken away. The irrational effects of the bill also cause it to be disproportionate to its objective.

We were advised that the Government's view is that a sentence of imprisonment reflects serious or repetitive offending. The Government considers it reasonable to expect that prisoners temporarily lose voting rights as part of taking personal responsibility and accountability for criminal offending. The bill would implement Government policy to reinstate a total prisoner voting disqualification. The Attorney-General has found that any blanket disqualification is inconsistent with the right to vote. Therefore, no changes could be made to the bill that would both give effect to Cabinet decisions about prisoner voting and be consistent with NZBORA.

2 Transitional arrangements for prisoner voting

Schedule 1 of the bill sets out the transitional arrangements for prisoner registration and voting when the bill enters into force.

Section 25(g) of NZBORA applies to a person convicted of an offence when the penalty has been varied between committing the offence and sentencing. It provides that they have the right to the benefit of the lesser penalty. The Attorney-General noted that the Supreme Court has adopted a wide definition of "penalty" and "punishment" under NZBORA. Consequently, depriving a person of the right to vote because of criminal sentencing appears to fall within the definitions.

The Attorney-General considered that section 25(g) appeared to apply for people who are detained in prison subject to a sentence of imprisonment imposed after the legislation commenced, but who committed the relevant offending before commencement. The offending may have been at a time when the law did not disqualify from registration a person imprisoned for less than three years. For this group, the bill would have the effect of varying the penalty between commission of the offence and sentencing but would deny them the benefit of the lesser penalty. The Attorney-General concluded that the transitional provisions for this group therefore appear inconsistent with NZBORA and cannot be justified under section 5 of NZBORA.

We sought advice on how this provision could be amended to address the inconsistency with section 25(g). We were advised that clause 10 of the bill, which would replace section 80(1)(d), could be redrafted so that it would only apply to prisoners sentenced to a term of imprisonment of less than three years if the relevant offending was committed after the commencement of new section 80(1)(d).

We recommend amending the bill to enable this. We discuss the changes needed to implement this in more detail in our proposed amendments section of this commentary.

3 Registration deadline

At present, electors can register at any time before or on polling day and vote in the corresponding election. Subpart 1 of Part 1 of the bill would amend the registration deadline to 13 days before polling day. The rationale for this amendment is to minimise delays in the vote count, by ensuring that all enrolment applications can be processed before election day. Enrolment processing must be completed before the vote count, including the processing of special votes, can commence.

The issue is that the Electoral Commission has modelled the following increases in special votes without the changes in the bill:

- 776,788 in 2026
- 905,064 in 2029
- over 1 million in 2032.

In respect of the 2026 General Election, the Commission believes it is unlikely it would be able to complete the official count within 20 days without the enrolment deadline change. This could mean that the 60-day statutory time frame for the return of the writ could be missed.

Some of us are of the view that one option to address this problem would be to amend the Electoral Act to temporarily extend the time frame for the return of the writ until we have seen the results of automatic enrolment updates. The Government has committed funds to allow the Electoral Commission to implement these updates after the 2026 General Election. We note that such a change to the writ time frames could have implications for the timing of the first meeting of Parliament after the election.

The Attorney-General acknowledged the importance of promoting timeliness in vote counting. However, she considered that the provision appears inconsistent with the

right to vote in section 12 of NZBORA. According to the Attorney-General, the right to vote is engaged because the proposed registration deadline has a potentially disenfranchising effect that is not immaterial—that is, people who are entitled to vote under section 12 may be prevented from voting because of the registration deadline.

The Attorney-General concluded that the proposal for a 13-day registration deadline appears to constitute an unjustified limit under section 12. She explained that the accepted starting point is the fundamental importance of the right to vote within a liberal democracy. A compelling justification is therefore needed to limit it. The Attorney-General determined that the benefits of the proposed deadline were uncertain. There also appeared to be alternative measures for addressing delays that would be less restrictive and could possibly be justified. For example, the bill would enable the Electoral Commission to update an elector's address based on information received from other agencies. This provision would likely speed up the vote count over time by keeping electors' details on the roll up to date. This would substantially reduce the number of special votes, which take longer to process. Other examples of less restrictive measures include shorter registration deadlines.

We received advice that automatic enrolment updates are expected to improve the speed of the vote count over time. However, those benefits cannot be realised in time for the 2026 General Election. Any enrolment deadline shorter than 13 days would be less likely to address delays in the vote count. The time frame also aligns with the start of the advance voting period. Setting the enrolment deadline during the voting period would create inconsistent rules that could cause difficulties for voters and election staff.

We requested information about the potential for a seven-day enrolment deadline, as a mid-point alternative. The Electoral Commission told us that a deadline that took effect part-way through an advance voting period would likely be the most complex scenario for voters and the Commission. The potential complexities include the following:

- It could create confusion for voters as to whether they could enrol or update their details during the voting period.
- It would be a challenge for the Commission to communicate two different messages about enrolment during the advance voting period.
- Having to change messaging for different phases of voting could have cost implications.
- It would necessitate changes to the Commission's ICT systems, and additional training for staff.

The Commission noted that it is difficult to estimate the effect on enrolment or voting patterns to model how a seven-day deadline would affect enrolment processing, post-election processes, and the timelines for producing official results. It was also unable to undertake a robust forecast of whether this deadline would increase voting in the first five days of advance voting. The Commission said that, given the risk and uncer-

tainty about the effect on special votes, it would not be confident that it could deliver the election results in 20 days.

4 Bribery offence

Clause 43 of the bill would amend the offence of bribery in section 216 of the Electoral Act. It would set out the offences more clearly and expand the existing offence to prevent improper influence over a person's decision to enrol and their choice of roll.

The Attorney-General observed that, because the bribery offence is framed broadly, it may capture and therefore prohibit legitimate or innocuous activities or speech. She provided several examples of activities that could be captured. They include driving someone to a polling place or a parent giving their 18-year-old petrol money to drive to the polling station.

The Attorney-General recognised that the amendments are principally designed to replicate the existing offence in section 216(2) of the Electoral Act but with modern wording. However, because the clauses on their face prohibit, or create a risk of chilling, legitimate or innocuous electoral activity or speech, they engage two provisions of NZBORA. They are the right to vote under section 12 and the right to freedom of expression under section 14. She stated that the risk of a chilling effect is real because the penalties for conviction for bribery are significant. They include up to two years' imprisonment or a fine of up to \$40,000, and suspension from voting for three years.

The Attorney-General acknowledged that a certain degree of generality is warranted when drafting offences. This reflects the range of situations and behaviours that could pose risks to electoral integrity. However, she considered that the proposed amendments to the bribery offence in section 216 are overbroad to the extent that they outstrip the rationale of protecting electoral integrity. As a result, the rationale cannot justify the degree of limitation that the offence imposes on protected rights. The Attorney-General suggested that the bribery offence, unlike the treating or undue influence offences, lacks sufficient thresholds to differentiate between legitimate and illegitimate activities.

We were advised that the bribery offence, which has existed largely in its current form since the early 1900s has been updated to use plain language. In the last three elections, there were only two bribery complaints, resulting in one referral to the Police.

Proposed amendments

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

Transitional arrangements for prisoner voting

To address the issue in the Attorney-General's report related to the transitional provision on prisoner voting discussed above, we recommend amending clause 10 of the bill, which would replace section 80(1)(d) of the Electoral Act. Under our proposed

amendment, section 80(1)(d), which disqualifies prisoners from registration as electors, would only apply in the following circumstances:

- to all prisoners detained in prison for a sentence of three years or more; and
- in cases of prisoners sentenced to less than three years in prison, where any of the relevant offending occurred after commencement of this bill.

Several further amendments are needed to the bill to reflect the above change:

- Clause 10(3) would replace section 80(1A) and would require that, if a prisoner is serving 2 or more sentences cumulatively, they are to be treated for the purpose of the prisoner voting disqualification as serving a single sentence equal to the total length of all sentences combined. This reflects existing settings in the Electoral Act.
- Clause 12 would insert new section 86AB, which would require prison managers to advise any prisoner who is not subject to the prisoner voting disqualification of their entitlement to register as an elector. If the prisoner consents, the prison manager would need to send registration details to the Electoral Commission.
- In Schedule 1, new Part 4 of Schedule 1AA, clause 10 would be deleted as it would no longer be necessary.

Provisional enrolment for 17-year-olds

Sections 86A to 86E of the Electoral Act deal with the registration of prisoners as electors. Clause 12 of the bill would replace those sections with new sections 86A to 86L.

Proposed new section 86A would apply to a prisoner aged 18 years or over who was received into a prison to serve all or part of their sentence. In this situation, the prison manager would need to forward to the Electoral Commission a notice containing specified information about the prisoner as the prisoner would be disqualified from registration. Under proposed new section 86C, the prison manager would need to advise prisoners aged 18 years or over before they were released about the requirement to register as an elector. The prison manager would also need to ask whether the prisoner wanted their registration details sent to the Commission to facilitate registration. Proposed new section 86H would place a similar requirement on the Director of Mental Health for a person aged 18 year or over who was transferred from a prison to a hospital or secure facility.

We note that section 82(2) of the Electoral Act enables 17-year-olds to apply to the Commission for registration as an elector. They are then enrolled when they turn 18. For consistency, we recommend amending sections 86A, 86C, and 86H so that they would also apply in respect of 17-year-olds.

Automatic enrolment updates

Clause 25 would insert new section 89CA into the Electoral Act to enable the Electoral Commission to update an elector's address on the electoral roll. This would be

based on information that it received from other agencies under section 263B of the Act. Proposed new section 89CA sets out the process for updating the roll if a data match identified that an elector's address appeared to be out of date. The Commission would need to notify the elector that their address would be updated on the electoral roll. It would need to give the elector 28 days to provide any necessary evidence to satisfy the Commission that the action should not be taken. The Commission would also need to notify the elector if it took the proposed action.

Proposed new section 89CA(5)(b) provides that an elector includes a person who is named on the dormant roll. People are placed on the dormant roll if the Commission is unable to contact them at the address where they are enrolled. It is intended that, if the Commission identified a new address for a person on the dormant roll, it would remove them from the dormant roll. It would then add them to the roll for the electorate in which they appeared to live. This would help to ensure that electoral rolls are up to date and that more people are registered at the correct address. However, we note that section 89CA(2), as introduced, may not sufficiently provide for people on the dormant roll because they are not technically registered in any electorate.

To avoid doubt, we recommend inserting section 89CB to make it clear that the Commission could action enrolment updates for electors on the dormant roll.

Exercising the Māori option for out-of-cycle local government elections

Clause 64 of the bill would amend section 78B of the Electoral Act, which restricts the ability to exercise the Māori option during a local government election period (the exception period). The exception period is defined as 3 months before polling day for an election held under section 10(2) of the Local Electoral Act 2001. The effect of the amendment is to provide that the exception period would also apply to out-of-cycle local authority general elections.

Section 89DA of the Electoral Act requires the Electoral Commission to send information about exercising the Māori option to Māori electors at least 3 months before the exception period commences. Clause 65 would amend section 89DA to extend this provision to apply to out-of-cycle local government general elections only if the applicable district or region in which the election is to be held had a Māori ward or Māori constituency. Consequently, the Commission would not need to send information about roll choice if it was not relevant for the specific election. We think that this approach is more efficient and could prevent confusing electors.

For several reasons, we consider that this approach should be replicated in clause 64. It would improve consistency with the information campaign provisions in clause 65 and ensure that exercising the Māori option was not unduly restricted when it could not affect an election. The approach would also be more administratively efficient because it is more complex to administer the exception period for one district or region. Accordingly, we recommend amending clause 64 so that the exception period in section 78B would only apply to an out-of-cycle local authority general election if the district or region had a Māori ward or Māori constituency.

We note that the Commission must send information about the Māori option 3 months before the start of the exception period (3 months before polling day). However, proposed new section 89DA, as introduced, would require the Commission to send information to Māori electors at least 3 months before the commencement of the election rather than the election period. We consider that this could have the unintended effect that Māori electors would have insufficient time to change rolls between the start of the information campaign and the exception period. We therefore recommend amending clause 65 to specify that the information campaign would need to be sent 3 months before the start of the exception period.

Having amended clause 64 to insert in section 78B of the Electoral Act a definition of local government election period that is identical to the definition of that term proposed in new section 89DA(2) of the Electoral Act, the latter definition is no longer required. This is because existing section 89DA(2) refers to local government election period as having the same definition as in section 78B. We therefore recommend deleting clause 65(1) and (4) to allow existing section 89DA(2) to be reinstated.

Other matters that we considered

We note that several proposals in the bill are intended to respond to the substantial growth in special votes and enrolment transactions after writ day. They include closing enrolment earlier and introducing automatic enrolment updates. Although we are not recommending any further amendments to the bill (other than those detailed above), we wish to highlight several related matters.

Eligibility to enrol after the enrolment deadline

At present, enrolment is allowed up to and on election day. Subpart 1 of Part 1 the bill would set the enrolment deadline 13 days before election day. This change is intended to support the timeliness of the vote count by allowing enrolment processing to be completed by election day. This would then allow other post-election processes to begin more quickly.

Under the new earlier deadline, people would need to enrol or update their details before advance voting started. The following would apply:

- People who are not enrolled and do not apply to enrol for the first time would not be qualified to vote.
- People who moved to a new electorate more than one month before election day and who do not update their address before the deadline would only be able to cast a party vote.
- People who moved to a new electorate within one month of election day would be able to cast a valid party and electorate vote in their previous electorate, regardless of whether they have updated their address before the deadline.¹
- People who have moved within the same electorate would be able to cast a valid party and electorate vote, regardless of whether they have updated their address before the deadline.

We acknowledge that there is a role for the Electoral Commission to communicate these aspects clearly to the voting public.

The bill would enable certain groups of persons to be enrolled who only become eligible to enrol in the period between the enrolment deadline and the close of election day:

- people who turned 18 during this period and who had applied to enrol before the enrolment deadline
- people who qualify for enrolment in a new electorate during this period and who applied to update their details before the enrolment deadline.

We discussed the following groups of people who would not be able to be enrolled in the period between the enrolment deadline and election day:

- people who turned 18 during this period but had not applied to enrol before the enrolment deadline; and
- people released from prison during this period.

We discussed whether the bill could be amended to provide exceptions for these groups of people. The Electoral Commission advised us that doing so would introduce a number of complexities. For people turning 18, they could need to have appropriate identification to demonstrate eligibility, which would need to be spelled out in the Commission's messaging. For people being released from prison, there is the possibility that release dates may change for prisoners. It would also involve complexity for staff in voting places. The Commission would need to decide how much it erred on the side of caution, accepting votes that might need to be disallowed later.

Time frame for the vote count

The Electoral Commission noted that enrolment applications and updates received up to the enrolment deadline must be actioned before special votes can be processed. Special votes can take 10 times longer than normal votes to process because they need to be sent to their home electorate and have their declaration validated and enrolment eligibility confirmed.

The Commission provided modelling of the estimated number of votes for the next three general elections under three scenarios. The scenarios are: the status quo, all changes proposed by the bill, and all the bill's proposed changes except the earlier enrolment deadline. The total number of votes cast is projected to increase under all scenarios because of population growth. The number of special votes compared with 2023 is also expected to increase. The Commission attributed this to population growth and the continuing trend for more voters to enrol or update their details after writ day. The biggest increase is projected under the current settings (the status quo scenario), where special votes would exceed 1 million votes by 2032.

¹ The Electoral Act provides that a person is eligible to vote in the electorate where they have last lived for one month or more under section 74.

We asked how many days it would take the Commission to complete its post-election processes under the earlier enrolment deadline proposed by the bill, compared to if the bill proceeded without the earlier enrolment deadline. The Electoral Commission said it is confident that it can complete its processes in 20 days with the change. Without the earlier enrolment deadline, the vote count could take up to 23 days, which could mean that the statutory time frame for the return of the writ may not be met.

Automatic enrolment

We also discussed whether electors could be automatically enrolled, including when they turned 18. This could speed up the counting process by reducing the number of special votes.

Implications for Māori voters

We received advice that automatic enrolment for new electors was considered but not recommended because of the implications when initially exercising the Māori option. When Māori electors first enrol, they choose whether to enrol on the general roll or the Māori roll. If electors were automatically enrolled based on government data, there would be no way of identifying who would be eligible as a Māori elector. New electors would therefore have to be enrolled on the general roll by default.

Māori who were enrolled on the general roll by default could subsequently change rolls. However, they would be constrained from doing so for at least six months in any three-year electoral cycle. This is because the three-month exception period before triennial general and local elections and parliamentary by-elections prohibits the exercise of the Māori option.

Other matters that would need to be considered before introducing automatic enrolments include whether the available data is sufficient to determine eligibility, and privacy-related concerns. Issues include being enrolled without giving explicit consent, and privacy risks for people who should be on the unpublished roll due to safety concerns. Requiring people to self-enrol also provides an opportunity to educate them about the electoral system, which could be reduced if they were automatically enrolled.

We discussed whether the National Iwi Chairs Forum could canvass views about people being automatically enrolled on the general roll and then given the option of shifting to the Māori roll. We also asked why Māori people could not be automatically enrolled on the Māori roll. We were told that there are limitations regarding the availability and quality of data about Māori descent.

Use of data-matching

We were advised that automatic enrolment updates, as proposed in the bill, are a lower-risk approach to using data-matching for enrolment purposes. We note that enrolment transactions after writ day are a key source of pressure for the Commission. However, most of these are updates to enrolment details rather than new enrolments. For example, at the 2023 General Election about 79 percent of enrolment transactions after writ day were enrolment updates. Once the programme has been

established and any implementation risks identified and addressed, consideration could be given to expanding it to automatic enrolments. This would be subject to resolution of the policy issues described above.

We acknowledge the issues that would need to be dealt with before introducing automatic enrolments. We have therefore not recommended changes to the bill to allow automatic enrolments. However, we think that the idea is interesting, and consideration should be given to introducing it in the future. We encourage the Government to invest in automatic enrolments.

New Zealand Labour Party differing view

The government's suggestion that this legislation is necessary to improve the timeliness, efficiency, integrity, and resilience of elections ahead of the 2026 General Election is a fiction. The Electoral Commission itself said in evidence that there will be no appreciable improvement in the electoral system in 2026. Other measures such as automatic enrolment would be far better measures in the medium and long term to assist with timeliness in particular.

The actual effect of these changes will be to reduce ability to vote for many thousands of people. This will fall most heavily on certain populations including Māori. If this is not the intended effect of these changes, it is at the very least a consequence that the government is happy to accept. This is indicative of the government's disregard for the importance of the franchise which underpins our democracy.

Much of this legislation has the effect of suppressing voting. We are deeply concerned that many people will be unable to vote at the next election and either be refused access to the ballot box, or have their vote disallowed because they did not appropriately update their enrolment before voting commenced. If this occurs there is a real risk that the legitimacy of the outcome of the election will be undermined.

It is therefore unsurprising that over 80 percent of the people who submitted on this bill opposed it.

Preventing enrolment in the election period

New Zealand has to date had one of the most accessible voting systems in the world including enabling people to enrol and vote on the same day. This means that most people have been able to be included in our democracy and have their say about the composition of government.

This government is rolling this back. This legislation makes it harder for people to vote. It does this because it values administrative convenience over a free, fair, and accessible democracy.

The Electoral Commission, in oral evidence, stated "this is not a change we recommended". In the same evidence that Commission stated that under these new rules it would take 20 days to deliver the official count—and accepted that this was exactly the same amount of time it took to deliver the official count in the 2023 election—meaning that there will be no timeliness improvement at all.

There is also a problem for a group of people who become eligible to vote within the voting period. While allowance is made for people turning 18 (by pre-enrolment) others such as people who are granted residency in the voting period or leave prison in the voting period will not be able to vote. While they are notionally entitled to vote there is no provision for their enrolment. This means that the right to vote is unfairly and irrationally stripped from them. The justification for not putting a system in place so that this small group of people entitled to vote can in fact vote is stated (in the Departmental Report at para 23) as the “administrative burden”

The Attorney-General in her report stated that this policy is inconsistent with the right to vote under section 12 of NZBORA. It has a disenfranchising effect—taking away the right to vote—in circumstances where other options to achieve the purported ends of administrative efficiency which did not have the same effect were not proposed or explored.

This is a significant problem. The Attorney General noted that “For the 2023 General Election special votes included over 97,000 people who registered for the first time during the voting period, and nearly 134,000 people who changed electoral districts during the voting period”. This amounts to 231,000 people who may be affected by this change. When it is noted that about 2.85m people voted this means around 8 per cent of the voting public will find it harder to vote because of what this government is doing.

Depriving Sentenced Prisoners of the Right to Vote

The last government passed the Electoral (Registration of Sentenced Prisoners) Amendment Act in 2020. It did this in response to a Supreme Court case and also a Waitangi Tribunal report which condemned an absolute ban on prisoner voting as in breach of the New Zealand Bill of Rights Act and the Treaty of Waitangi respectively. The law as it currently stands is that people who are sentenced to three or more years in prison are disqualified from voting; other prisoners are still entitled to vote.

This government is intent on imposing an absolute ban on prisoner voting again. Predictably the Attorney General has observed that the legislation is in breach of the New Zealand Bill of Rights Act. She has observed it is irrational and disproportionate and cannot be justified.

The irrationality of this ban on voting in response to criminal offending is pointed out by the Attorney General. Some examples are demonstrative:

- A person who pleads guilty to theft and is sentenced to three months in prison immediately (that falls on a voting day) is banned from voting.
- A person who is charged with serious sexual offending and spends two and a half years on remand before trial and then is sentenced to a further year in prison, which is transmitted to home detention is not banned from voting.
- A person who is found guilty of assault and sentenced to a year in prison (that falls on a voting day) and qualifies for home detention, but no suitable residence is available so must serve the time in prison is banned from voting.

- A person who is found guilty of assault and sentenced to a year in prison (that falls on a voting day) and qualifies for home detention and there is a suitable residence available is not banned from voting.
- A person sentenced to two years and ten months in prison for a serious assault (but it does not fall on election day) is not banned from voting.
- A person who has been convicted for serious sexual offending for which a period of imprisonment of at least six years is inevitable but is on remand awaiting sentence on election day is not banned from voting.
- A person convicted of murder who has a mental health episode and is transferred to a secure mental health facility for care which coincides with the election day is not banned from voting.

Retrospective increase in punishment

The prisoner voting ban is a form of punishment. Where people are sentenced to imprisonment for less than three years for an offence which was committed prior to this law change they will lose the right to vote. This amounts to retrospectively changing the punishment for the offence. This is in breach of the right to have the lesser punishment imposed in cases where the punishment is increased by a law change after the offence is committed.

Limits on free speech rights

The Attorney General has also pointed out that the way in which the bribery offence is broadly drafted unduly limits free speech rights. In particular there are many innocuous activities which fall broadly under the prohibition making it an offence to “give any money to, or procure any benefit for, a voter to induce the voter to, inter alia, vote or refrain from voting”. This might extend even to giving someone a lift to the polling booth or inviting people to come to a party once they have voted or even giving setting up a BBQ and telling people that they can have a sausage once they have voted.

These activities are not intended to be caught by the provision, and this could have been addressed by drafting changes. However, the committee did not choose to make those changes. The basis of this was that the provision was a redraft of an existing provision which simply extended its reach to include persuasion around the Māori electoral option. We consider this to be an inadequate excuse and reflective of the dismissive attitude of this government to rights.

Conclusion

These reforms were not recommended by the Electoral Commission, not supported by voters and condemned by an excoriating Attorney General’s report. They are not an effective response to the problem of timeliness to vote-counting. These changes will have the effect of making it harder for people to vote and lead to more votes being disallowed. This shows a government that does not hold democracy in high regard.

Green Party of Aotearoa New Zealand differing view

The Green Party of Aotearoa New Zealand strongly opposes this bill, viewing it as voter suppression that undermines democracy and contravenes the New Zealand Bill of Rights Act 1990 (NZBORA).

Over 80 percent of submitters opposed the bill. The Green Party argues these controversial electoral changes lack any pre-election mandate and violate constitutional norms requiring widespread support for such significant reforms.

The Government parties' choices ignore the recommendations from the Independent Electoral Review 2023.

Earlier enrolment deadline (13 days before election day)

We consider this represents voter suppression after 20 years of allowing enrolment during voting period and recently allowing enrolment on polling day.

In 2023, 97,000+ people enrolled and 134,000+ changed electorates. This may change to fewer with automatic updates. A more generous and inclusive alternative is to extend the writ period by up to 10 days for the 2026 election.

The Attorney-General found changing the deadline inconsistent with NZBORA section 12. Curtailing enrolment disproportionately impacts Māori, Asian, Pasifika, younger people, and transient populations while advantaging settled home-owners. We consider this change amounts to "temporal gerrymandering", to quote the Asian Legal Network.

Rangatahi Māori, and young people more broadly, are among the groups of people who will be most heavily affected by the enrolment cut-off date. Young people from 18–25 are already the least likely to vote, so removing flexibility that makes it more likely that they will participate in their democracy is concerning. Voting habits for life are formed during these formative years so if our election settings are permissive of the busyness and chaos of everyday life, particularly for young people, this will have flow-on, lifelong effects.

Prisoner voting ban

We oppose the blanket prisoner voting ban in the strongest terms. When a person is sentenced to a term of imprisonment, they relinquish their freedom of movement. People in custody do not relinquish their human rights, nor their civic rights, or any set of rights besides freedom of movement.

The notion that civic rights stem from adherence to a set of civic responsibilities is a slippery slope that continues to be repeated by our country's leaders. It is a dangerous notion that dictates what makes a human being worthy of participating in their own democracy.

The blanket prisoner voting ban is unpopular with the public with 93 percent of submitters in opposition to this provision. The Ministry of Justice were also opposed to this blanket ban, and preferred to allow all prisoners to vote based on all available evidence. The Independent Electoral Review's 2023 Report recommended removing

disqualification of prisoners from the right to vote. They noted that removing these provisions will better uphold Te Tiriti o Waitangi. This is particularly pertinent given more than half of men in prison are Māori and more than two-thirds of women in prison are Māori. The links between systemic bias and structural racism within both Police and Corrections has been well-established for decades now so the voter ban further entrenches this racism and its negative consequences.

The blanket prisoner voting ban will be difficult to enforce. For the half of adults in custody in New Zealand who await sentencing on remand, they will still need to be given access to voting. The only reason that they are able to vote, compared to their sentenced counterparts, is due to backlogs in the Courts. This is unfair and leaves civic rights to luck. For people who leave prison in the 13 days leading up to Election Day who are unable to enrol, they will be effectively disenfranchised and have the bad luck of being released during a period where there are no options available to them to participate in their own democracy.

Voting creates positive behaviours and is a pro-social activity which asks people to think critically about what they want for their country—present and future. There is no evidence that removing the right to vote will have any impact on things like deterrence, culpability or punishment. Nobody who is going to commit a crime will think to themselves “I better not do this or I will lose the right to vote”. This demonstrates a continuing ignorance and deliberate misunderstanding of crime and drivers of crime by the Government which has been a theme this term.

A ban on prisoner voting will likely be found to be inconsistent with the New Zealand Bill of Rights Act and New Zealand’s international human rights obligations. The ban will also breach the Crown’s obligations under the Treaty of Waitangi.

Vote 16

The Green Party supports voting for 16- and 17-year-olds. This is an opportunity to extend rather than restrict the franchise. The Supreme Court (2022) found preventing this age group from voting is unjustified age discrimination. Extending the franchise would support ongoing increased voter participation (as seen in evidence from the Scottish elections).

Treating offences

This Bill would prohibit providing free food/drink at polling places including marae, which criminalises manaakitanga, which predates the Westminster system in New Zealand and could have a "chilling effect" on Māori political participation.

Donation disclosure limits

The Green Party does not support increased disclosure limits and would prefer considerable reduction to aid transparency and discourage corruption. We support only registered voters being able to donate to political parties, not organisations and corporations.

Despite opposing core provisions, the Party supports several procedural improvements including: automatic enrolment updates, removing postal requirements, 12-day advance voting period, strengthening electoral offences (except treating provisions), and automating electoral expenditure limits.

We are interested in the possibility of automatic enrolment, not just automatic updates, although there are complexities with the Māori and General rolls.

Conclusion

The Green Party will vote against this Bill and continue advocating for inclusive democracy that protects and expands voting rights rather than restricting them.

Tākuta Ferris differing view

As the Member of Parliament for Te Tai Tonga, I strongly oppose this bill. It represents a deliberate narrowing of democratic participation and will silence the voices of tens of thousands of New Zealanders, including a disproportionate number from Māori communities across the motu.

This legislation lacks public mandate, contradicts the advice of experts, undermines constitutional norms, and breaches the New Zealand Bill of Rights Act 1990 (NZBORA). It also fails to honour Te Tiriti o Waitangi and ignores the lived realities of Māori voters, particularly those in Māori electorates such as Te Tai Tonga.

Earlier Enrolment Deadline—A direct attack on the franchise

As the Member of Parliament for Te Tai Tonga, I strongly oppose this bill. It represents a deliberate narrowing of democratic participation and will silence the voices of tens of thousands of New Zealanders—including a disproportionate number from Māori communities across the motu.

The Electoral Commission’s modelling warns that closing enrolment 13 days prior to election day will result in:

- 58,000 voters losing their vote in 2026 (Electoral Commission, p. 3)
- over 100,000 voters lost across the next three election cycles (p. 3–4)
- a cumulative disenfranchisement equivalent to wiping out the entire city of Invercargill from the democratic roll.

In 2023:

- 97,000 people enrolled during the voting period,
- 134,000 changed electorates, and
- 152,000 in total made enrolment-related updates in the final two weeks (MoJ report, p. 9).

Under this bill, every one of those voters would have been locked out.

This legislation lacks public mandate, contradicts the advice of experts, undermines constitutional norms, and breaches the New Zealand Bill of Rights Act 1990

(NZBORA). It also fails to honour Te Tiriti o Waitangi and ignores the lived realities of Māori voters, particularly those in Māori electorates such as Te Tai Tonga.

Prisoner Voting Ban—A Return to Unlawful Discrimination

The bill reinstates a blanket prisoner voting ban. This provision:

- Contradicts the Supreme Court (*Taylor v Attorney-General*, 2015),
- Breaches NZBORA and international human rights law,
- Contradicts Ministry of Justice advice, and
- Ignores public submissions, 93 percent of which oppose the reinstatement.

More than half of all imprisoned men and two-thirds of imprisoned women are Māori. Māori are 10.7 times more likely to serve short sentences—the exact group targeted by this bill. This ban therefore removes the political voice of Māori in a way that no credible democracy should accept.

There is no evidence that denying voting rights improves public safety, reduces offending, or increases accountability. It is purely punitive and disproportionately harms Māori communities, including whānau in Te Tai Tonga.

Disproportionate Harm to Māori

Both the Commission and Ministry of Justice state clearly that the bill will:

- Disproportionately disenfranchise Māori, Pasifika, Asian and young voters (MoJ, p. 7)
- Cut off voters who move more frequently—including Māori families in transitional housing, overcrowded households, or who shift between regions for whānau support or mahi
- Reduce Māori political representation and weaken participation rates already lower due to systemic barriers.

Māori made up a significant portion of the 152,000 last-minute enrolments or updates in 2023—meaning Māori will be heavily over-represented in the 58,000 projected voter drop.

This is a direct breach of the Crown’s obligations under Te Tiriti o Waitangi.

Impact on Rangatahi Māori and Young Voters

Rangatahi Māori already face structural barriers to political participation. The 13-day cut-off removes flexibility that allows young people—especially those turning 18 close to election day—to take part in democracy.

Voting habits form early. Policies that push rangatahi out of the system will have multi-generational consequences.

Treating Provisions—Criminalising Tikanga

The proposed expansion of treating offences risks criminalising ordinary Māori practices such as providing kai or hosting community gatherings at marae during elec-

tions. Manaakitanga predates Westminster law. This change may produce a chilling effect on Māori civic participation.

Conclusion

This bill is not a technical adjustment. It is a deliberate act of disenfranchisement. The Government has been told—repeatedly, clearly, and unequivocally—that 58,000 people will lose their vote in the next election, and more than 100,000 will be silenced across the next three cycles. Those are not just numbers. Those are whānau. Those are communities. Those are the very people I represent.

Both the Electoral Commission and the Ministry of Justice have warned that this bill will hit Māori the hardest. Rangatahi, renters, low-income families, people in transitional housing, and those moving between communities—the people already marginalised by the system—will be locked out entirely. And for what? Not for integrity. Not for efficiency. But for political convenience.

Reinstating the blanket prisoner voting ban adds a further layer of discrimination, targeting Māori at a rate no other group would ever tolerate. The Government is choosing to ignore the Supreme Court, ignore NZBORA, ignore international law, ignore the Ministry of Justice, and ignore the public. It is choosing to silence Māori voices rather than strengthen them.

A democracy that fears voters is not a healthy democracy. A system that excludes people for being poor, mobile, young, or Māori is not a fair system. And a Government that undermines participation cannot claim to uphold the values of Aotearoa.

As the Member of Parliament for Te Tai Tonga, I cannot and will not support a bill that strips voting rights, weakens Māori representation, and rolls back decades of progress. My duty is to protect the political voice of my electorate—not allow it to be erased.

For the integrity of our elections, for the rights of our people, and for the future of democratic participation in Aotearoa, this bill must be opposed. It is harmful, it is unjustified, and it has no place in a democracy that claims to value every vote.

Te Pāti Māori differing view

Introduction

Te Pāti Māori strongly opposes the Electoral Amendment Bill as it will trample on voting rights and make it easier for wealthy donors to influence our elections in Aotearoa.

The main aspects of this bill that we oppose are:

- banning enrolments for 13 days before an election
- banning all prisoners from voting, and
- raising the donation disclosure threshold from \$5,000 to \$6,000.

Since the introduction of this bill, hundreds of Māori voters have found themselves removed from the Māori roll or deregistered completely. The government cannot continue with these reforms until they can ensure their enrolment system is flawless.

This bill is blatant voter suppression

The Attorney General, Judith Collins, has stated that these changes will violate the constitutional rights of New Zealanders, and will disenfranchise over 100,000 people. Further, electoral trends have demonstrated that this bill will disproportionately impact our rangatahi, Māori, Pasifika, and Asian communities, and a majority of the disenfranchised voters would not support any of the government parties. This bill is blatant voter suppression.

When they removed Māori Wards, dismantled co-governance, and introduced the Treaty Principles Bill, the government claimed that they were “strengthening democracy”.

The Electoral Amendment Bill confirms what we already knew to be true: This coalition only cares about democracy when it can be weaponised against Māori.

This bill will give corporations control over our democracy

Raising the donation disclosure threshold will only worsen the corporate control of our government.

We have seen many obvious instances of lobby groups successfully creating and passing policy through this government’s tenure. From the many Fast-Track projects directly linked to political donations, to the scaling back of our smokefree targets, and the many landlord tax cuts that have been handed out, it is clear that our democracy has been bought and is working against the interests of the regular people of Aotearoa.

This amendment will only make it easier for the rich to influence our elections without public scrutiny.

This bill undermines its own purpose

The stated purpose of this bill is to “support the timeliness, efficiency, integrity, and resilience of the electoral system.”

If the government were serious about improving the integrity of the electoral system, they would immediately act to investigate the many cases of deregistration that have been reported, and they would be encouraging more people to vote. They would not be disenfranchising and deregistering voters.

The move to reinstate a full ban on voting for prisoners also directly undermines the integrity of the voting system. This amendment is a denial of basic human rights and a flagrant breach of Te Tiriti o Waitangi.

Prisoners are the people most impacted by the decisions of the New Zealand Government—their entire livelihoods are dictated by the state. Despite this reality, prisoners will now have zero say in the make-up of the Government.

The Constitution Amendment Bill, which was introduced the same day as the Electoral Amendment Bill, also undermines the need for timeliness and efficiency. This bill would amend section 6 of the Constitution Act to remove the 28-day rule, and create a new rule where Ministers of the Crown remain in office until election processes are completed and new MPs are appointed. There is absolutely no need for the government to disenfranchise over 100,000 people when they are also removing the time limit for completing electoral processes.

Conclusion

Te Pāti Māori has always been clear: a strong democracy includes everyone—especially those the system has harmed. This bill will actively rig the next election in the government’s favour, unjustifiably disenfranchise over 100,000 people, and make it easier for the rich to influence our elections—weakening our democracy across the board. We will continue to oppose this bill.

Appendix

Committee process

The Electoral Amendment Bill was referred to this committee on 29 July 2025. The House instructed us to report the bill back no later than 1 December 2025.

We called for submissions on the bill with a closing date of 11 September 2025. We received and considered submissions from 2,708 interested groups and individuals. We heard oral evidence from 98 submitters at hearings by videoconference and in Wellington.

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

We considered the bill alongside the Report of the Attorney-General under the New Zealand Bill of Rights Act 1990 on the Electoral Amendment Bill.

We note that during the consideration of this bill, Mr Ferris became an independent member and Te Pāti Māori was no longer represented on the committee. The differing views of both the independent member and Te Pāti Māori are included in our commentary. We note that neither participated in our deliberation on the bill.

Committee membership

Hon Andrew Bayly (Chairperson)

Hon Ginny Andersen

Jamie Arbuckle

Carl Bates

Tākuta Ferris

Rima Nakhle

Tom Rutherford

Todd Stephenson

Vanushi Walters

Hon Dr Duncan Webb

Dr Lawrence Xu-Nan

Celia Wade-Brown also participated in this item of business

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 unanimously

~~text deleted unanimously~~

Hon Paul Goldsmith

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Government Bill

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Consequential amendments and revocation

155	Consequential amendments to secondary legislation	59
156	Revocation	59

Schedule 1

New Part 4 inserted into Schedule 1AA

Schedule 2

Consequential amendments to secondary legislation

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Electoral Amendment Act **2025**.

2 Commencement

- (1) This Act comes into force on the day after Royal assent. 5
- (2) However, the following sections come into force on **1 January 2026**:
- (a) **sections 56 to 59**;
- (b) **sections 119 and 120**;
- (c) **sections 125 to 129**.

Part 1 10

Amendments to Electoral Act 1993

3 Principal Act

This Part amends the Electoral Act 1993.

Subpart 1—Elector registration

4 Section 3 amended (Interpretation) 15

- (1) In section 3(1), replace the definition of **adult** with:
- adult** means an individual of or over the age of 18 years
- (2) In section 3(1), insert in its appropriate alphabetical order:
- close of registration**, in relation to registration as an elector of an electoral district for an election, means the close of the 13th day before polling day for the election 20

5 Section 60 amended (Who may vote)

- (1) In section 60(b)(ii), replace “polling day” with “the close of registration”.
- (2) Replace section 60(c) and (d) with:
- (c) any person who is qualified to be registered as an elector of the district and was at the time of the last preceding election— 25
- (i) registered as an elector of that district (**district A**); or
- (ii) registered as an elector of some other district in which the elector’s place of residence at the time of the last preceding election was situated if, because of a subsequent change of boundaries, that place of residence is now within district A: 30
- (d) any person who—

- (i) is qualified to be registered as an elector of the district (**district A**); and
- (ii) has been registered as an elector of district A as a result of having applied, since the last preceding election and before the close of registration,—
- (A) for registration as an elector of district A; or
- (B) for registration as an elector of some other district in which the elector’s place of residence at the time of the last preceding election was situated if, because of a subsequent change of boundaries, that place of residence is now within district A:
- (3) Repeal section 60(g).
- 6 Section 74 amended (Qualification of electors)**
- Replace section 74(2) with:
- (2) If a writ has been issued for an election, every person is treated, for the purposes of subsection (1)(c), as having completed a period of 1 month’s continuous residence in an electoral district if the person—
- (a) resides in the electoral district at the close of registration; and
- (b) would, if they continued to reside in the electoral district until the close of polling day, have continuously resided in the electoral district for a period equalling or exceeding 1 month.
- (3) **Subsection (2)** applies whether or not the person in fact continues to reside in the electoral district during the period between the close of registration and polling day.
- 7 Section 88 amended (Applications received after issue of writ)**
- (1) Replace section 88(1) with:
- (1) If a writ has been issued requiring the conduct of an election in a district, the Electoral Commission may not, at any time during the period beginning on the day after the close of registration and ending on the day of the return of the writ,—
- (a) register an application for registration as an elector that the Electoral Commission receives after the close of registration; or
- (b) amend an elector’s particulars on the roll in accordance with an application that the Electoral Commission receives after the close of registration.
- (2) In section 88(2), replace “subsection (1)” with “**subsection (1)(a)**”.
- (3) In section 88(2), replace “or on polling day” with “the close of registration” in each place.

- (4) Repeal section 88(2)(b)(iii).
- (5) In section 88(3), replace “polling day” with “the close of registration”.
- (6) Replace section 88(4) with:
- (4) Subsection (3)(a) does not apply if **section 89(1A) or (1B)** applies.

8 Section 89 amended (Procedure following application for registration) 5

After section 89(1), insert:

- (1A) If, before the close of registration, the Electoral Commission receives an application for registration as an elector from a person who is aged 17 years and who attains the age of 18 years in the period between the close of registration and the close of polling day, the Electoral Commission must, at the close of registration, on being satisfied the person is qualified to be registered as an elector but for their age,—
 - (a) treat the person as qualified to be registered as an elector; and
 - (b) enter the person’s name on the roll.
- (1B) After receiving a notice under section 89C(2) from an elector that they have changed their place of residence to a different electorate (a **new electoral district**), the Electoral Commission must treat the elector as qualified to be registered as an elector of the new electoral district and enter the elector’s name on the roll for the new electoral district in advance of the elector having resided in that district for a period equalling or exceeding 1 month if—
 - (a) the notice was received before the close of registration; and
 - (b) the elector would have resided in the new electoral district for a period equalling or exceeding 1 month by the close of polling day (whether or not the elector in fact continues to reside in the electoral district during the period between the close of registration and polling day).

Subpart 2—Disqualifications for registration: persons detained in hospitals, secure facilities, and prisons

9 Section 3 amended (Interpretation)

- (1) In section 3(1), replace the definition of **hospital** with:
 - hospital**—
 - (a) means a hospital care institution within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001; but
 - (b) for the purposes of sections 80, **86A, 86B, and 86H**, has the meaning given in section 2(1) of the Mental Health (Compulsory Assessment and Treatment) Act 1992
- (2) In section 3(1), insert in their appropriate alphabetical order:

Director of Mental Health means the person holding or acting in that office under section 91 of the Mental Health (Compulsory Assessment and Treatment) Act 1992

secure facility has the meaning given in section 9 of the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003

5

10 Section 80 amended (Disqualifications for registration)

(1) Repeal section 80(1)(c).

(2) Replace section 80(1)(d) with:

~~(d) a person who is detained in a prison pursuant to a sentence of imprisonment, including a person who following detention in a hospital or secure facility is transferred to a prison to continue to serve a sentence of imprisonment:~~

10

(d) a person who is detained in prison under a sentence of imprisonment (including following detention in a hospital or secure facility) in any case where the sentence of imprisonment—

15

(i) was imposed for offending that occurred before the commencement of this paragraph and is a sentence—

(A) of imprisonment for life; or

(B) of preventive detention; or

(C) for a term of 3 years or more; or

20

(ii) is imposed for any offending that occurred after the commencement of this paragraph:

~~(3) Repeal section 80(1A).~~

(3) Replace section 80(1A) with:

(1A) For the purposes of **subsection (1)(d)(i)** and **section 86AB**, 2 or more sentences of imprisonment for a fixed term that are at any time directed to be served cumulatively are to be treated as a single sentence of imprisonment for a term equal to the sum of the term of imprisonment of each sentence.

25

(4) Replace section 80(2) with:

(2) The Registrar of the court in which any person is convicted of a corrupt practice must, not later than the fifth day of the month following the date of the conviction, forward to the Electoral Commission a certificate showing—

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(a) the name, date of birth, place of residence, and description of the offender; and

(b) the particulars of the conviction.

35

11 Section 81 repealed (Prison manager to forward to Electoral Commission details of prisoners disqualified for registration)

Repeal section 81.

12 Sections 86A to 86E replaced

Replace sections 86A to 86E with:

86A Prison manager to send to Electoral Commission information about prisoners disqualified for registration

- (1) This section applies in respect of a prisoner who— 5
- (a) is of or over the age of ~~18~~ 17 years; and
 - (b) is a person who is described in **section 80(1)(d)** and who has been received into a prison to serve the whole or part of their sentence.
- (2) No later than 7 days after a prisoner is received into a prison, the prison manager must forward to the Electoral Commission a notice stating— 10
- (a) the name and date of birth of the prisoner; and
 - (b) the prisoner’s previous residential address or, if the prisoner has been transferred to the prison after previously being detained in a hospital or secure facility, the name and address of the hospital or secure facility in which the prisoner was detained; and 15
 - (c) the name and address of the prison.

86AB Registration of prisoners serving sentence of imprisonment who are not disqualified for registration under section 80(1)(d)

- (1) This section applies in respect of a prisoner who is sentenced to a term of imprisonment and who— 20
- (a) is not disqualified under **section 80(1)(d)(i)** from registration; or
 - (b) was disqualified under **section 80(1)(d)(i)** from registration but who has had their sentence of imprisonment reduced or altered on appeal, or following a retrial, to a term of less than 3 years.
- (2) The prison manager must, as soon as is reasonably practicable— 25
- (a) advise the prisoner that,—
 - (i) if they are of or over the age of 18 years and they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continuously in New Zealand for a period of not less than 1 year, they are qualified to be registered as an elector of an electoral district and are required by section 82 to apply to the Electoral Commission for registration as an elector; or 30
 - (ii) if they are of or over the age of 17 years, but under 18 years, and they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continuously in New Zealand for a period of not less than 1 year, they may apply to the Electoral Commission for registration as an elector; and 35

- (b) ask the prisoner whether they want their registration details sent to the Electoral Commission to facilitate their registration as an elector.
- (3) If the prisoner wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, **section 86D** applies.
- 86B ~~Prison manager to inform prisoners transferred from hospital or secure facility of disqualification for registration~~ Prisoners transferred from hospital or secure facility who are disqualified for registration under section 80(1)(d) to be informed of disqualification** 5
- (1) ~~This section applies in respect of a prisoner who, after being detained in a hospital or secure facility, is transferred to a prison to continue to serve a sentence of imprisonment.~~ 10
- (1) This section applies in respect of a prisoner who,—
- (a) after being detained in a hospital or secure facility, is transferred to a prison to continue to serve a sentence of imprisonment; and
- (b) is disqualified under **section 80(1)(d)** for registration as an elector of an electoral district. 15
- (2) As soon as is reasonably practicable after the prisoner has been transferred to the prison, the prison manager must inform the prisoner that they are disqualified under **section 80(1)(d)** for registration as an elector of an electoral district. 20
- 86C ~~Registration of prisoners released after serving sentence of imprisonment disqualified for registration under section 80(1)(d) following release~~**
- (1) ~~Before a prisoner who is serving a sentence of imprisonment disqualified for registration as an elector under **section 80(1)(d)** is released from prison, the prison manager must, if the prisoner is 18 years or older,—~~ 25
- (a) ~~advise the prisoner that if they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) they will, on release, be qualified to be registered as an elector of an electoral district, and are required by section 82 to apply to the Electoral Commission for registration within 1 month after their release; and~~ 30
- (a) advise the prisoner that,—
- (i) if they are of or over the age of 18 years and they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continuously in New Zealand for a period of not less than 1 year, they must, within 1 month after the date of their release, apply to the Electoral Commission for registration as an elector of an electoral district; or 35
- (ii) if they are of or over the age of 17 years, but under 18 years, and they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continu- 40

	<u>ously in New Zealand for a period of not less than 1 year, they may, after their release, apply to the Electoral Commission for registration as an elector of an electoral district; and</u>	
	(b) ask the prisoner whether they want their registration details sent to the Electoral Commission to facilitate their registration as an elector.	5
(2)	If the prisoner wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, section 86D applies.	
86D	Prison manager to collect and send registration information to Electoral Commission	
(1)	If a prisoner referred to in section 86AB or 86C wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, the prisoner must provide to the prison manager the following registration information for that purpose:	10
	(a) their details required by section 83(2); and	
	(b) if the prisoner is Māori, whether their choice is to be registered in a Māori electoral district or a General electoral district.	15
(2)	The prison manager must collect the registration information provided by the prisoner and send that information to the Electoral Commission as soon as is reasonably practicable after the prisoner's release from prison.	
(3)	If the prisoner wishes to apply for a direction under section 115 (unpublished names), the prison manager must—	20
	(a) assist the prisoner to prepare an application accompanied by supporting information; and	
	(b) send the application and supporting information to the Electoral Commission with the prisoner's registration information.	25
(4)	The prison manager may not use or disclose the registration information collected from the prisoner other than in accordance with subsection (2) or (3) .	
86E	Registration information received from prison manager treated as application for registration	
(1)	The Electoral Commission must, for the purposes of this Act, treat—	30
	(a) the receipt of a prisoner's details referred to in section 86D(1)(a) as an application by the prisoner to register as an elector of an electoral district; and	
	(b) the receipt of a prisoner's preference referred to in section 86D(1)(b) to be registered on the Māori electoral roll as a request by the prisoner to be registered as an elector of a Māori electoral district.	35
(2)	This section overrides section 83(1) to (4).	

86F	Prison manager to communicate with prisoner in way prisoner can understand	
	When carrying out their duties under sections 86AB, 86B, 86C, and 86D , a prison manager must communicate with a prisoner in a way that the prisoner can reasonably be expected to understand.	5
86G	Delegation of prison manager's functions under sections 86A, 86AB, 86B, 86C, and 86D	
(1)	A prison manager may delegate to 1 or more prison officers any or all of the prison manager's functions under sections 86A, 86AB, 86B, 86C, and 86D .	10
(2)	Subject to any directions or conditions imposed by the prison manager, a prison officer to whom the prison manager's functions are delegated under this section may carry out those functions in the same manner and with the same effect as if they had been conferred on the prison officer directly by sections 86A, 86AB, 86B, 86C, and 86D .	15
(3)	A delegation must be in writing and may be revoked at any time.	
(4)	In this section, prison officer means an officer within the meaning of paragraph (a)(ii) of the definition of that term in section 3(1) of the Corrections Act 2004.	
86H	Registration of persons transferred to hospital or secure facility	20
(1)	This section applies in respect of a person who—	
(a)	is of or over the age of 18 <u>17</u> years; and	
(b)	was detained in a prison to serve a term of imprisonment; and	
(c)	has been transferred to a hospital or secure facility.	
(2)	The Director of Mental Health must, as soon as is reasonably practicable,—	25
(a)	advise the person that if they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continuously in New Zealand for a period of not less than 1 year they are qualified to be registered as an elector of an electoral district, and are required by section 82 to apply to the Electoral Commission for registration; and,—	30
(i)	<u>if they are of or over the age of 18 years and they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continuously in New Zealand for a period of not less than 1 year, they must, within 1 month after the date on which they transferred to the hospital or secure facility, apply to the Electoral Commission for registration as an elector of an electoral district; or</u>	35

<p>(ii) <u>if they are of or over the age of 17 years, but under 18 years, and they are a New Zealand citizen or a resident for electoral purposes (as defined in section 73) and have at some time resided continuously in New Zealand for a period of not less than 1 year, they may apply to the Electoral Commission for registration as an elector of an electoral district; and</u></p> <p>(b) ask the person whether they want their registration details sent to the Electoral Commission to facilitate their registration as an elector.</p> <p>(3) If the person wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, section 86I applies.</p> <p>86I Director of Mental Health to collect and send registration information to Electoral Commission</p> <p>(1) If a person referred to in section 86H wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, the person must provide to the Director of Mental Health the following registration information for that purpose:</p> <p>(a) their details required by section 83(2); and</p> <p>(b) if the person is Māori, whether their choice is to be registered in a Māori electoral district or a General electoral district.</p> <p>(2) The Director of Mental Health must collect the registration information provided by the person and send that information to the Electoral Commission as soon as is reasonably practicable.</p> <p>(3) If the person wishes to apply for a direction under section 115 (unpublished names), the Director of Mental Health must—</p> <p>(a) assist the person to prepare an application accompanied by supporting information; and</p> <p>(b) send the application and supporting information to the Electoral Commission with the person’s registration information.</p> <p>(4) The Director of Mental Health may not use or disclose the registration information collected from the person other than in accordance with subsection (2) or (3).</p> <p>86J Registration information received from Director of Mental Health treated as application for registration</p> <p>(1) The Electoral Commission must, for the purposes of this Act, treat—</p> <p>(a) the receipt of a person’s details referred to in section 86I(1)(a) as an application by the person to register as an elector of an electoral district; and</p>	<p>5</p> <p>10</p> <p>15</p> <p>20</p> <p>25</p> <p>30</p> <p>35</p>
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(b)	the receipt of a person's preference referred to in section 86I(1)(b) to be registered on the Māori electoral roll as a request by the person to be registered as an elector of a Māori electoral district.	
(2)	This section overrides section 83(1) to (4).	
86K	Director of Mental Health to communicate with person in way person can understand	5
	When carrying out their duties under sections 86H and 86I , the Director of Mental Health must communicate with a person in a way that the person can reasonably be expected to understand.	
86L	Delegation of Director of Mental Health's functions under sections 86H and 86I	10
(1)	The Director of Mental Health (the Director) may delegate to 1 or more Directors of Area Mental Health Services or compulsory care co-ordinators any or all of the Director's functions under sections 86H and 86I .	
(2)	Subject to any directions or conditions imposed by the Director, a Director of Area Mental Health Services or compulsory care co-ordinator to whom the Director's functions are delegated under this section may carry out those functions in the same manner and with the same effect as if they had been conferred on the Director of Area Mental Health Services or compulsory care co-ordinator directly by sections 86H and 86I .	15
(3)	A delegation must be in writing and may be revoked at any time.	20
(4)	In this section,—	
	compulsory care co-ordinator means a co-ordinator within the meaning of section 5(1) of the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003	25
	Director of Area Mental Health Services means a person appointed as a Director of Area Mental Health Services under section 92 of the Mental Health (Compulsory Assessment and Treatment) Act 1992.	
 Subpart 3—Elector registration details		
13	Section 83 amended (Application for registration)	30
	Replace section 83(2)(e) and (f) with:	
(e)	the person's contact details, if any (for example, the person's email address or phone numbers); and	
14	Section 93 amended (Notification of marriages and civil unions)	35
	Replace section 93(4)(a) with:	
(a)	give written notice to the party to the marriage or civil union asking for details of any changes resulting from the marriage or civil union that	

may be required to the name and address under which they are registered on the roll; and

15 Section 106 amended (Form of main roll and supplementary rolls)

Replace section 106(1) with:

- (1) The main roll and supplementary rolls printed for a district must show the names and residences of the persons included in the roll, arranged alphabetically in order of surnames. 5

16 Section 111C amended (Electoral Commission may seek consent of Maori electors to supply of information to designated body)

Replace section 111C(2)(a) with: 10

- (a) the elector's first names and surname:

17 Section 112 amended (Supply of information on age and Maori descent)

Replace section 112(2) with:

- (2) A list supplied pursuant to a request under subsection (1) must specify, in relation to each elector on the list, the elector's name, postal address, residential address, and meshblock. 15

18 Section 112A amended (Provision of electoral information to Government Statistician)

In section 112A(1)(f), delete "occupation (if any), preferred honorific (if any),". 20

19 Section 113 amended (Supply of computer-compiled lists and electronic storage media to local authorities)

- (1) Replace section 113(10)(a) with:

(a) the elector's first names and surname:

- (2) Repeal section 113(10)(c). 25

20 Section 114 amended (Supply of electoral information to candidates, political parties, and members of Parliament)

In section 114(3)(a), delete "occupations (if any), preferred honorifics (if any),".

21 Section 115 amended (Unpublished names) 30

In section 115(1)(a), replace "name, residence, and occupation" with "name and residence".

22 Section 263B amended (Disclosure of personal information for enrolment purposes)

Replace section 263B(2)(e) with: 35

(e) the person's email address or phone numbers (if known):

Subpart 4—Electoral Commission initiating update of elector's address on electoral roll

22A Section 82 amended (Compulsory registration of electors)

After section 82(6), insert:

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(6A) A person who is registered as an elector by the Electoral Commission under **section 89CB** is not liable to prosecution for their earlier failure to apply for registration as an elector.

23 Section 89B amended (Elector must give notice of change of place of residence within electoral district)

10

Replace section 89B(7) with:

(7) However, a person is not liable for prosecution for an offence under subsection (6) if, before the commencement of the prosecution,—

(a) the person gives notice, in accordance with subsection (3), of the matters specified in subsection (2)(a) and (b); or

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(b) the Electoral Commission has, under **section 89CA**, amended the electoral roll to record the change in the person's place of residence.

24 Section 89C amended (Elector must give notice of change of place of residence to different electoral district)

Replace section 89C(15) with:

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(15) However, a person is not liable for prosecution for an offence under subsection (14) if, before the commencement of the prosecution,—

(a) the person gives notice, in accordance with subsection (3), of the matters specified in subsection (2)(a), (b), and (c); or

(b) the Electoral Commission has, under **section 89CA**, removed the person's name from the electoral roll for the district in which the elector is registered and entered the person's name and particulars on the electoral roll for new electoral district.

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25 ~~New sections 89CA and 89CB inserted (Electoral Commission updating elector's address on electoral roll without receipt of notice from elector)~~

30

After section 89C, insert:

89CA Electoral Commission updating elector's address on electoral roll without receipt of notice from elector

- (1) This section applies if, on the basis of information disclosed to it pursuant to section 263B, the Electoral Commission is satisfied that an elector's current place of residence is different from that recorded on the electoral roll. 5
- (2) The Electoral Commission may notify the elector in writing of the following matters:
- (a) that the Electoral Commission believes that the electoral roll does not correctly record the elector's current place of residence:
 - (b) the address that the Electoral Commission is satisfied is the elector's current place of residence (the **elector's new address**): 10
 - (c) in the case that the elector's new address is located in the electoral district in which the elector is registered, that the Electoral Commission proposes to amend the electoral roll for the district in which the elector is registered to record the elector's new address: 15
 - (d) in the case that the elector's new address is located in a different electoral district from that in which the elector is registered, that the Electoral Commission proposes to remove the elector's name and particulars from the electoral roll for the district in which the elector is registered (**district A**) and enter the elector's name and particulars on the electoral roll for the district in which the elector's new address is located (**district B**), which is— 20
 - (i) a Māori electoral district if district A was a Māori electoral district; or
 - (ii) a General electoral district if district A was a General electoral district: 25
 - (e) that the proposed action in **paragraph (c) or (d)** will be taken after the expiry of 28 days from the date the notification is sent (the **notice period**) unless before the end of the notice period the elector provides in writing such evidence as may be necessary to satisfy the Electoral Commission that the proposed action should not be taken. 30
- (3) If the Electoral Commission takes the proposed action described in **subsection (2)(c)**, the Electoral Commission must notify the elector, in accordance with section 94A, of the amendment made to the electoral roll.
- (4) If the Electoral Commission takes the proposed action described in **subsection (2)(d)**, the Electoral Commission must, no later than 14 days after entering the elector's name and particulars on the electoral roll for district B, notify the elector in writing that— 35
- (a) their name has been removed from the electoral roll for district A; and
 - (b) they are registered as an elector of district B. 40

- (5) In this section, **elector** includes— any person of or over the age of 17 years who has had an application to register as an elector accepted by the Electoral Commission.
- (a) ~~any person of or over the age of 17 years who has had an application to register as an elector accepted by the Electoral Commission; and~~ 5
- (b) ~~a person who is named on the dormant roll.~~
- 89CB Electoral Commission may remove person’s name from dormant roll and register person as elector**
- (1) This section applies if, on the basis of information disclosed to it pursuant to section 263B, the Electoral Commission is satisfied that a person whose name is on the dormant roll for any district should be registered as an elector of that district or any other district. 10
- (2) The Electoral Commission may notify the person in writing of the following matters:
- (a) that the person’s name is on the dormant roll for an electoral district (**district A**): 15
- (b) the address that the Electoral Commission is satisfied is the person’s current place of residence (**the person’s address**):
- (c) that the Electoral Commission proposes to register the person’s name and particulars on the electoral roll for the district in which the person’s address is located (**district B**), which is— 20
- (i) a Māori electoral district if district A was a Māori electoral district; or
- (ii) a General electoral district if district A was a General electoral district: 25
- (d) that the proposed action in **paragraph (c)** will be taken after the expiry of 28 days from the date on which the notification is sent (**the notice period**) unless before the end of the notice period the person provides in writing such evidence as may be necessary to satisfy the Electoral Commission that the proposed action should not be taken. 30
- (3) If the Electoral Commission takes the proposed action described in **subsection (2)(d)**, the Electoral Commission must, no later than 14 days after entering the person’s name and particulars on the electoral roll for district B, notify the person in writing that the person is registered as an elector of district B.
- (4) To avoid doubt, district B may be the same district as district A or a different district. 35

25A Section 109 amended (Dormant roll)

- (1) In section 109(1)(b), replace “96(5)” with “96(4)”.
- (2) In section 109(2)(b), replace “96(5)” with “96(4)”.

- (3) After section 109(2)(b), insert:
- (ba) in the case of a person whose name has been removed from the electoral roll under section 89G, 95A(4), or 96(4), when the person is registered as an elector of any district on the initiative of the Electoral Commission under **section 89CB**; or

5

Subpart 5—Electronic delivery of registration processes

26 Section 87 amended (Procedure if immigration status means applicant apparently not qualified to be registered)

- (1) In section 87(3), replace “deliver to the applicant (personally or by post) a written notice that specifies” with “give written notice to the applicant stating”. 10
- (2) In section 87(4), replace “deliver to the applicant (personally or by post) a further written notice that specifies” with “give written notice again to the applicant stating”.
- (3) In section 87(6), replace “deliver to the applicant (personally or by post) a written notice” with “give written notice to the applicant”. 15

27 Section 89A amended (Notice of registration)

In section 89A, replace “deliver to that person personally, or send to that person by post,” with “give to the person”.

28 Section 89D amended (Inquiry to be made to update electoral rolls)

- (1) Replace section 89D(1) to (3) with: 20
- (1) The Electoral Commission must make an inquiry into the particulars on the roll for every person registered as an elector of a district at the following times:
- (a) if practicable, within the period of 12 months ending with the day on which a Parliament is due to expire; and
- (b) at any other time determined by the Electoral Commission. 25
- (2) Additionally, in any year in which a triennial general election of members of any local authority is due to be held in accordance with section 10(2) of the Local Electoral Act 2001, the Electoral Commission must make an inquiry into the particulars on the roll for every person who—
- (a) is registered as an elector of a district; and 30
- (b) appears from those particulars to reside within a particular local government area.
- (2) In section 89D(4), delete “directed”.
- (3) In section 89D(5), replace “An inquiry made under subsection (1)” with “An inquiry may be made by giving to every elector in respect of whom an inquiry is made a written notice that”. 35
- (4) In section 89D(5)(a)(i), after “contain”, insert “some or all of”.

- 29 Section 89E amended (No inquiry required if application for registration as elector received)**
 In section 89E, replace “section 89D(1)” with “section 89D”.
- 30 Section 89G amended (Elector who cannot be contacted to be included in dormant roll)** 5
 (1) In the heading to section 89G, replace “in” with “on”.
 (2) Replace section 89G(1)(a) with:
 (a) an inquiry under section 89D in relation to an elector cannot be delivered (whether by post, courier, or otherwise) to the elector at the elector’s address on the roll; or 10
 (3) In section 89G(2)(b), replace “in the dormant roll” with “on the dormant roll”.
- 31 Section 94A amended (Confirmation of change of name, address, or other particulars)**
 In section 94A(2), replace “deliver to that person personally, or send to that person by post, notice in writing” with “give to the person written notice”. 15
- 32 Section 98 amended (Removal of names from roll by Electoral Commission)**
 Replace section 98(1)(d) with:
 (d) the name of every person who, as a result of inquiries made under section 89G(2)(a), the Electoral Commission has reason to believe has ceased for 1 month or more to reside in the district in which they are registered: 20
- 33 Section 99 replaced (Notice of alterations to roll)**
 Replace section 99 with:
- 99 Notice of alterations to roll** 25
 (1) If the name of a person is removed from the roll under any of the provisions in section 98(1)(d) to (i), the Electoral Commission must, in accordance with **subsection (3) or (4)**, give written notice to the person that their name has been removed from the roll.
 (2) If the name of a person has been removed from a roll under section 98(1)(h) or (i) and, under section 98(4), entered on another roll, the Electoral Commission must, in accordance with **subsection (3) or (4)**, give written notice to the person that their name has been entered on another roll. 30
 (3) If the name of a person is removed or entered in the period beginning on the day after writ day and ending on polling day, the notice required by **subsection (1) or (2)** must be given immediately. 35

- (4) In any other case, a notice required by **subsection (1) or (2)** must be given no later than 14 days after the date on which the person's name is removed or entered.

34 Section 263 repealed (Service of notices)

Repeal section 263.

5

Subpart 6—Advance polling

35 Section 3 amended (Interpretation)

In section 3(1), insert in their appropriate alphabetical order:

advance polling period has the meaning given in **section 171B**

advance polling place, in relation to an election in any district, means a polling place for the election maintained by the Returning Officer during the advance polling period

10

advance voter, in relation to an election in any district, means a person who—

- (a) is qualified to vote at the election; and
- (b) during the advance polling period, attends in person at an advance polling place and applies to vote

15

36 Section 61 amended (Special voters)

Repeal section 61(3).

37 New sections 171A to 171E and cross-heading inserted

After section 171, insert:

20

Advance voting

171A Voting in advance of polling day

During the advance polling period for an election in any district, an advance voter may—

- (a) be issued with—
 - (i) an ordinary ballot paper for the election under section 167 if the rolls can be marked (either manually or by electronic means) to indicate the person has applied to vote; or
 - (ii) special vote ballot papers under section 172 in any other case; and
- (b) vote at the election.

25

30

171B Advance polling period

The **advance polling period** for an election in any district is the period of 12 consecutive days ending with the close of the day before polling day.

171C Advance polling period may be shortened or extended if unforeseen or unavoidable disruption occurs before commencement of advance polling period

- (1) This section applies if, before the commencement of the advance polling period, there is an unforeseen or unavoidable disruption in any electoral district or districts. 5
- (2) The Chief Electoral Officer may direct that the advance polling period in the electoral district or districts be—
- (a) shortened to fewer than 12 consecutive days before polling day; or
- (b) extended to more than 12 consecutive days before polling day. 10
- (3) Before making a direction under **subsection (2)**, the Chief Electoral Officer must—
- (a) consult—
- (i) the Prime Minister; and
- (ii) the Leader of the Opposition; and 15
- (iii) any person or organisation that in the Chief Electoral Officer's opinion is able to give information about the scale and duration of the unforeseen or unavoidable disruption; and
- (b) be satisfied that the direction is necessary in all of the circumstances.
- (4) The Chief Electoral Officer must, as soon as is reasonably practicable after making a direction under **subsection (2)**, give public notice of the direction in any manner that the Chief Electoral Officer considers appropriate. 20
- (5) In this section and **section 171E**, **unforeseen or unavoidable disruption** has the same meaning as that given in section 195 for sections 195A, 195B, and 195D. 25

171D Matters Chief Electoral Officer must have regard to when exercising discretion under section 171C

The Chief Electoral Officer must have regard to the following matters when considering whether to exercise the discretion under **section 171C**:

- (a) the need to ensure the safety of voters and electoral officials; and 30
- (b) the need to ensure that the election process is free from corrupt or illegal practices; and
- (c) the need to ensure that the election process is concluded in a timely and expeditious manner.

171E	Advance polling period may be curtailed if unforeseen or unavoidable disruption occurs after commencement of advance polling period	
	The advance polling period in section 171B may be curtailed under section 195B if an unforeseen or unavoidable disruption occurs after the commencement of the advance polling period.	5
38	Section 174C amended (Preliminary count of early votes)	
	Replace section 174C (1) with:	
(1)	In this section and in sections 174D to 174G, early votes means votes cast by advance voters who have been issued with ordinary ballot papers under section 167.	10
39	Section 195B amended (Alternative voting processes to respond to polling disruption)	
	Repeal section 195B(4).	
40	Section 195E amended (Interfering with or influencing voters at resumed poll)	15
	In section 195E(b)(i) and (ii), replace “advance voting place” with “advance polling place”.	
41	Section 197 amended (Interfering with or influencing voters)	
	In section 197(1)(k) and (2B), replace “advance voting place” with “advance polling place” in each place.	20
42	Section 197A amended (Interfering with or influencing advance voters)	
(1)	In section 197A(1), (3), (5), and (9), replace “advance voting place” with “advance polling place” in each place.	
(2)	In section 197A(10), repeal the definition of advance voting place .	
(3)	In section 197A(10), definition of buffer zone , replace “advance voting place” with “advance polling place”.	25
(4)	In section 197A(10), definition of entrance , replace “advance voting place” with “advance polling place” in each place.	
Subpart 7—Offences		
43	Section 216 amended (Bribery)	30
(1)	Replace section 216(2) with:	
(2)	A person commits the offence of bribery if the person directly, indirectly, or by an agent,—	
(a)	gives any money to, or procures any benefit for, a voter to induce the voter to—	35

- | | |
|--|----|
| <ul style="list-style-type: none"> (i) vote or refrain from voting; or (ii) refrain from registering as an elector of an electoral district; or (iii) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district; or | 5 |
| <ul style="list-style-type: none"> (b) gives any money to, or procures any benefit for, another person on behalf of any voter to induce the voter to— <ul style="list-style-type: none"> (i) vote or refrain from voting; or (ii) refrain from registering as an elector of an electoral district; or (iii) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district; or | 10 |
| <ul style="list-style-type: none"> (c) gives any money to, or procures any benefit for, any person for that person to induce any voter to— <ul style="list-style-type: none"> (i) vote or refrain from voting; or (ii) refrain from registering as an elector of an electoral district; or (iii) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district; or | 15 |
| <ul style="list-style-type: none"> (d) gives any money to, or procures any benefit for, any person, corruptly, on account of any voter having— <ul style="list-style-type: none"> (i) voted or refrained from voting; or (ii) refrained from registering as an elector of an electoral district; or (iii) registered on the roll for a General electoral district and not a Māori electoral district, or registered on the roll for a Māori electoral district and not a General electoral district; or | 20 |
| <ul style="list-style-type: none"> (e) gives any money to, or procures any benefit for, any other person to induce the other person to procure— <ul style="list-style-type: none"> (i) the return of any candidate or candidates at an election; or (ii) the vote of any voter; or | 30 |
| <ul style="list-style-type: none"> (f) receives any money, or obtains any benefit, for procuring or agreeing to procure— <ul style="list-style-type: none"> (i) the return of any candidate or candidates at an election; or (ii) the vote of any voter. | 35 |
- (2) In section 216(3)(b), replace “procuring any office” with “procuring any benefit”.
- (3) Replace section 216(6) with:

- (6) A person commits the offence of bribery if the person directly, indirectly, or by an agent receives, or agrees to receive, any money, benefit, office, place, or employment for themselves, or any other person, for—
- (a) agreeing to vote, or voting; or
 - (b) agreeing to refrain from voting, or refraining from voting; or 5
 - (c) agreeing to refrain from registering as an elector of an electoral district, or refraining from registering as an elector of an electoral district; or
 - (d) agreeing to register, or registering, as an elector of a General electoral district and not a Māori electoral district, or as an elector of a Māori electoral district and not a General electoral district; or 10
 - (e) agreeing to induce, or inducing, a person to—
 - (i) vote or refrain from voting; or
 - (ii) refrain from registering as an elector of an electoral district; or
 - (iii) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district. 15
- (4) Replace section 216(7) with:
- (7) A person commits the offence of bribery if the person directly, indirectly, or by an agent receives any money or benefit for having, or for any other person having,— 20
- (a) voted or refrained from voting; or
 - (b) refrained from registering as an elector of an electoral district; or
 - (c) registered on the roll for a General electoral district and not a Māori electoral district, or registered on the roll for a Māori electoral district and not a General electoral district; or 25
 - (d) induced a person to—
 - (i) vote or refrain from voting; or
 - (ii) refrain from registering as an elector of an electoral district; or
 - (iii) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district. 30
- 44 Section 217 amended (Treating)**
- (1) Replace section 217(2) with:
- (2) A person commits the offence of treating if at any time the person directly, indirectly, or by an agent corruptly gives, provides, or pays (in whole or in part) the expense of giving or providing, any food, drink, entertainment, or other thing to or for a person— 35
- (a) for the purpose of influencing that person, or any other person, to—

- (i) vote or refrain from voting; or
 - (ii) refrain from registering as an elector of an electoral district; or
 - (iii) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district; or 5
 - (b) for the purpose of procuring the vote of that person or any other person; or
 - (c) on account of that person, or any other person, having—
 - (i) voted or refrained from voting; or
 - (ii) refrained from registering as an elector of an electoral district; or 10
 - (iii) registered on the roll for a General electoral district and not a Māori electoral district, or registered on the roll for a Māori electoral district and not a General electoral district.
- (2) Replace section 217(4) with:
- (4) A person who corruptly accepts or takes any food, drink, entertainment, or other thing in any of the circumstances specified in **subsection (2)** also commits the offence of treating. 15

45 Section 218 amended (Undue influence)

Replace section 218(2) with:

- (2) A person commits the offence of undue influence if the person— 20
- (a) directly, indirectly, or by an agent uses, or threatens to use, any force, violence, or restraint, or inflicts or threatens to inflict any injury, damage, harm, or loss, upon or against any other person to induce or compel that other person to—
 - (i) vote or refrain from voting; or 25
 - (ii) vote, or refrain from voting, for or against a particular candidate or party; or
 - (iii) refrain from registering as an elector of an electoral district; or
 - (iv) register on the roll for a General electoral district and not a Māori electoral district, or register on the roll for a Māori electoral district and not a General electoral district; or 30
 - (b) directly, indirectly, or by an agent uses, or threatens to use, any force, violence, or restraint, or inflicts or threatens to inflict any injury, damage, harm, or loss, upon or against any other person on account of that other person having— 35
 - (i) voted or refrained from voting; or
 - (ii) voted, or refrained from voting, for or against a particular candidate or party; or

voting period, in relation to a polling place, means any period during which electors may vote at the polling place.

Subpart 8—Adjustment of expenditure limits

- 47 Section 204B amended (Persons who may promote election advertisements)** 5
- (1) Replace section 204B(1)(d) with:
- (d) an unregistered promoter who does not incur advertising expenses exceeding the amount published on the Electoral Commission’s internet site under **section 266A** in relation to election advertisements published during the regulated period. 10
- (2) Replace section 204B(2) with:
- (2) The amount published on the Electoral Commission’s internet site is inclusive of goods and services tax.
- 48 Section 205C replaced (Maximum amount of candidate’s total election expenses)** 15
- Replace section 205C with:
- 205C Maximum amount of candidate’s total election expenses**
- (1) The total election expenses of a candidate in respect of any regulated period for a general election must not exceed the amount published on the Electoral Commission’s internet site under **section 266A**. 20
- (2) The total election expenses of a candidate in respect of any regulated period for a by-election must not exceed the amount published on the Electoral Commission’s internet site under **section 266A**.
- (3) The amounts published on the Electoral Commission’s internet site are inclusive of goods and services tax. 25
- 49 Section 206C replaced (Maximum amount of party’s total election expenses)**
- Replace section 206C with:
- 206C Maximum amount of party’s total election expenses**
- (1) If a party is listed in the part of the ballot paper that relates to the party vote, the total election expenses of that party in respect of any regulated period must not exceed— 30
- (a) the amount published on the Electoral Commission’s internet site under **section 266A**; and

(b)	the amount published on the Electoral Commission’s internet site under section 266A for each electoral district contested by a candidate for the party.	
(2)	If a party is not listed in the part of the ballot paper that relates to the party vote, the total election expenses of that party in respect of any regulated period must not exceed the amount published on the Electoral Commission’s internet site under section 266A for each electoral district contested by a candidate for the party.	5
(3)	The amounts published on the Electoral Commission’s internet site are inclusive of goods and services tax.	10
50	Section 206V replaced (Maximum amount of registered promoter’s total election expenses) Replace section 206V with:	
206V	Maximum amount of registered promoter’s total election expenses	
(1)	The total election expenses of a registered promoter in respect of any regulated period must not exceed the amount published on the Electoral Commission’s internet site under section 266A .	15
(2)	The amount published on the Electoral Commission’s internet site is inclusive of goods and services tax.	
51	Section 266A replaced (Expenditure limits to be adjusted each year by Order in Council) Replace section 266A with:	20
266A	Expenditure limits to be adjusted each election year	
(1)	This section applies to the amounts referred to in the following provisions:	
(a)	section 204B(1)(d) (the maximum amount of advertising expenses that may be incurred by an unregistered promoter):	25
(b)	section 205C(1) (the maximum amount of a candidate’s election expenses):	
(c)	section 206C(1) and (2) (the maximum amount of a party’s election expenses):	30
(d)	section 206V(1) (the maximum amount of a registered promoter’s election expenses).	
(2)	The amounts must be adjusted on 1 January of each election year by the Electoral Commission.	
(3)	The first adjustment of the amounts must—	35
(a)	come into effect on 1 January 2026; and	

- (b) be based on the adjusted amounts as they were before being rounded up for the purpose of the adjustment made on 1 July 2025 (the **2025 unrounded amounts**); and
- (c) adjust the 2025 unrounded amounts to reflect the percentage movement between the CPI for the quarter ending 31 March 2025 and the CPI for the quarter ending 30 September 2025. 5
- (4) Every subsequent adjustment must—
- (a) come into effect on 1 January of the next election year; and
- (b) adjust the amounts to reflect the percentage movement between—
- (i) the CPI for the quarter ending 30 September of the year preceding the last election year; and 10
- (ii) the CPI for the quarter ending 30 September of the year preceding the election year in which the adjustment is being made.
- (5) If, after adjustment in accordance with **subsection (3)(c) or (4)(b)**, an amount is not a whole number of thousand dollars, the adjusted amount must be rounded up to the next whole thousand dollars. 15
- (6) If an adjusted amount has been rounded up in accordance with **subsection (5)**, the adjustment next made to that amount must be based on the adjusted amount as it was before it was rounded up.
- (7) Despite **subsections (2) to (4)**, no adjustment is made— 20
- (a) to an amount if, in respect of the amount, the effect of **subsections (5) and (6)** is that no adjustment is required; or
- (b) to any of the amounts if there is no percentage movement upwards between the CPI quarters referred to in **subsection (3)(c) or (4)(b)**.
- (8) No later than 31 December in the year preceding an election year, the Electoral Commission must publish on its internet site the amounts applying on 1 January of the election year, being— 25
- (a) the amounts adjusted in accordance with **subsections (3) to (6)** that come into effect on that date; and
- (b) any amounts that, in accordance with **subsection (7)**, have not been adjusted and that came into effect (or applied) on 1 January of the previous election year. 30
- (9) If, for any election year, the regulated period for the general election or a by-election commences before 31 December of the previous year and ends after 1 January in the election year, the amounts applying in respect of the general election or by-election are the amounts that came into effect on 1 January of the last election year. 35
- (10) In this section,—

CPI means the New Zealand Consumers Price Index (All Groups) published by Statistics New Zealand or, if that index ceases to be published, any measure certified by the Government Statistician as being equivalent to that index

election year means the year in which the term of Parliament is due to expire.

Subpart 9—Other amendments

5

Electoral Commission membership

52 Section 4D amended (Membership of Electoral Commission)

Replace section 4D(1) with:

- (1) The Governor-General, on the recommendation of the House of Representatives, must appoint at least 3, but not more than 7, members of the Electoral Commission, including— 10
- (a) 1 member as the Chief Electoral Officer:
 - (b) 1 member as the chairperson:
 - (c) 1 member as the deputy chairperson.

53 Section 4I amended (Deputy Electoral Commissioners)

15

- (1) Replace the heading to section 4I with “**Deputies**”.
- (2) Replace section 4I(1) with:
- (1) The Electoral Commission may, by written notice, appoint an electoral official to be the deputy of— 20
- (a) the Chief Electoral Officer:
 - (b) the chairperson:
 - (c) the deputy chairperson.
- (3) Replace section 4I(4) with:
- (4) If the Chief Electoral Officer, the chairperson, or the deputy chairperson becomes incapable of performing their functions or duties or exercising their powers by reason of illness, absence, or other sufficient cause, the functions, duties, and powers of the Chief Electoral Officer, the chairperson, or the deputy chairperson may be performed and exercised by their deputy. 25

By-election triggered by death or incapacity of constituency candidate

54 Section 3BA replaced (Meaning of regulated period: by-election)

30

Replace section 3BA with:

3BA Meaning of regulated period: by-election

In this Act, **regulated period**, in relation to a by-election, means the period that—

- (a) commences on the day after the day on which—
- (i) a notice of the vacancy to be filled by the by-election is published under section 129(1); or
 - (ii) a writ for a fresh election in a district is issued by the Governor-General under section 153E(2) (on receiving notification of the death or incapacity of a constituency candidate in the district); and
- (b) ends with the close of the day before polling day. 5
- 55 Section 78C amended (Māori option may not be exercised in by-election period)**
- (1) Replace section 78C(1) with: 10
- (1) This section applies if—
- (a) a notice of vacancy for an electoral district is published by the Speaker under section 129(1); or
 - (b) a writ for a fresh election in a district is issued by the Governor-General under section 153E(2). 15
- (2) Replace section 78C(6) with:
- (6) In this section, **by-election period** means,—
- (a) in the case of a by-election conducted to fill a vacancy published by the Speaker under section 129(1), the period beginning on the date on which the notice of vacancy is published and ending on polling day for the by-election; and 20
 - (b) in the case of a fresh election conducted in a district following the issue of a writ by the Governor-General under section 153E(2), the period beginning on the date on which the previous election failed and ending on polling day for the fresh election. 25

Party registration

56 Section 63 amended (Application for registration)

After section 63(2)(d), insert:

- (da) must be accompanied by a copy of—
- (i) the rules governing membership of the party; and 30
 - (ii) the rules governing the selection of persons to represent the party as candidates for election as members of Parliament; and

57 Section 64 replaced (Times when registration prohibited)

Replace section 64 with:

64	Times when registration prohibited	
	No action may be taken in relation to an application for the registration of a political party during the period that—	
	(a) begins with the commencement of the regulated period for a general election; and	5
	(b) ends with the close of the latest day for the return of the writ for that general election.	
58	Section 71B replaced (Obligation to provide copy of party membership rules and candidate selection rules)	
	Replace section 71B with:	10
71B	Obligation to provide copy of changes to party membership rules and candidate selection rules	
	(1) The secretary of a political party registered under this Act must supply the Electoral Commission with a copy of any changes to the rules governing—	
	(a) the membership of the party:	15
	(b) the selection of persons to represent that party as candidates for election as members of Parliament.	
	(2) Copies of any changes must be supplied within 1 month after the date on which the changes to the rules are adopted by the party.	
71BA	Inspection of party rules	20
	Members of the public are entitled to inspect the following without payment at any time between 9 am and 5 pm on any day on which the office of the Electoral Commission is open:	
	(a) copies of the rules referred to in section 63(2)(da) accompanying a political party's application for registration; and	25
	(b) copies of any changes to those rules supplied by the secretary of a political party to the Electoral Commission under section 71B .	
59	Section 71E replaced (Times when registration of party logos prohibited)	
	Replace section 71E with:	
71E	Times when registration of party logos prohibited	30
	No action may be taken in relation to an application for the registration of a party logo during the period that,—	
	(a) in relation to a general election,—	
	(i) begins with the commencement of the regulated period for a general election; and	35

- (ii) ends with the close of the latest day for the return of the writ for that general election:
- (b) in relation to a by-election,—
 - (i) begins with the commencement of the regulated period for the by-election; and
 - (ii) ends with the close of the latest day for the return of the writ for the by-election.

5

Qualification for registration as elector: resident for electoral purposes

60 Section 3 amended (Interpretation)

- (1) In section 3(1), repeal the definition of **permanent resident of New Zealand**. 10
- (2) In section 3(1), insert in its appropriate alphabetical order:
resident for electoral purposes has the meaning given to it by section 73

61 Section 73 amended (Meaning of permanent resident of New Zealand)

- (1) Replace the heading to section 73 with “**Meaning of resident for electoral purposes**”. 15
- (2) In section 73, replace “**permanent resident of New Zealand**” with “**resident for electoral purposes**”.

62 Section 74 amended (Qualification of electors)

Replace section 74(1)(a)(ii) with:

- (ii) a resident for electoral purposes; and 20

63 Section 80 amended (Disqualifications for registration)

In section 80(1)(b), replace “permanent resident of New Zealand” with “resident for electoral purposes”.

Requirements for Māori option in out-of-cycle local authority general elections

25

64 Section 78B amended (Māori option may not be exercised in local government election period)

- (1) In section 78B(2) and (3)(b), replace “district” with “electoral district”.
- (2) Replace section 78B(4) with:
- (4) ~~In this section, local government election period means a period that is 3 months before polling day for—~~ 30
 - (a) ~~an election held under section 10(2) of the Local Electoral Act 2001; or~~
 - (b) ~~a triennial general election of members of a local authority that has been postponed under section 24A(3)(e) or 258I(1) of the Local Government Act 2002; or~~ 35

- (e) ~~a general election of a local authority called under section 258M of the Local Government Act 2002 by the Minister responsible for the administration of that Act.~~
- (4) ~~In this section,—~~
- ~~**district, Māori constituency, Māori ward, and region** have the meanings given to them in section 5(1) of the Local Electoral Act 2001~~ 5
- ~~**local government election period** means a period that is 3 months before polling day for—~~
- (a) ~~an election held under section 10(2) of the Local Electoral Act 2001; or~~
- (b) ~~an election that is either of the following if the district or region in which the election is to be held has a Māori ward or Māori constituency:~~ 10
- (i) ~~a triennial general election of members of a local authority that has been postponed under section 24A(3)(c) or 258I(1) of the Local Government Act 2002:~~
- (ii) ~~a general election of a local authority called under section 258M(1) of the Local Government Act 2002 by the Minister responsible for the administration of that Act.~~ 15
- 65 Section 89DA amended (Updating Māori option details)**
- (1) Replace section 89DA(2) with:
- (2) ~~The Electoral Commission must send to Māori electors information about the exercise of the Māori option not less than 3 months before the commencement of—~~ 20
- (a) ~~an election held under section 10(2) of the Local Electoral Act 2001; or~~
- (b) ~~an election that is either of the following if the district or region in which the election is to be held has a Māori ward or Māori constituency:~~ 25
- (i) ~~a triennial general election of members of a local authority that has been postponed under section 24A(3)(c) or 258I(1) of the Local Government Act 2002:~~
- (ii) ~~a general election of a local authority called under section 258M of the Local Government Act 2002 by the Minister responsible for the administration of that Act.~~ 30
- (2) In section 89DA(3)(b)(ii), replace “district” with “electoral district”.
- (3) After section 89DA(3), insert:
- (4) ~~In **subsection (2)**, **district, Māori constituency, Māori ward, and region** have the meanings given to them in section 5(1) of the Local Electoral Act 2001.~~ 35

*Date for closure of main rolls***66 Section 104 replaced (Main roll to be printed)**

Replace section 104 with:

104 Main roll to be printed

- | | | |
|-----|---|----|
| (1) | Each year, the Electoral Commission must— | 5 |
| (a) | fix a date for the closing of the main rolls; and | |
| (b) | publish the date in the <i>Gazette</i> . | |
| (2) | At least once a year, the Electoral Commission must print a main roll for each district that lists all persons whose names are lawfully on the electoral roll for the relevant district as at the date fixed for the closing of the main rolls. | 10 |
| (3) | Every main roll printed for a district is the main roll for the district until a new main roll is printed for the district. | |

67 Section 107 amended (Composite rolls)

In section 107(4)(a) and (5)(a), replace “section 104(1)” with “**section 104(2)**”.

Notifying polling day, nomination day, and nomination process

68 Section 3 amended (Interpretation)

In section 3(1), replace the definition of **nomination day** with:

nomination day, in relation to any election, means the latest day for the nomination of candidates for election

69 Section 142 replaced (Electoral Commission to give public notice of polling day, nomination day, and nomination process)

Replace section 142 with:

142 Electoral Commission to give notice of nomination day and nomination process

- | | | |
|------|--|----|
| (1) | This section applies,— | |
| (a) | in respect of a general election, on the earlier of the following: | |
| (i) | the day on which the Prime Minister gives public notice of the day that is to be polling day for a general election; and | |
| (ii) | the day on which the Governor-General issues, under section 125, a writ for a general election; or | 30 |
| (b) | in respect of a by-election, on the day on which either of the following occurs: | |

- (i) the Speaker publishes, under section 129(1), a notice of vacancy in the seat of a member of Parliament elected to represent an electoral district that is to be filled by a by-election:
- (ii) the Governor-General issues, under section 153E(2), a writ for a fresh election in a district. 5
- (2) If this section applies, the Electoral Commission must give notice to the public of the following matters:
- (a) the date of nomination day; and
- (b) the requirements for submitting nominations of candidates.
- (3) Notice may be given in any manner that the Electoral Commission considers appropriate. 10

List candidates and bulk nomination schedules of constituency candidates

70 Section 127 amended (Election of list candidates)

- (1) Replace section 127(3)(a) with:
- (a) must be submitted to the head office of the Electoral Commission no later than noon on nomination day; and 15
- (2) Replace section 127(8)(a) with:
- (a) must be submitted to the head office of the Electoral Commission no later than noon on nomination day; and

71 Section 127A amended (Deposit by party secretary) 20

In section 127A(1), delete “the day before”.

72 Section 128 amended (Acceptance or rejection of lists by Electoral Commission)

- (1) In section 128(1)(b) and (e), delete “the day before”.
- (2) In section 128(2)(b), delete “the day before”. 25

73 Section 146D amended (Bulk nomination of constituency candidates)

In section 146D(3)(b), delete “the day before”.

74 Section 146E amended (Bulk nomination schedule)

In section 146E(5)(b), before “Electoral Commission”, insert “head office of the”. 30

75 Section 146F amended (Deposit payable in respect of bulk nomination schedule)

In section 146F(1), delete “the day before”.

- 76 Section 146G amended (Acceptance or rejection of bulk nomination schedule or nomination of candidate)**
In section 146G(1)(c) and (e), delete “the day before”.
- 77 Section 146H repealed (Amendment of bulk nomination schedule)**
Repeal section 146H. 5
- 78 Section 146K amended (Replacement nomination if earlier nomination withdrawn or lapses)**
Replace section 146K(2) with:
- (2) Sections 146F(3) and (4) and 146G apply in relation to a nomination lodged under this section as if the nomination had been included in a bulk nomination schedule. 10
- Candidate nominations received by Electoral Commission*
- 79 Section 49 amended (Candidate not disqualified if name removed from roll without cause)**
In section 49(4)(a), replace “Returning Officer” with “Electoral Commission”. 15
- 80 Section 143 amended (Nominations of candidates for electoral districts)**
- (1) In section 143(3), delete “to the Returning Officer”.
- (2) Replace section 143(4) with:
- (4) A nomination paper and a person’s consent to nomination must be lodged with the Electoral Commission, in accordance with the requirements notified under **section 142(2)(b)**, no later than noon on nomination day. 20
- (4A) The Electoral Commission must acknowledge, in writing, receipt of a nomination made in accordance with the requirements in subsections (1) to (3).
- (3) In section 143(5), replace “Returning Officer” with “Electoral Commission”.
- (4) Repeal section 143(8). 25
- 81 Section 144 amended (Deposit by candidate)**
In section 144(1), replace “shall deposit with the Returning Officer” with “must deposit with the Electoral Commission”.
- 82 Section 145 replaced (Acceptance or rejection of nomination)**
Replace section 145 with: 30
- 145 Acceptance or rejection of nomination**
- (1) The Electoral Commission must reject the nomination of a constituency candidate if—

- (a) the nomination paper and the consent of the candidate are not lodged with the Electoral Commission by noon on nomination day; or
- (b) the nomination paper does not state that the candidate is a registered elector of a specified electoral district, or, where section 49 applies, is a qualified elector of a specified electoral district; or 5
- (c) the nomination paper is not signed by at least 2 registered electors of the district for which the nomination is made; or
- (d) the required deposit is not paid as required by this Act.
- (2) The Electoral Commission must also reject the nomination of a constituency candidate if the Electoral Commission is not satisfied, by such evidence (if any) that the Electoral Commission requires, that the name under which the candidate is nominated is— 10
- (a) the name under which the candidate’s birth was registered, with any alteration or addition made to it under section 67 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (or an earlier corresponding provision); or 15
- (b) in the case of a person who has been adopted, the name conferred on that person by the adoption order; or
- (c) the name by which the candidate was commonly known throughout the period of 12 months ending with the day on which the nomination paper is lodged with the Electoral Commission; or 20
- (d) the name that the candidate adopted through a name change registered under section 71 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (or an earlier corresponding provision) before the period of 12 months ending with the day on which the nomination paper is lodged with the Electoral Commission and that the candidate used throughout that period. 25
- (3) However, the Electoral Commission may accept the nomination of any constituency candidate under a name that does not comply with **subsection (2)** if—
- (a) the Electoral Commission is satisfied that the candidate adopted the name in good faith and for good reason and the name is not indecent or offensive or likely to deceive or cause confusion; or 30
- (b) the candidate has substituted their surname with the surname of another person with whom the candidate is, or has been, married to, or in a civil union with, and the Electoral Commission would not be required to reject any nomination of the other person as a constituency candidate with that surname under **subsection (2)**. 35
- (4) In any other case, the Electoral Commission must accept the nomination.
- (5) **Subsection (4)** does not limit the jurisdiction of the court hearing an election petition. 40

- 83 Section 146 amended (Withdrawal of nomination)**
In section 146(2), replace “Returning Officer” with “Electoral Commission”.
- 84 Section 146A amended (Purpose of sections 146B to 146L)**
(1) In the heading to section 146A, replace “146L” with “146K”.
(2) In section 146A, replace “146L” with “146K”. 5
- 85 Section 146B amended (Notice of intention to lodge bulk nomination)**
Replace section 146B(2)(a) with:
(a) must be given no later than 7 days after the commencement of the regulated period for the general election; and
- 86 Section 146C amended (Effect of notification of intention to lodge bulk nomination on nominations under section 143)** 10
(1) In section 146C(2)(a), replace “no Returning Officer may” with “the Electoral Commission may not”.
(2) In section 146C(2)(b), replace “a Returning Officer” with “the Electoral Commission”. 15
- 87 Section 146G amended (Acceptance or rejection of bulk nomination schedule or nomination of candidate)**
Replace section 146G(2) with:
(2) The Electoral Commission must not accept the nomination of a candidate listed on a bulk nomination schedule in any case where the Electoral Commission would be required to reject the nomination of that candidate under **section 145(2)** if the candidate had been nominated under section 143, and the provisions of **section 145(2) and (3)** apply accordingly with all necessary modifications. 20
- 88 Section 146L repealed (Inspection of bulk nomination schedules and consents to nomination)** 25
Repeal section 146L.
- 89 Section 147 amended (Advertisement of nomination and polling places)**
(1) Repeal section 147(1).
(2) In section 147(2), replace “The Electoral Commission” with “After the close of nominations, the Electoral Commission”. 30
(3) In section 147(2)(d) and (4)(b), replace “65” with “120” in each place.
- 90 Section 151 replaced (Name of political party for constituency candidates)**
Replace section 151 with:

- 151 Name of political party for constituency candidates**
- (1) If the name of the constituency candidate’s political party is shown on a nomination paper or consent to nomination, the Electoral Commission may require the candidate to produce sufficient evidence to satisfy the Electoral Commission of the candidate’s eligibility to claim that accreditation. 5
- (2) If the Electoral Commission considers that the name of the constituency candidate’s political party shown on the candidate’s nomination paper or consent to nomination is indecent or offensive or excessively long or likely to cause confusion to or mislead electors, the Electoral Commission—
- (a) must, after consultation with the candidate, show on the ballot paper as the name of the candidate’s political party such name as the Electoral Commission and the candidate agree in place of that shown on the nomination paper or consent to nomination; or 10
- (b) must not show any name on the ballot papers as the name of the candidate’s political party if after consultation the Electoral Commission and the candidate cannot agree, or if consultation is not reasonably practicable. 15
- 91 Section 151A amended (Interpretation)**
- In section 151A, delete “the Returning Officer or, as the case requires,”.
- 92 Section 152 amended (Death before close of nominations)** 20
- (1) In section 152(3), replace “Returning Officer” with “Electoral Commission” in each place.
- (2) Repeal section 152(4).
- 93 Section 152A amended (Incapacity of candidate before close of nominations)** 25
- In section 152A(3) and (4)(b), delete “the Returning Officer or, as the case requires,”.
- 94 Section 152B amended (Procedural provisions relating to making of application under section 152A(1))**
- (1) In section 152B(1)(a)(ii), replace “Returning Officer for the district” with “Electoral Commission”. 30
- (2) In section 152B(4)(a), delete “the Returning Officer or, as the case requires,”.
- 95 Section 152C amended (How application under section 152A to be dealt with)**
- (1) In section 152C(1), delete “the Returning Officer or, as the case requires,”. 35
- (2) In section 152C(2), (3), (4), and (5), delete “Returning Officer or” in each place.

- 96 Section 153A amended (Death or incapacity of constituency candidate after close of nominations and before polling day)**
- (1) Replace section 153A(2) with:
- (2) If this section applies, then, once the Electoral Commission is satisfied that the candidate has died or, as the case requires, that the candidate’s nomination has been cancelled, the Electoral Commission must,—
- (a) in the case of a general election,—
- (i) issue a notice cancelling the poll for the election of a member of Parliament for the district; and
- (ii) proceed to conduct the poll on the part of the ballot paper that relates to the party vote, which for these purposes is to be treated as if it were the only part of the ballot paper; and this Part applies with any necessary modifications; and
- (b) in the case of a by-election, issue a notice cancelling the poll.
- (2) In section 153A(3), replace “Immediately after the Electoral Commission receives the Returning Officer’s report under subsection (2)(c)” with “After a notice has been issued under **subsection (2)(a)(i) or (b)**”.
- 97 Section 153B amended (Death or incapacity of constituency candidate on polling day)**
- (1) In section 153B(2), replace “Returning Officer” with “Electoral Commission” in each place.
- (2) Repeal section 153B(2)(c).
- (3) In section 153B(3), replace “Immediately after the Electoral Commission receives the Returning Officer’s report under subsection (2)(c)” with “After a poll has been closed under **subsection (2)(a)(i) or (b)**”.
- 98 Section 153C amended (Death or incapacity of successful constituency candidate after close of poll and before declaration of result)**
- (1) Repeal section 153C(2).
- (2) In section 153C(3), replace “Immediately on the Electoral Commission being satisfied of the Returning Officer’s report under subsection (2)” with “Once the Electoral Commission is satisfied that the candidate has died or that the candidate’s nomination has been cancelled on the grounds of incapacity”.
- 99 Section 153F amended (Destruction of ballot papers if by-election interrupted)**
- In section 153F(2)(b) and (c), replace “Returning Officer” with “Electoral Commission”.

- 100 Section 153G amended (Application for cancellation of nomination if candidate incapacitated after close of nominations)**
- (1) In section 153G(2)(a)(ii), replace “Returning Officer for the district” with “Electoral Commission”.
- (2) In section 153G(5)(a), delete “the Returning Officer or, as the case requires,”. 5
- 101 Section 153H amended (How application under section 153G to be dealt with)**
- (1) In section 153H(1), delete “the Returning Officer or, as the case requires,”.
- (2) In section 153H(2), (3), (4), and (5), delete “Returning Officer or” in each place. 10
- 102 Section 157 amended (Materials for polling places)**
- In section 157(2)(a), replace “65” with “120”.
- Scrutineers*
- 103 New section 154A and cross-heading inserted**
- After section 154, insert: 15
- Scrutineers*

154A Appointment of scrutineers

(1) A person may be appointed as a scrutineer under section 160, 172, 174F, 175, or 183, or any regulations made under this Act, if that person is not—

(a) a member of Parliament; or 20

(b) a candidate.

(2) Before acting, a scrutineer must declare that they will comply with section 203.

(3) The declaration must—

(a) be in a form that the Electoral Commission has approved; and

(b) be witnessed as specified in the form. 25
- 104 Section 160 amended (Scrutineers)**
- (1) Replace the heading to section 160 with “**Scrutineers for polling places**”.
- (2) Repeal section 160(4) and (4A).
- (3) Replace section 160(8) with:
- (8) In this section, **polling place** includes an advance polling place. 30
- 105 Section 172 amended (Voting by special voters)**
- Repeal section 172(5), (5A), and (7).

- 106 Section 174F amended (Scrutineers for count of early votes)**
Repeal section 174F(3) and (3A).
- 107 Section 175 amended (Scrutiny of the rolls)**
Repeal section 175(3), (3A), and (6).
- 108 Section 183 amended (Scrutineers for recounts and allocation of list seats)** 5
Repeal section 183(4), (4A), and (6).
- Electronic access to returns of expenses, donations, and loans*
- 109 Section 3 amended (Interpretation)**
In section 3(1), replace the definition of **public inspection period** with:
- public inspection period** means, in relation to a return filed under any of sections 205K, 206I, 206ZC, 209, 210, 210C, 214C, and 214F, the period— 10
- (a) commencing as soon as is reasonably practicable after the Electoral Commission receives the completed return; and
 - (b) ending 6 years later
- 110 Section 205R replaced (Return of candidate’s election expenses to be publicly available)** 15
Replace section 205R with:
- 205R Return of candidate’s election expenses to be publicly available**
- During the public inspection period, the Electoral Commission must ensure that every return filed under section 205K is publicly available (free of charge) on the Electoral Commission’s internet site. 20
- 111 Section 206Q replaced (Return of party’s election expenses and return of party’s allocation expenses to be publicly available)**
- Replace section 206Q with:
- 206Q Return of party’s election expenses and return of party’s allocation expenses to be publicly available** 25
- During the public inspection period, the Electoral Commission must ensure that the following are publicly available (free of charge) on the Electoral Commission’s internet site:
- (a) a return filed under section 206I; and 30
 - (b) an auditor’s report obtained under section 206L accompanying the return referred to in **paragraph (a)**; and
 - (c) a return filed under section 206IA; and

- (d) an auditor's report obtained under section 206LA accompanying the return referred to in **paragraph (c)**.

112 Section 206ZH replaced (Return of registered promoter's election expenses to be publicly available)

Replace section 206ZH with:

5

206ZH Return of registered promoter's election expenses to be publicly available

During the public inspection period, the Electoral Commission must ensure that every return filed under section 206ZC is publicly available (free of charge) on the Electoral Commission's internet site.

10

113 Section 209E replaced (Return of candidate donations to be publicly available)

Replace section 209E with:

209E Return of candidate donations to be publicly available

During the public inspection period, the Electoral Commission must ensure that every return filed under section 209 is publicly available (free of charge) on the Electoral Commission's internet site.

15

114 Section 210F replaced (Return of party donations to be publicly available)

Replace section 210F with:

210F Return of party donations to be publicly available

20

During the public inspection period, the Electoral Commission must ensure that the following are publicly available (free of charge) on the Electoral Commission's internet site:

- (a) a return filed under section 210; and
- (b) an auditor's report obtained under section 210A accompanying the return referred to in **paragraph (a)**; and
- (c) a return filed under section 210C.

25

115 Section 214J replaced (Returns of loans to be publicly available)

Replace section 214J with:

214J Returns of loans to be publicly available

30

During the public inspection period, the Electoral Commission must ensure that the following are publicly available (free of charge) on the Electoral Commission's internet site:

- (a) a return filed under section 214C; and

- (b) an auditor's report obtained under section 214D accompanying the return referred to in **paragraph (a)**; and
- (c) a return filed under section 214F; and
- (d) a return filed under section 214GA.

Audit requirement for party's election expenses 5

116 Section 127A amended (Deposit by party secretary)

Replace section 127A(4)(b) with:

- (b) an auditor's report obtained under section 206L relating to the return, if that section applies.

117 Section 206I amended (Return of party's election expenses) 10

Replace section 206I(2)(b) with:

- (b) accompanied by an auditor's report obtained under section 206L, if that section applies.

118 Section 206L amended (Auditor's report on return of party's election expenses) 15

Before section 206L(1), insert:

(1AAA) This section applies if a party's return of election expenses shows that the party's total election expenses exceed \$50,000.

Disclosure of parties' donations

119 Section 210 amended (Annual return of party donations) 20

- (1) In section 210(1)(a) and (b), replace "\$5,000" with "\$6,000".
- (2) In section 210(6A)(c), replace "\$5,000" with "\$6,000".

120 Section 210C amended (Return of party donation received from same donor exceeding \$20,000)

In section 210C(6), replace "10" with "20". 25

Reporting requirements if party registration cancelled

121 Section 210 amended (Annual return of party donations)

Replace section 210(8) with:

- (8) Despite anything in subsection (1),—
 - (a) if a party secretary is required to file under that subsection a return of party donations that relates to the year in which the party became registered, that return is to relate to the period beginning with the date of registration of the party and ending on 31 December of that year: 30

- (b) if a party secretary is required to file under that subsection a return of party donations that relates to the year in which the party's registration was cancelled, that return is to relate to the period beginning on 1 January of that year and ending on the date of cancellation of the party's registration: 5
- (c) if a party secretary is required to file under that subsection a return of party donations that relates to the year in which the party became registered and the party's registration was cancelled, that return is to relate to the period beginning with the date of registration of the party and ending on the date of cancellation of the party's registration. 10
- (8A) The cancellation of a party's registration before the close of 30 April in any year does not release the party secretary, or the person who most recently held that position, from the requirement under this section to file a return of party donations for the preceding year.
- 122 Section 210G amended (Annual financial statements to be provided to Electoral Commission)** 15
- After section 210G(4), insert:
- (4A) If a party's registration is cancelled in any year, the secretary of the party, or the person who most recently held that position, must provide to the Electoral Commission a copy of— 20
- (a) the party's annual financial statements next due under this section as if the party's registration had not been cancelled; or
- (b) the financial statements of the party for the period commencing on the day after the party's last balance date and ending on the date of cancellation of the party's registration. 25
- 123 Section 214C amended (Annual return of party loans)**
- Replace section 214C(7) with:
- (7) Despite anything in subsection (1),—
- (a) if a party secretary is required to file under that subsection a return of party loans that relates to the year in which the party became registered, that return is to relate to the period beginning with the date of registration of the party and ending on 31 December of that year: 30
- (b) if a party secretary is required to file under that subsection a return of party loans that relates to the year in which the party's registration was cancelled, that return is to relate to the period beginning on 1 January of that year and ending on the date of cancellation of the party's registration: 35
- (c) if a party secretary is required to file under that subsection a return of party loans that relates to the year in which the party became registered and the party's registration was cancelled, that return is to relate to the 40

period beginning with the date of registration of the party and ending on the date of cancellation of the party's registration.

- (8) The cancellation of a party's registration before the close of 30 April in any year does not release the party secretary, or the person who most recently held that position, from the requirement under this section to file a return of party loans for the preceding year. 5

Checking special vote declarations may commence before close of poll

124 New section 173B inserted (Determining whether special voter qualified to vote)

Before the cross-heading above section 174, insert: 10

173B Determining whether special voter qualified to vote

- (1) The Electoral Commission must, in accordance with any regulations made under this Act, examine each declaration made by a person in respect of a special vote to determine whether the person is qualified to vote.
- (2) An examination under **subsection (1)** may be commenced before— 15
- (a) the close of polling:
 - (b) the scrutiny of the rolls under section 175.
- (3) Every scrutineer appointed under section 172(4) may be present at the office of the Electoral Commission during an examination under **subsection (1)**.

Promoter statements 20

125 Section 204A amended (Interpretation)

In section 204A, replace the definition of **contact details** with:

contact details, in relation to a person, means 1 or more of the following:

- (a) the person's address:
- (b) the person's email address: 25
- (c) the person's post office box number:
- (d) the person's phone number:
- (e) a link to a page on an internet site that contains 1 or more of the person's contact details specified in **paragraphs (a) to (d)**

126 Section 204F amended (Election advertisement to include promoter statement) 30

- (1) In section 204F(2), replace "address" with "contact details".
- (2) Replace section 204F(3) with:

- (3) If the promoter is a registered promoter, the name of the promoter stated in the promoter statement must be the same name of the promoter that appears in the register.

127 Section 204L amended (Application for registration)

In section 204L(2)(a), replace “the name and contact details of” with “the name, address, phone numbers, and email address (if any) of”. 5

128 Section 204O amended (Obligation to notify Electoral Commission of change in contact details)

In the heading to section 204O, replace “contact” with “registration”.

129 Section 221A amended (Electoral advertisements)

10

- (1) Replace section 221A(1)(b) with:

(b) the contact details of that person.

- (2) Replace section 221A(5) with:

- (5) In this section,—

contact details, in relation to a person, has the meaning given in section 204A 15
medium includes the internet or any other electronic medium.

Irregularities

130 Section 266 replaced (Validation of irregularities)

Replace section 266 with:

266 Validation of irregularities

20

- (1) The Governor-General may, by Order in Council, take any of the actions described in **subsection (2)** if—

(a) anything is omitted to be done by, at, on, or within the time required by or under this Act or any regulations made under this Act; or

(b) anything cannot be done by, at, on, or within the time required by or under this Act or any regulations made under this Act; or 25

(c) anything is done before or after the time required by or under this Act or any regulations made under this Act; or

(d) anything is otherwise irregularly done in matter of form; or

(e) sufficient provision is not made by or under this Act or any regulations made under this Act. 30

- (2) The actions are,—

(a) at any time before or after the time within which anything is required to be done, to extend that time; or

(b) to validate anything done before or after the time required; or 35

- (c) to validate anything irregularly done in matter of form; or
 - (d) to make such other provision for the case as the Governor-General thinks fit.
- (3) **Subsection (1)** does not apply to—
- (a) the presentation of an election petition; or
 - (b) the giving of security for costs in relation to an election petition.
- (4) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

5

Technical amendments

- 131 Section 3 amended (Interpretation)** 10
- In section 3(1), insert in its appropriate alphabetical order:
- Māori option** means the option that may be exercised under section 76(1) by a Māori who is eligible to be registered as an elector (to choose whether to register as an elector of a Māori electoral district or a General electoral district)
- 132 Section 76 amended (Māori option)** 15
- In section 76(2), delete “(the **Māori option**)”.
- 133 Section 95A amended (Notice of elector’s objection)**
- In section 95A(4)(b), replace “in the dormant roll” with “on the dormant roll”.
- 134 Section 96 amended (Electoral Commission’s objection)**
- In section 96(4)(b), replace “in the dormant roll” with “on the dormant roll”. 20
- 135 Section 98 amended (Removal of names from roll by Electoral Commission)**
- In section 98(1)(f)(ii), replace “section 81” with “**section 86F 86A**”.
- 136 Schedule 1AA amended**
- In Schedule 1AA,— 25
- (a) insert the Part set out in **Schedule 1** of this Act as the last Part; and
 - (b) make all necessary consequential amendments.

Part 2

Amendments to other legislation

Amendment to Juries Act 1981

30

137 Principal Act

Section 138 amends the Juries Act 1981.

138 Section 9 amended (Preparation of jury lists)

Replace section 9(4) with:

- (4) A jury list must not contain the name of any person in respect of whom a direction is in force under section 115 of the Electoral Act 1993 that their name and address not be published.

5

*Amendments to Electoral Regulations 1996***139 Principal regulations**

Sections 140 to 154 amend the Electoral Regulations 1996.

140 Regulation 3 revoked (Application for registration)

Revoke regulation 3.

10

141 Regulation 4B revoked (Transfer of electors between electorates)

Revoke regulation 4B.

142 Regulation 12 amended (List of late enrolments)

- (1) Replace regulation 12(1) with:

- (1) As soon as practicable after the close of registration, the Electoral Commission must send to the Returning Officer a list of those persons whose names have been entered (under section 88(3) of the Act) on the electoral roll for the district after writ day and before the close of registration.

15

- (2) In regulation 12(2), delete “or (4)”.

143 Regulation 16 revoked (List of constituency candidates)

Revoke regulation 16.

20

144 Regulation 18 amended (Party lists)

In regulation 18(2), replace “65” with “120” in each place.

145 Regulation 19 amended (Facilities for special voting)

In regulation 19(4), (5), and (6), replace “maternity home” with “maternity facility” in each place.

25

146 Regulation 23 replaced (Hospital votes)

Replace regulation 23 with:

23 Hospital votes

- (1) This regulation applies if an elector—
- (a) is a patient in any hospital, maternity facility, or institution referred to in regulation 19(4); and
 - (b) applies in person under regulation 20(a) for a special vote.

30

- (2) Instead of issuing to the elector a special ballot paper under regulation 21(1), an Issuing Officer may issue to the elector a ballot paper in accordance with section 167 of the Act.
- (3) If an elector is issued with an ordinary ballot paper under section 167 of the Act,— 5
- (a) the elector is not a special voter; and
 - (b) the vote cast by the elector is not a special vote; and
 - (c) sections 168 and 170 of the Act apply so far as applicable with any necessary modifications; and
 - (d) regulations 25 to 42 do not apply. 10
- (4) When an elector who is issued with a ballot paper under this section is voting, then, unless section 170 of the Act applies, any other person present at the time—
- (a) must refrain from looking at or becoming acquainted with the elector’s vote; and 15
 - (b) must not in any way attempt to influence or interfere with the elector; and
 - (c) must not allow another person—
 - (i) to see or become acquainted with the elector’s vote; or
 - (ii) to assist the elector to vote; or 20
 - (iii) to interfere in any way with the elector’s vote.
- (5) An Issuing Officer authorised to issue hospital votes must, in respect of each district and in accordance with the instructions of the Returning Officer,—
- (a) make up into separate parcels, endorsed in accordance with section 174A(1)(b) of the Act,— 25
 - (i) the certified copies of the main roll and supplementary rolls that have been marked by Issuing Officers to indicate the persons who applied to vote; and
 - (ii) all the counterfoils of ballot papers that have been issued to voters and all the unused ballot papers and voting papers; and 30
 - (iii) all the spoilt ballot papers and voting papers; and
 - (b) deliver into the possession of the Returning Officer the hospital votes and all parcels referred to in **paragraph (a)**.

147 Regulation 24 revoked (Special vote in district before polling day)

Revoke regulation 24.

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148 Regulation 24A revoked (Scrutineers at advance polling places)

Revoke regulation 24A.

149 Regulation 25 amended (Declaration by special voter)

In regulation 25(3)(a)(ii), replace “maternity home” with “maternity facility”.

150 New regulation 28A inserted (Parcels of rolls and ordinary ballot papers issued to advance voters)

After regulation 28, insert:

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28A Parcels of rolls and ordinary ballot papers issued to advance voters

At any time before 2 pm on polling day, an Issuing Officer for a district in which ordinary ballot papers have been issued to advance voters under **section 171A(a)(i)** of the Act must—

- (a) make up into separate parcels, endorsed in accordance with section 174A(1)(b) of the Act,—
 - (i) the certified copies of the main roll and supplementary rolls that have been marked by Issuing Officers to indicate the persons who applied to vote; and
 - (ii) all the counterfoils of ballot papers that have been issued to voters and all the unused ballot papers and voting papers; and
 - (iii) all the spoilt ballot papers and voting papers; and
- (b) deliver into the possession of the Returning Officer the sealed or locked ballot box and, if applicable, its key and all parcels mentioned in **paragraph (a)**.

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151 Regulation 35 amended (Electoral Commission to determine whether person casting special vote is qualified to vote)

- (1) In regulation 35, replace “The Electoral Commission” with “At any time after receiving a special vote and declaration form in respect of the vote, the Electoral Commission”.
- (2) In regulation 35(b), before “ensure”, insert “determine whether the person is qualified to vote and”.
- (3) In regulation 35, insert as subclause (2):
 - (2) The examination under **subclause (1)(a)** may commence at any time after a special vote is received but a determination under **subclause (1)(b)** may not be completed until the process set out in section 176(4) of the Act relating to post-writ deletions has been undertaken.

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152 Regulation 36 amended (Duties of Electoral Commission)

- (1) Revoke regulation 36(2)(b).
- (2) In regulation 36(2)(c), replace “polling day” with “the close of registration”.
- (3) In regulation 36(2)(e), delete “the day before”.
- (4) Revoke regulation 36(2)(fa).

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153 Regulation 49 amended (Parcels of spoilt ballot and voting papers, and other papers)

In regulation 49(2)(d) and (3)(d), replace “Electoral Commission at Wellington” with “head office of the Electoral Commission”.

154 Regulation 65 amended (Scrutineers’ lists of persons who have voted) 5

After regulation 65(3), insert:

- (4) In this regulation, **polling place** includes an advance polling place.

*Consequential amendments and revocation***155 Consequential amendments to secondary legislation**

Amend the secondary legislation specified in **Schedule 2** as set out in that schedule. 10

156 Revocation

The Electoral (Expenditure Limit) Order 2025 (SL 2025/119) is revoked.

Schedule 1
New Part 4 inserted into Schedule 1AA

s 136

Part 4		
Provisions relating to Electoral Amendment Act 2025		5
7	Interpretation In this Part,— amendment Act means the Electoral Amendment Act 2025 commencement date ,— (a) in clauses 8, 9, 10, and 12 , means the date on which this schedule comes into force; and (b) in clause 11 , means 1 January 2026 .	10
8	Close of registration for by-election held between commencement date and next general election (1) This clause applies if a by-election is held— (a) after the commencement date; and (b) before the next general election. (2) Sections 60 and 88, as in force immediately before the commencement date, continue to apply in respect of the by-election.	15
9	Registration of persons detained in hospital or secure facility before commencement date (1) A person who is disqualified for registration as an elector by section 80(1)(c)(i), (ii), or (iii) immediately before the commencement date is not disqualified for registration as an elector after the commencement date on the ground of being detained in a hospital under the Mental Health (Compulsory Assessment and Treatment) Act 1992 or in a secure facility under the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003. (2) A person who is not disqualified for registration as an elector by section 80(1)(c)(iv) immediately before the commencement date is not disqualified for registration as an elector after the commencement date on the ground of being detained in a hospital under the Mental Health (Compulsory Assessment and Treatment) Act 1992 or in a secure facility under the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 and being a person to whom section 80(1)(d) (as substituted by the amendment Act) would otherwise apply.	20 25 30 35

- 10 Registration of prisoners serving term of imprisonment imposed before commencement date**
- To avoid doubt,—
- (a) ~~a person who is disqualified for registration as an elector by section 80(1)(d) immediately before the commencement date continues to be disqualified for registration as an elector after the commencement date as if the amendment Act had not been enacted; and~~ 5
- (b) ~~a person who is not disqualified for registration as an elector by section 80(1)(d) immediately before the commencement date is not disqualified for registration as an elector by that provision (as substituted by the amendment Act) after the commencement date on the ground of an existing sentence of imprisonment.~~ 10
- 11 Application for registration of eligible political party made but not determined before commencement date**
- (1) This clause applies if, before the commencement date,— 15
- (a) an application for registration of an eligible political party is made to the Electoral Commission under section 63; and
- (b) the Electoral Commission has not determined the application.
- (2) The Electoral Commission must determine the application as if—
- (a) **section 63(2)(da)** had not been inserted by **section 56** of the amendment Act; and 20
- (b) section 71B had not been replaced by **section 58** of the amendment Act.
- 12 Hard copy special vote declaration forms printed before commencement date** 25
- (1) This clause applies in respect of a special vote declaration form that is—
- (a) printed before the commencement date; and
- (b) issued by an Issuing Officer to a person before 31 December 2027.
- (2) The special vote declaration form may provide for the collection of the person's occupation despite section 83(2)(e) being replaced by **section 13** of the amendment Act. 30
- (3) A person who is issued with a special vote declaration form that provides for the collection of the details specified in **subclause (2)** need not provide those details.

Schedule 2
Consequential amendments to secondary legislation

s 155

Jury Rules 1990 (SR 1990/226)

Revoke rule 4(1)(c).

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In rule 6(6)(a) and (b), delete “, occupation (if known)”.

In rule 7(4)(a) and (b), delete “, occupation (if known)”.

In rule 12(2)(a), delete “occupation (if known)”.

Legislative history

24 July 2025

Introduction (Bill 186–1)

29 July 2025

First reading and referral to Justice Committee