

Electoral Amendment Regulations 2007

Preamble

At Wellington this 27th day of August 2007

Pursuant to section 267 of the Electoral Act 1993, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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New forms substituted in Schedule 1	

1 Title

These regulations are the Electoral Amendment Regulations 2007.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Principal regulations amended

These regulations amend the Electoral Regulations 1996.

4 Declaration by special voter

Regulation 25(3) is amended by inserting the following paragraph after paragraph (e):

“

“(ea) a notary public; or”.

5 Returning Officer to extract declaration form

Regulation 32 is amended by revoking subclause (2) and substituting the following subclause:

“(2) The Returning Officer must ensure that the declaration form and its envelope are marked with the same unique number.”

6 New forms substituted in Schedule 1

Schedule 1 is amended by revoking forms 16, 17, 18, and 21 and substituting the forms 16, 17, 18, and 21 set out in the Schedule of these regulations.

Schedule

r 6

New forms substituted in Schedule 1

“Form 16

rr 21(5)(a)(i), 25(1A)

“Declaration by voter before polling day where
voter is on printed roll for that electorate

“

Form 16—*continued***Declaration by voter before polling day***where the voter is on the printed roll for that electorate*

 [Consecutive Number]
 PAGE LINE NO.

OFFICIAL MARK

Voter's electorate*This must be the electorate in which you last resided continuously for at least one month***Grounds for special vote***(Check circle(s) where applicable)*

I believe I am qualified to vote in the electorate of:

--

Show the ground or grounds that apply to you:

- I intend to be outside my electorate on polling day.
- I intend to be outside New Zealand on polling day.
- I will be unable to attend a polling place in my electorate on polling day because of illness, infirmity, pregnancy, or recent childbirth.
- I have a religious objection to attending a polling place on polling day.
- I have satisfied the issuing Officer that I cannot attend a polling place in the electorate on polling day without suffering hardship or serious inconvenience for the following reason: (Give reason below)

Voter's details*Please PRINT clearly*

My surname or family name is:

--

My full given or first names are:

--

My occupation is:

--

Declaration by voter

I declare that to the best of my knowledge and belief the details given in this declaration are true.

--	--	--

Signature of voter

Date

Official use only

I certify that the voter signed the declaration in my presence.

--	--	--

Signature of Issuing Officer

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OFFICIAL MARK

ISSUING OFFICER

“Form 17

rr 21(5)(a)(1), 22(3),
25(1A)

“Declaration by special voter where voter is present at issuing office or polling place or by tangata whenua voter

“

Form 17—continued

Instructions to voters:

- for a special vote, other than as a tangata whenua vote, complete Part 1 of this form only
- for a tangata whenua vote, complete Part 2 of this form only

**Declaration
by special voter**

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where the voter is present at an issuing office or polling place or by a tangata whenua voter

Part 1*Declaration by special voter where the voter is present at an issuing office or polling place***Special voter's electorate**

This must be the electorate in which you last resided continuously for at least one month

I believe I am qualified to vote in the electorate of:

OFFICIAL USE ONLY
Index Reference

Grounds for special vote

Tick circle(s) where applicable

Show the ground or grounds that apply to you:

- My name is not on the printed roll for this electorate or has been wrongly deleted.
- I am, or will be, outside my electorate on polling day.
- I intend to be outside New Zealand on polling day.
- I am, or will be, unable to attend a polling place in my electorate on polling day because of illness, infirmity, pregnancy, or recent childbirth.
- I have a religious objection to attending a polling place on polling day.
- I have satisfied the Issuing Officer that I cannot attend a polling place in the electorate without suffering hardship or serious inconvenience for the following reason: (Give reason below)

My surname or family name is:

Please PRINT clearly

My full given or first names are:

My occupation is: My contact telephone number is:

My date of birth is:

You do not have to show your date of birth but it will help with the checking of your enrolment if you do

Has your name changed since you enrolled?

Yes — My former name was:

No

My present residential address is:

Flat/House number Street/Road:
Town/City or Locality:

Form 17—continued

I have resided at the above address for: Tick one

 Less than one month One month or more

Show the last address where you lived continuously for at least one month:

Flat/House number
Street/Road:
Town/City or
Locality:

Declaration by special voter

I declare that to the best of my knowledge and belief the details given in this declaration are true.

--	--

Signature of special voter

Date

Official use only

I Certify that the special voter signed the declaration in my presence.

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Signature of Issuing Officer

Date

OFFICIAL MARK

ISSUING OFFICER

“

Part 2

Tangata whenua vote

[Consecutive Number]

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OFFICIAL MARK

Grounds for a tangata whenua vote

All grounds must apply

- I am attending a general polling place on polling day that does not provide ordinary Maori voting facilities
- My name appears on an electoral roll for a Maori electorate
- This general polling place is situated in that Maori electorate.

Voter's details

Please PRINT clearly

My surname or family name is:

--

My full given or first names are:

--

My occupation is:

My contact telephone number is:

--	--

You do not have to show your date of birth but it will help with the checking of your enrolment if you do

My date of birth is:

--

You do not have to show your former name but it will help with the checking of your enrolment if you do

Has your name changed since you enrolled?

 Yes — My former name was: No

--

My present residential address is:

Flat/House number Street/Road: Town/City or Locality:
--

I have resided at the above address for: Tick one

 Less than one month One month or more

Show the last address where you lived continuously for at least one month:

Flat/House number Street/Road: Town/City or Locality:
--

“Form 18 rr 21(5)(a)(1), 25(2)
“Declaration by special voter where voter is not
present at issuing office or polling place

“

Declaration by special voter*where the voter is NOT present at an issuing office or polling place*

[Consecutive Number]

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OFFICIAL MARK

Special voter's electorate*This must be the electorate in which you last resided continuously for at least one month*

I believe I am qualified to vote in the electorate of:

OFFICIAL USE ONLY
Index Reference**Grounds for special vote***(✓) Tick circle(s) where applicable*

Show the ground or grounds that apply to you:

- I am, or will be outside my electorate on polling day.
- I intend to be outside New Zealand on polling day.
- I am, or will be, unable to attend a polling place in my electorate on polling day because of illness, infirmity, pregnancy, or recent childbirth.
- I have a religious objection to attending a polling place on polling day.
- I have satisfied the Issuing Officer that I cannot attend a polling place in the electorate without suffering hardship or serious inconvenience for the following reason (Give reason below)

Special voter's details*Please PRINT clearly*

OFFICIAL USE ONLY

--

My surname or family name is:

--

My full given or first names are:

--

My occupation is:

--

My contact telephone number is:

--

You do not have to show your date of birth — but it will help with the checking of your enrolment if you do

My date of birth is:

--

“

Form 18—*continued*

You do not have to show your former name but it will help with the checking of your enrolment if you do

Witness
I certify that the special voter signed the declaration in my presence.

Signature of witness

Witness details
My surname or family name is: _____

My full given or first names are: _____

My residential address is:
Flat/House number _____
Street/Road _____
Town/City or Locality: _____

Show how you qualify as a witness:
Tick one
 Person authorised to take a statutory declaration
 Person approved by the Returning Officer
 Relative, or member of the household, of the special voter
 Registered New Zealand elector

Has your name changed since you enrolled?
 Yes — My former name was: _____
 No

My present residential address is:
Flat/House number _____
Street/Road _____
Town/City or Locality: _____

I have resided at the above address for: Tick one
 Less than one month One month or more

Show the last address where you lived continuously for at least one month:
Flat/House number _____
Street/Road _____
Town/City or Locality: _____

Declaration by special voter
I declare that to the best of my knowledge and belief the details given in this declaration are true.

Signature of special voter / / Date _____

“Form 21 r 25(3), 45(2)(b), 45A(3)
“Declaration by special voter who is overseas or on fishing vessel”

“

Declaration by special voter
who is overseas or on a fishing vessel

Special voter’s electorate
This must be the electorate in which you last resided continuously in New Zealand for at least one month

I believe I am qualified to vote in the electorate of: _____

[Consecutive Number]

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OFFICIAL USE ONLY
Index Reference

Show the ground or grounds that apply to you:

 Tick circle(s) where applicable

- (A) I am outside New Zealand, and (show the additional grounds that apply to you)
- 1. I am a New Zealand citizen and have been in New Zealand within the past 3 years; or
- 2. I am a permanent resident of New Zealand and have been in New Zealand within the last 12 months; or
- 3. I am carrying out my duties as: (a) a public servant, or (b) a member of the Defence Force, or (c) a head of mission or head of post within the meaning of the Foreign Affairs Act 1988, or (d) an officer or employee of Trade New Zealand; or

- 4. I am accompanying a person described in category 3 above, and (a) I am the spouse, civil union partner, or de facto partner of that person, or (b) I am the child of that person, or (c) I am the child of the spouse, civil union partner or de facto partner of that person;

OR (B) I am on a fishing vessel that is not scheduled to return to port in the period between the close of nominations and the close of the poll;OR (C) I am in the Ross Dependency.**Special voter’s details**

Please PRINT clearly

My surname or family name is: _____

“

Form 21—*continued*

Witness I certify that the special voter signed the declaration in my presence. <div style="border: 1px solid black; padding: 5px; width: 150px; height: 30px; margin-bottom: 5px;"></div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Signature of witness Is the witness the Issuing Officer? <input type="radio"/> No <input type="radio"/> Yes — </div> <div style="flex: 1; text-align: right;"> <small>OFFICIAL MARK</small> <small>IF WITNESS IS ISSUING OFFICER</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Give your details below Details are only needed if witness is NOT the Issuing Officer </div> <div style="flex: 1; text-align: right;"> <small>You do not have to show your date of birth but it will help with the checking of your enrolment if you do</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> My surname or family name is: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> My full given or first names are: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> <div style="flex: 1; text-align: right;"> My contact telephone number is: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> My date of birth is: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> <div style="flex: 1; text-align: right;"> <small>You do not have to show your former name but it will help with the checking of your enrolment if you do</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Has your name changed since you enrolled? <input type="radio"/> No <input type="radio"/> Yes — My former name was: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> <div style="flex: 1; text-align: right;"> <small>You do not have to show your former name but it will help with the checking of your enrolment if you do</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> My residential address is: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> <div style="flex: 1; text-align: right;"> <small>Not required for Ground B</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Show how you qualify as a witness: <small>Tick one</small> <ul style="list-style-type: none"> <input type="radio"/> Commonwealth Representative <input type="radio"/> Person authorised to take a statutory declaration in New Zealand <input type="radio"/> Commissioner of Oaths <input type="radio"/> Notary Public <input type="radio"/> Person approved by Returning Officer <input type="radio"/> Person authorised to administer an oath for the purpose of a judicial proceeding in the country in which the declaration is made <input type="radio"/> Relative, or member of the household, or business colleague or associate, of the special voter <input type="radio"/> Registered New Zealand elector </div> <div style="flex: 1; text-align: right;"> <small>Flat/House number Street/Road: ----- Town/City or Locality: ----- Country: -----</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Show the last address in New Zealand at which you have resided continuously for at least one month: <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> <div style="flex: 1; text-align: right;"> <small>Flat/House number Street/Road: ----- Town/City or Locality: -----</small> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Declaration by special voter For the grounds that I have indicated above, I am unable to attend a polling place in New Zealand on polling day. I declare that to the best of my knowledge and belief the details given in this declaration are true. </div> <div style="flex: 1; text-align: right;"> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> Signature of special voter <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> <div style="flex: 1; text-align: right;"> Date <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div> </div> <div style="text-align: center; margin-top: 10px;"> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> </div>	
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Martin Bell,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which amend the Electoral Regulations 1996 (the **principal regulations**), come into force on the 28th day after the date of their notification in the *Gazette*.

Regulation 4 amends regulation 25(3) of the principal regulations to clarify that notaries public may witness declarations in forms 20 (declaration by member of Defence Force applying to vote as a special

voter) and 21 (declaration by special voter who is overseas or on a fishing vessel).

Regulation 5 makes a minor amendment to the processing of special votes by the Returning Officer for the district in which the votes were issued. Regulation 32(2) of the principal regulations currently requires the Returning Officer to consecutively number the declaration form and its envelope. That requirement is replaced with a new requirement that the Returning Officer ensure that the declaration form and its envelope are marked with the same unique number.

Regulation 6 revokes and substitutes the following forms in Schedule 1 of the principal regulations:

- form 16 (declaration by voter before polling day where the voter is on the printed roll for that electorate):
- form 17 (declaration by special voter where the voter is present at an issuing office or polling place or by a tangata whenua voter):
- form 18 (declaration by special voter where the voter is not present at an issuing office or polling place):
- form 21 (declaration by special voter who is overseas or on a fishing vessel).

The principal change made by the new forms is that the requirement relating to the voter's electorate information precedes the requirement relating to the grounds for special vote that apply to the voter.

Issued under the authority of the Acts and Regulations Publication Act 1989.
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