



Electoral Amendment Act 2025

Public Act 2025 No 82

Date of assent 19 December 2025

Commencement see section 2

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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 20 December 2025.
- (2) However, the following sections come into force on 1 January 2026:
 - (a) sections 59 to 62;
 - (b) sections 122 and 123;
 - (c) sections 128 to 132.

Section 2(1): editorial change made by the PCO, on 24 December 2025, under sections 86(1) and 87(m) of the Legislation Act 2019 (2019 No 58).

Part 1
Amendments to Electoral Act 1993

3 Principal Act

This Part amends the Electoral Act 1993.

Subpart 1—Elector registration

4 Section 3 amended (Interpretation)

- (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

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—

- (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:
- (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)

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, 86AA, 86AAB, 86AAC, 86A, and 86C, 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

10 Section 80 amended (Disqualifications for registration)

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

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

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

(1A) For the purposes of subsection (1)(d)(i) and section 86B, 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.

(3) 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—

- (a) the name, date of birth, place of residence, and description of the offender; and
- (b) the particulars of the conviction.

11 Section 81 repealed (Prison manager to forward to Electoral Commission details of prisoners disqualified for registration)

Repeal section 81.

12 New sections 86AA to 86AAG inserted

After section 86, insert:

86AA Director of Mental Health to send to Electoral Commission information about persons disqualified for registration

- (1) The Director of Mental Health must send to the Electoral Commission the information specified in subsection (2) in relation to a person who—
 - (a) is disqualified under section 80(1)(c) for registration as an elector; and
 - (b) is of or over the age of 17 years.
- (2) The information referred to in subsection (1) is—
 - (a) the name and date of birth of the person; and
 - (b) the person's previous residential address; and
 - (c) the name and address of the hospital or secure facility in which the person is detained.

86AAB Registration of persons removed from prison to hospital or secure facility

- (1) This section applies in respect of a person who—
 - (a) was detained in a prison to serve a term of imprisonment; and
 - (b) is removed to a hospital or secure facility; and
 - (c) is not disqualified for registration under section 80(1)(c); and
 - (d) is of or over the age of 17 years.
- (2) The Director of Mental Health must, as soon as is reasonably practicable,—
 - (a) advise the person 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 on which they were removed to the hospital or secure facility, apply to the Electoral Commission for registration as an elector of an electoral district; or
 - (ii) if they are of or over the age of 17 years, but under 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 may apply to the Electoral Commission for registration as an elector of an electoral district; and

- (b) ask the person whether they want their registration details sent to the Electoral Commission to facilitate their registration as an elector.
- (3) If the person wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, section 86AAD applies.

86AAC Registration of persons disqualified for registration under section 80(1)(c) following discharge

- (1) Before a person who is disqualified for registration under section 80(1)(c) is discharged from a hospital or secure facility, the Director of Mental Health must, so far as is reasonably practicable,—
 - (a) advise the person 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 discharge, apply to the Electoral Commission for registration as an elector of an electoral district; or
 - (ii) if they are of or over the age of 17 years, but under 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 may, after their discharge, apply to the Electoral Commission for registration as an elector of an electoral district; and
 - (b) ask the person whether they want their registration details sent to the Electoral Commission to facilitate their registration as an elector.
- (2) If the person wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, section 86AAD applies.
- (3) Subsection (1) does not apply if the person is being discharged to a prison.

86AAD Director of Mental Health to collect and send registration information to Electoral Commission

- (1) If a person referred to in section 86AAB or 86AAC 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:
 - (a) their details required by section 83(2); and
 - (b) if the person is Māori, whether their choice is to be registered in a Māori electoral district or a General electoral district.

- (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.
- (3) If the person wishes to apply for a direction under section 115 (unpublished names), the Director of Mental Health must—
 - (a) assist the person to prepare an application accompanied by supporting information; and
 - (b) send the application and supporting information to the Electoral Commission with the person's registration information.
- (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).

86AAE Registration information received from Director of Mental Health treated as application for registration

- (1) The Electoral Commission must, for the purposes of this Act, treat—
 - (a) the receipt of a person's details referred to in section 86AAD(1)(a) as an application by the person to register as an elector of an electoral district; and
 - (b) the receipt of a person's preference referred to in section 86AAD(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).

86AAF Director of Mental Health to communicate with person in way person can understand

When carrying out their duties under sections 86AAB, 86AAC, and 86AAD, the Director of Mental Health must communicate with a person in a way that the person can reasonably be expected to understand.

86AAG Delegation of Director of Mental Health's functions under sections 86AAB, 86AAC, and 86AAD

- (1) The Director of Mental Health may delegate to 1 or more Directors of Area Mental Health Services or compulsory care co-ordinators any or all of the functions of the Director of Mental Health under sections 86AAB, 86AAC, and 86AAD.
- (2) Subject to any directions or conditions imposed by the Director of Mental Health, a Director of Area Mental Health Services or compulsory care co-ordinator to whom the functions of the Director of Mental Health 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 86AAB, 86AAC, and 86AAD.

- (3) A delegation must be in writing and may be revoked at any time.
- (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

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.

13 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—
 - (a) is of or over the age of 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—
 - (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
 - (c) the name and address of the prison.

86B 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—
 - (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,—
 - (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
- (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

(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 86E applies.

86C Prison manager to inform prisoners removed from hospital or secure facility of disqualification for registration

- (1) This section applies in respect of a prisoner who—
 - (a) is removed to a prison from a hospital or secure facility to serve a sentence of imprisonment; and
 - (b) during their detention in the hospital or secure facility, was not disqualified under section 80(1)(c) for registration as an elector.
- (2) As soon as is reasonably practicable after the prisoner has been removed 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.

86D Registration of prisoners disqualified for registration under section 80(1)(d) following release

- (1) Before a prisoner who is disqualified for registration as an elector under section 80(1)(d) is released from prison, the prison manager must—
 - (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
 - (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, after their release, apply to the Electoral Commission for registration as an elector of an electoral district; and

- (b) ask the prisoner whether they want their registration details sent to the Electoral Commission to facilitate their registration as an elector.
- (2) If the prisoner wants their registration details sent to the Electoral Commission to facilitate their registration as an elector, section 86E applies.

86E Prison manager to collect and send registration information to Electoral Commission

- (1) If a prisoner referred to in section 86B or 86D 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:
 - (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.
- (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—
 - (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.
- (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).

86F Registration information received from prison manager treated as application for registration

- (1) The Electoral Commission must, for the purposes of this Act, treat—
 - (a) the receipt of a prisoner's details referred to in section 86E(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 86E(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.
- (2) This section overrides section 83(1) to (4).

86G Prison manager to communicate with prisoner in way prisoner can understand

When carrying out their duties under sections 86B, 86C, 86D, and 86E, a prison manager must communicate with a prisoner in a way that the prisoner can reasonably be expected to understand.

86H Delegation of prison manager's functions under sections 86A, 86B, 86C, 86D, and 86E

- (1) A prison manager may delegate to 1 or more prison officers any or all of the prison manager's functions under sections 86A, 86B, 86C, 86D, and 86E.
- (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, 86B, 86C, 86D, and 86E.
- (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.

Subpart 3—Elector registration details

14 Section 83 amended (Application for registration)

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

15 Section 93 amended (Notification of marriages and civil unions)

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

16 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 on the roll, arranged alphabetically in order of surnames.

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

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

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

18 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.

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

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

20 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).

21 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).".

22 Section 115 amended (Unpublished names)

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

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

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

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

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

24 Section 82 amended (Compulsory registration of electors)

After section 82(6), insert:

(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.

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

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

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

Replace section 89C(15) with:

(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.

27 New sections 89CA and 89CB inserted

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.
- (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**);
 - (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:

- (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—
 - (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;
- (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.

- (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—
 - (a) their name has been removed from the electoral roll for district A; and
 - (b) they are registered as an elector of district B.
- (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.

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.
- (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**);

- (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—
 - (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;
- (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.

(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.

28 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

Subpart 5—Electronic delivery of registration processes

29 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".
- (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".

30 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”.

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

- (1) Replace section 89D(1) to (3) with:
 - (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.
 - (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
 - (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”.
- (4) In section 89D(5)(a)(i), after “contain”, insert “some or all of”.

32 Section 89E amended (No inquiry required if application for registration as elector received)

In section 89E, replace “section 89D(1)” with “section 89D”.

33 Section 89G amended (Elector who cannot be contacted to be included in dormant roll)

- (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
- (3) In section 89G(2)(b), replace “in the dormant roll” with “on the dormant roll”.

34 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”.

35 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:

36 Section 99 replaced (Notice of alterations to roll)

Replace section 99 with:

99 Notice of alterations to roll

(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.

(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.

(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.

37 Section 263 repealed (Service of notices)

Repeal section 263.

Subpart 6—Advance polling**38 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

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

39 Section 61 amended (Special voters)

Repeal section 61(3).

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

After section 171, insert:

*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.

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.
- (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.
- (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
 - (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.
- (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.

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
- (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.

41 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.

42 Section 195B amended (Alternative voting processes to respond to polling disruption)

Repeal section 195B(4).

43 Section 195E amended (Interfering with or influencing voters at resumed poll)

In section 195E(b)(i) and (ii), replace “advance voting place” with “advance polling place”.

44 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.

45 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”.
- (4) In section 197A(10), definition of **entrance**, replace “advance voting place” with “advance polling place” in each place.

Subpart 7—Offences**46 Section 216 amended (Bribery)**

- (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—
 - (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
 - (b) gives any money to, or procures any benefit for, another person on behalf of any voter to induce the voter 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
 - (c) gives any money to, or procures any benefit for, any person for that person to induce any voter 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
 - (d) gives any money to, or procures any benefit for, any person, corruptly, on account of any voter having—
 - (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

(e) gives any money to, or procures any benefit for, any other person to induce the other person to procure—

- (i) the return of any candidate or candidates at an election; or
- (ii) the vote of any voter; or

(f) receives any money, or obtains any benefit, for procuring or agreeing to procure—

- (i) the return of any candidate or candidates at an election; or
- (ii) the vote of any voter.

(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
- (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
- (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.

(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,—

- (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
- (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.

47 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—
 - (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
 - (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
 - (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.

48 Section 218 amended (Undue influence)

Replace section 218(2) with:

- (2) A person commits the offence of undue influence if the person—

- (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
 - (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
- (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—
 - (i) voted or refrained from voting; or
 - (ii) voted, or refrained from voting, for or against a particular candidate or party; or
 - (iii) refrained from registering as an elector of an electoral district; or
 - (iv) 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
- (c) by abduction, duress, or any fraudulent means—
 - (i) impedes or prevents the free exercise of the franchise of an elector; or
 - (ii) compels or induces an elector to vote or to refrain from voting; or
 - (iii) compels or induces a person to refrain from registering as an elector of an electoral district; or
 - (iv) compels or induces a person to register on the roll for a General electoral district and not a Māori electoral district, or to register on the roll for a Māori electoral district and not a General electoral district.

49 New section 218A inserted (Providing food, drink, or entertainment around polling places)

After the cross-heading above section 219, insert:

218A Providing food, drink, or entertainment around polling places

- (1) During any voting period, a person must not provide, free of charge, any food, drink, or entertainment in an area around a polling place knowing that the area is a controlled area.
- (2) Subsection (1) does not apply to an entity that in its ordinary course of business provides, free of charge,—
 - (a) any food or drink in the controlled area around a polling place;
 - (b) entertainment—
 - (i) in the controlled area around a polling place; or
 - (ii) outside the controlled area around a polling place but that may be seen or heard in the controlled area around a polling place.
- (3) A person who, without reasonable excuse, contravenes subsection (1) is guilty of an illegal practice.
- (4) In this section,—

controlled area, in relation to a polling place, means the area within 100 metres of any entrance to the polling place, or any smaller area specified by the Electoral Commission for a particular polling place

drink excludes water

entertainment includes music

polling place includes an advance polling place

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**50 Section 204B amended (Persons who may promote election advertisements)**

- (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.
- (2) Replace section 204B(2) with:
- (2) The amount published on the Electoral Commission's internet site is inclusive of goods and services tax.

51 Section 205C replaced (Maximum amount of candidate's total election expenses)

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.
- (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.

52 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—
 - (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.
- (3) The amounts published on the Electoral Commission's internet site are inclusive of goods and services tax.

53 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.
- (2) The amount published on the Electoral Commission's internet site is inclusive of goods and services tax.

54 Section 266A replaced (Expenditure limits to be adjusted each year by Order in Council)

Replace section 266A with:

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);
 - (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);
 - (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—
 - (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.
- (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—
 - (i) the CPI for the quarter ending 30 September of the year preceding the last election year; and
 - (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.
- (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—

- (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—

- (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.

(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.

(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

Electoral Commission membership

55 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—

- (a) 1 member as the Chief Electoral Officer;
- (b) 1 member as the chairperson;
- (c) 1 member as the deputy chairperson.

56 Section 4I amended (Deputy Electoral Commissioners)

(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—

- (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.

By-election triggered by death or incapacity of constituency candidate

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

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.

58 Section 78C amended (Māori option may not be exercised in by-election period)

(1) Replace section 78C(1) with:

(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).

(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

(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.

Party registration

59 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
(ii) the rules governing the selection of persons to represent the party as candidates for election as members of Parliament; and

60 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
(b) ends with the close of the latest day for the return of the writ for that general election.

61 Section 71B replaced (Obligation to provide copy of party membership rules and candidate selection rules)

Replace section 71B with:

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;
(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

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
- (b) copies of any changes to those rules supplied by the secretary of a political party to the Electoral Commission under section 71B.

62 Section 71E replaced (Times when registration of party logos prohibited)

Replace section 71E with:

71E Times when registration of party logos prohibited

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
 - (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.

Qualification for registration as elector: resident for electoral purposes

63 Section 3 amended (Interpretation)

- (1) In section 3(1), repeal the definition of **permanent resident of New Zealand**.
- (2) In section 3(1), insert in its appropriate alphabetical order:

resident for electoral purposes has the meaning given to it by section 73

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

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

65 Section 74 amended (Qualification of electors)

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

(ii) a resident for electoral purposes; and

66 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

67 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,—

district, Māori constituency, Māori ward, and region have the meanings given to them in section 5(1) of the Local Electoral Act 2001

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:
 - (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.

68 Section 89DA amended (Updating Māori option details)

In section 89DA(3)(b)(ii), replace “district” with “electoral district”.

Date for closure of main rolls

69 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—

- (a) fix a date for the closing of the main rolls; and
- (b) publish the date in the *Gazette*.

- (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.
- (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.

70 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

71 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

72 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
 - (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.
- (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.

*List candidates and bulk nomination schedules of constituency candidates***73 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

(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

74 Section 127A amended (Deposit by party secretary)

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

75 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”.

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

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

77 Section 146E amended (Bulk nomination schedule)

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

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

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

79 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”.

80 Section 146H repealed (Amendment of bulk nomination schedule)

Repeal section 146H.

81 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.

*Candidate nominations received by Electoral Commission***82 Section 49 amended (Candidate not disqualified if name removed from roll without cause)**

In section 49(4)(a), replace “Returning Officer” with “Electoral Commission”.

83 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.
 - (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).

84 Section 144 amended (Deposit by candidate)

In section 144(1), replace “shall deposit with the Returning Officer” with “must deposit with the Electoral Commission”.

85 Section 145 replaced (Acceptance or rejection of nomination)

Replace section 145 with:

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
 - (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—
 - (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

- (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
- (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.

(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
- (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).

(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.

86 Section 146 amended (Withdrawal of nomination)

In section 146(2), replace “Returning Officer” with “Electoral Commission”.

87 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”.

88 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

89 Section 146C amended (Effect of notification of intention to lodge bulk nomination on nominations under section 143)

(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”.

90 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.

91 Section 146L repealed (Inspection of bulk nomination schedules and consents to nomination)

Repeal section 146L.

92 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”.

(3) In section 147(2)(d) and (4)(b), replace “65” with “120” in each place.

93 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.

(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

(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.

94 Section 151A amended (Interpretation)

In section 151A, delete "the Returning Officer or, as the case requires,".

95 Section 152 amended (Death before close of nominations)

(1) In section 152(3), replace "Returning Officer" with "Electoral Commission" in each place.

(2) Repeal section 152(4).

96 Section 152A amended (Incapacity of candidate before close of nominations)

In section 152A(3) and (4)(b), delete "the Returning Officer or, as the case requires,".

97 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".

(2) In section 152B(4)(a), delete "the Returning Officer or, as the case requires,".

98 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,".

(2) In section 152C(2), (3), (4), and (5), delete "Returning Officer or" in each place.

99 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)”.

100 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)”.

101 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”.

102 Section 153F amended (Destruction of ballot papers if by-election interrupted)

In section 153F(2)(b) and (c), replace “Returning Officer” with “Electoral Commission”.

103 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,.”.

104 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.

105 Section 157 amended (Materials for polling places)

In section 157(2)(a), replace “65” with “120”.

Scrutineers

106 New section 154A and cross-heading inserted

After section 154, insert:

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
 - (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.

107 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.

108 Section 172 amended (Voting by special voters)

Repeal section 172(5), (5A), and (7).

109 Section 174F amended (Scrutineers for count of early votes)

Repeal section 174F(3) and (3A).

110 Section 175 amended (Scrutiny of the rolls)

Repeal section 175(3), (3A), and (6).

111 Section 183 amended (Scrutineers for recounts and allocation of list seats)

Repeal section 183(4), (4A), and (6).

Electronic access to returns of expenses, donations, and loans

112 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—

- (a) commencing as soon as is reasonably practicable after the Electoral Commission receives the completed return; and
- (b) ending 6 years later

113 Section 205R replaced (Return of candidate's election expenses to be publicly available)

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.

114 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

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
- (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).

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

Replace section 206ZH with:

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.

116 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.

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

Replace section 210F with:

210F Return of party donations to be publicly available

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.

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

Replace section 214J with:

214J Returns of loans to be publicly available

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***119 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.

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

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

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

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

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***122 Section 210 amended (Annual return of party donations)**

(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".

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

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

*Reporting requirements if party registration cancelled***124 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;
(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;
(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.
(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.

125 Section 210G amended (Annual financial statements to be provided to Electoral Commission)

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—

- (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.

126 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;
- (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;
- (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 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.

Checking special vote declarations may commence before close of poll

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

Before the cross-heading above section 174, insert:

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—
 - (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***128 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;
- (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)

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

- (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.

130 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”.

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

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

132 Section 221A amended (Electoral advertisements)

- (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
medium includes the internet or any other electronic medium.

Irregularities

133 Section 266 replaced (Validation of irregularities)

Replace section 266 with:

266 Validation of irregularities

(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
- (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.

(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
- (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).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication PCO must publish it on the legislation website and notify it in the *Gazette* LA19 s 69(1)(c)

Presentation The Minister must present it to the House of Representatives LA19 s 114

Disallowance It may be disallowed by the House of Representatives LA19 ss 115, 116

This note is not part of the Act.

Technical amendments

134 Section 3 amended (Interpretation)

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)

135 Section 76 amended (Māori option)

In section 76(2), delete “(the **Māori option**)”.

136 Section 95A amended (Notice of elector’s objection)

In section 95A(4)(b), replace “in the dormant roll” with “on the dormant roll”.

137 Section 96 amended (Electoral Commission’s objection)

In section 96(4)(b), replace “in the dormant roll” with “on the dormant roll”.

138 Section 98 amended (Removal of names from roll by Electoral Commission)

In section 98(1)(f)(ii), replace “section 81” with “section 86A”.

139 Schedule 1AA amended

In Schedule 1AA,—

- (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

140 Principal Act

Section 141 amends the Juries Act 1981.

141 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.

*Amendments to Electoral Regulations 1996***142 Principal regulations**

Sections 143 to 157 amend the Electoral Regulations 1996.

143 Regulation 3 revoked (Application for registration)

Revoke regulation 3.

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

Revoke regulation 4B.

145 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.

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

146 Regulation 16 revoked (List of constituency candidates)

Revoke regulation 16.

147 Regulation 18 amended (Party lists)

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

148 Regulation 19 amended (Facilities for special voting)

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

149 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.

(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,—

- (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.

(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
- (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
 - (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,—
 - (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 hospital votes and all parcels referred to in paragraph (a).

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

Revoke regulation 24.

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

Revoke regulation 24A.

152 Regulation 25 amended (Declaration by special voter)

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

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

After regulation 28, insert:

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).

154 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.

155 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).

156 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”.

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

After regulation 65(3), insert:

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

Consequential amendments and revocation

158 Consequential amendments to secondary legislation

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

159 Revocation

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

Schedule 1

New Part 4 inserted into Schedule 1AA

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Part 4

Provisions relating to Electoral Amendment Act 2025

7 Interpretation

In this Part,—

amendment Act means the Electoral Amendment Act 2025

commencement date,—

- (a) in clauses 8 and 10, means the date on which this schedule comes into force; and
- (b) in clause 9, means 1 January 2026.

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.

9 Application for registration of eligible political party made but not determined before commencement date

- (1) This clause applies if, before the commencement date,—

- (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 59 of the amendment Act; and
 - (b) section 71B had not been replaced by section 61 of the amendment Act.

10 Hard copy special vote declaration forms printed before commencement date

- (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 14 of the amendment Act.
- (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

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Jury Rules 1990 (SR 1990/226)

Revoke rule 4(1)(c).

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
27 November 2025	Reported from Justice Committee (Bill 186–2)
9 December 2025	Second reading, committee of the whole House (Bill 186–3)
16 December 2025	Third reading
19 December 2025	Royal assent

This Act is administered by the Ministry of Justice.