Electoral Amendment Bill

Government Bill

Explanatory note

General policy statement

This Bill makes several changes to the Electoral Act 1993 and the Electoral Regulations 1996 to—

- improve enrolment and voting processes to better enfranchise voters; and
- uphold the integrity of the electoral system by ensuring that elections are conducted efficiently and securely; and
- support the effective conduct of future elections.

Election day enrolment

The Bill amends the Electoral Act 1993 (the **Act**) to allow New Zealand-based electors to apply to enrol, or to update their enrolment details, on election day, and for that application to be processed for the purpose of qualifying the elector's vote in that election. This will enfranchise more eligible electors, as their vote will be counted provided that their enrolment application is received on election day.

The Bill also extends the latest date for the return of the writ to 60 days after its issue. This change is necessary to support the Electoral Commission to manage the introduction of enrolment on election day and provide more time to process the increased numbers of enrolment and update forms before the official count commences.

Expanding range of premises that can be used as voting places

The Bill removes the prohibition on designating any licensed premises under the Sale and Supply of Alcohol Act 2012 as a voting place. This will enable the Electoral Commission to designate any premises, or part of any premises, such as supermarkets (off-licences) and conference centres, community clubs, and sports facilities (onlicences), as voting places. As these places are often centrally located, in highly vis-

ible and high-traffic areas, with good parking and disabled access, they are desirable locations for voting places.

The Bill amends the Act to allow the Electoral Commission to conduct the preliminary count of ballot papers in a designated place away from the voting place where that is necessary. Currently, any premises used as a voting place on election day also need to be able to be made secure and private so the preliminary count can be conducted at the same location. This prevents places such as malls and supermarkets being used as an election-day voting place. The Bill will change this, allowing a nearby secure space to be appointed for the counting of votes from that voting place instead. This will enable continuity of voting places between the advance voting period and election day.

Improving vote issuing and return processes

The Bill amends the Act to allow an ordinary vote to be issued to any voter who can be found on an electronic roll at the time at which they go into a voting place. This will enable best use of electronic technology in future elections by enabling any voter whose name can be marked off the electronic roll to be issued with an ordinary ballot paper, including those who have enrolled after writ day.

The Bill also clarifies that a special vote declaration can be treated as an application to enrol or update an elector's enrolment details. The enrolment form and special vote declaration form largely contain the same information and so the change will enable (but not require) the Electoral Commission, in future, to approve the special vote form to also be an enrolment form.

The Electoral Commission is working towards beginning to implement these changes for the 2023 general election. Making these legislative changes now will provide the Electoral Commission with sufficient certainty to make the required technology investments and process changes, and also afford sufficient time to have all arrangements in place by 2023.

Updating provisions for managing polling day disruption to conduct of general election

The Bill updates the provisions of the Act that provide for managing polling disruptions. This includes—

- empowering the Chief Electoral Officer to respond broadly to a wide range of polling disruptions that either prevent voters from voting, or risk the overall administration of the election:
- broadening the definition of the types of events that could allow the use of the provisions for managing polling disruptions:
- empowering the Chief Electoral Officer to utilise or adapt existing voting processes in the Act where there is a polling disruption:
- modernising the existing power to adjourn polling due to a disruption on polling day:

 restricting the release of the preliminary vote count where a polling disruption delays the close of polling.

The purpose of these changes is to improve current provisions by ensuring a more flexible and pragmatic response to polling disruptions. These changes will help to maintain the integrity and conduct of elections where polling disruptions occur.

Departmental disclosure statement

The Ministry of Justice is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2019&no=162

Regulatory impact assessments

The Ministry of Justice produced regulatory impact assessments on 15 March 2019 and 18 July 2019 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

Copies of these regulatory impact assessments can be found at—

- http://www.justice.govt.nz/justice-sector-policy/constitutional-issues-and-human-rights/regulatory-impact-statements
- http://www.treasury.govt.nz/publications/informationreleases/ria

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Electoral Act 1993 (the **principal Act**).

Part 1 Amendments to principal Act

Part 1 (clauses 4 to 17) amends the provisions of the principal Act.

Clause 4 amends section 60 of the principal Act, which sets out who is qualified to vote at any election in an electoral district. New section 60(g) is inserted to provide that a person is qualified to vote at any election in a district if that person—

- is present in New Zealand; and
- is qualified to be registered as an elector of the district; and
- applies on polling day for registration as an elector of the district.

Clause 5 amends section 83 of the principal Act, which provides for how an application for registration as an elector must be made. An application for registration as an elector must be made by completing and signing a form that the Electoral Commission has approved and returning it to the Electoral Commission. New section 83(3A) is inserted to clarify that the Electoral Commission may treat a special vote declaration (which must be in a form that the Electoral Commission has approved) as an application for registration.

Clause 6 amends section 88 of the principal Act, which is about applications for registration as an elector that are received after the issue of a writ. Section 88 is amended to—

- enable a person who, before polling day, applies to be registered as an elector, and whose name appears on the printed or electronic roll, to be issued with an ordinary ballot paper:
- provide that if a person present in New Zealand applies on polling day for registration as an elector of a district, the Electoral Commission—
 - may issue the person with a special voting paper; and
 - must, if it is subsequently determined that the person is qualified to vote, enter the person's name on the electoral roll.

Clause 7 amends section 98 of the principal Act to enable the Electoral Commission to alter, on polling day, the main, supplementary, or composite roll for any district.

Clause 8 amends section 99 of the principal Act, which requires the Electoral Commission to give written notice to any person whose name has, in certain circumstances, been removed or entered on the roll. Currently, that notice must be given personally to the person concerned if the person's name has been removed or entered on the roll at any time between writ day and the day before polling day. The amendment to section 99(4) extends that period to polling day and enables the notice to be given personally or sent by post.

Clause 9 amends section 109 of the principal Act, which is about the dormant roll. The dormant roll shows for each district the particulars of persons whose names have been removed from the roll in certain circumstances. The amendment requires the Electoral Commission to keep, for the purposes of the next election to be held in a district, a copy of the dormant roll as it exists on polling day, rather than the day before polling day. A computer-compiled list of those persons must show each person's name and place of residence last shown on the roll.

Clause 10 amends section 123 of the principal Act to provide that—

- the main and supplementary rolls for any district supplied to Returning Officers also exclude deletions made to the rolls on polling day:
- Returning Officers may be provided with additional information to assist with the identification of electors:

• the Electoral Commission may modify the form or format of the rolls or information supplied to Returning Officers without also having to publish the roll information under sections 105 to 107 and 110 of the principal Act.

Clause 11 amends section 139 of the principal Act to extend by 10 days the latest day for the return of the writ. The latest day for the return of the writ will be the 60th day after its issue. The reference to polling day not being later than the 27th day after nomination day is also removed. However, the requirement that polling day not be earlier than the 20th day after nomination day remains unchanged.

Clause 12 amends section 151A of the principal Act to reflect the change made to section 139 of the principal Act (see clause 11).

Clause 13 repeals section 155(3) of the principal Act, which prohibits the Electoral Commission from appointing as a polling place any licensed premises that on polling day are open for the sale, supply, or consumption of alcohol.

Clause 14 inserts a new section 155A in the principal Act to enable the Electoral Commission to appoint as a polling place any licensed premises provided that—

- alcohol will not be available for sale, supply, or consumption in the part of the premises where voting papers are issued; and
- the part of the premises where voting papers are issued may be accessed without passing through any other part of the licensed premises in which alcohol is being consumed.

Clause 15 amends section 163 of the principal Act, which requires that ballot boxes must remain closed during polling. A definition of ballot box is inserted to clarify that this provision applies only to ballot boxes containing ordinary ballot papers issued in accordance with section 167 to electors whose name on the roll can be marked to indicate that the elector has applied to vote. The Electoral Commission will be able to open special vote boxes prior to the close of the poll to begin processing special vote declarations (which may be treated as applications to vote).

Clause 16 amends section 174 of the principal Act to provide that the Electoral Commission may designate a place away from a polling place for the preliminary count of votes cast in the polling place if the Electoral Commission is satisfied that it is necessary to do so because the preliminary count of votes will not be able to be conducted at the polling place in the absence of unauthorised persons. Notice that the Electoral Commission has invoked its discretion under this provision must be given by the Returning Officer to the constituency candidates or their scrutineers.

Clause 17 inserts new sections 195 to 195C in the principal Act to provide for the management of polling disruptions.

New section 195 enables the Chief Electoral Officer to direct that voting at 1 or more polling places be adjourned if there is an unforeseen or unavoidable disruption that is likely to prevent voting or to pose a risk to the proper conduct of an election. An unforeseen or unavoidable disruption includes a disruption arising from adverse weather conditions, an epidemic notice given under the Epidemic Preparedness Act 2006 being in force, or a cyberattack on the Electoral Commission's electronic oper-

ating systems. Voting may be adjourned for an initial period of no more than 3 days and for subsequent periods of no more than 7 days each. Before directing an adjournment after the initial period of 3 days, the Chief Electoral Officer must consult the Prime Minister, the Leader of the Opposition, and 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. Public notice must be given of all adjournments. If polling is adjourned for any number of days at any polling place because of an unforeseen or unavoidable disruption, the date for the return of the writ is postponed by the same number of days.

New section 195A enables the Chief Electoral Officer to manage an unforeseen or unavoidable disruption at advance polling places, or at polling places on polling day, by using alternative voting processes. The Chief Electoral Officer may modify or adapt any requirements, processes, or procedures if he or she considers that doing so is the most appropriate and efficient way of managing the disruption.

New section 195B requires the Chief Electoral Officer, when exercising his or her discretion under new sections 195 and 195A, to have regard to certain matters, including the need to ensure the safety of voters and electoral officials.

New section 195C provides that if, as a result of an unforeseen or unavoidable disruption, the close of the poll on polling day is delayed, the Chief Electoral Officer may not disclose any information about the results of a preliminary count of votes at any polling place until the close of the poll at all polling places. However, the Chief Electoral Officer may disclose this information if he or she considers that the disclosure of the information will not unduly influence voters who are yet to cast their votes. A person commits an offence and is guilty of a corrupt practice who discloses information about the results of a preliminary count of votes at any polling place if the person knows that the close of the poll at a polling place has been delayed and the results have not been released by the Chief Electoral Officer. This provision does not apply to the disclosure of information between electoral officials, between members of the Electoral Commission, or between electoral officials and members of the Electoral Commission.

New section 195D ensures that certain conduct is prohibited when polling resumes at a polling place after a disruption until the close of the poll (for example, publishing a statement advising or intended or likely to influence an elector as to the candidate or party for whom the elector should vote).

Part 2

Related amendments and repeals

Clauses 18 to 25 amend the Electoral Regulations 1996.

Clause 19 amends regulation 12 to provide that the list of late enrolments sent to a Returning Officer includes the names of persons who have, on polling day, been entered on the electoral roll for the district under *new section* 88(4) of the principal Act.

Clause 22 amends regulation 36 to require the Electoral Commission, when determining whether a special voter is qualified to vote under section 60 of the principal Act, to check the applications for registration as an elector received on polling day.

Clauses 20, 21, 23, 24, and 25 amend regulations 21, 27, 49, 52, and 64A to remove references to forms or provisions that have been revoked by previous legislation.

Hon Andrew Little

Electoral Amendment Bill

Government Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Electoral Amendment Act 2019.

2 Commencement

This Act comes into force on the day after the date on which it receives the 5 Royal assent.

3 Principal Act

This Act amends the Electoral Act 1993 (the **principal Act**).

Part 1 Amendments to principal Act

1	Section 60 amonded (Who may vote)
4	Section 60 amended (Who may vote)

After section 60(f), insert:

(g) any person present in New Zealand who—

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- (i) is qualified to be registered as an elector of the district; and
- (ii) applies, on polling day, for registration as an elector of the district.

5 Section 83 amended (Application for registration)

After section 83(3), insert:

- (3A) The Electoral Commission may treat a special vote declaration as an application for registration as an elector if the declaration—
 - (a) is in a form approved by the Electoral Commission for use as an application for registration as an elector; and
 - (b) is completed by the declarant with the details specified in subsection (2)(a), (b), (c), and (h), and signed.

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6 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, then the Electoral Commission may not, at any time in the period beginning on the day after polling day and ending on the day of the return of the writ, register an application for registration as an elector that the Electoral Commission receives—

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- (a) on polling day from a person outside New Zealand; or
- (b) after polling day from any person.
- (1A) **Subsection (1)** is subject to subsections (2) to **(4)**.

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- (2) In section 88(2), after "before", insert "or on" in each place.
- (3) Replace section 88(3)(c) with:
 - (c) the person may, at that election,—
 - (i) be issued with a ballot paper in accordance with section 167, if the rolls can be marked (either manually or by electronic means) to indicate the person has applied to vote; or

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- (ii) be issued with a special vote ballot paper in any other case.
- (4) After section 88(3), insert:
- (4) If a person who is present in New Zealand applies on polling day for registration as an elector of a district in which an election is being conducted, the Electoral Commission—

(a)

may issue the person with a special vote ballot paper; and

	(b)	son is	s qualified to be registered as an elector, enter the name of the per- n the electoral roll.	
7		on 98 missio	amended (Removal of names from roll by Electoral n)	5
(1)	In sec	tion 9	8(5), delete "the day before".	
(2)	In sec	tion 9	8(6), after "beginning on", insert "the day after".	
8	Section	on 99	amended (Notice of alterations to roll)	
	Repla	ice sec	tion 99(4) with:	10
(4)	perio requir	d begined by	name of a person is removed or entered, as the case may be, in the nning on the day after writ day and ending on polling day, the notice subsection (1) or (2) must immediately be delivered to the person or sent to the person by post.	
9	Section	on 109	amended (Dormant roll)	15
(1)	In sec	ction 1	09(3) and (5), delete "the day before".	
(2)	In sec	ction 1	09(4), after "residence", insert "last shown on the roll".	
10			replaced (Copies of rolls for Returning Officer)	
	Repla	ice sec	tion 123 with:	
123			olls, etc, for Returning Officer	20
123 (1)	Copi	es of r		20
	Copi	es of r Elector	olls, etc, for Returning Officer	20
	Copie The H	es of r Elector	olls, etc, for Returning Officer al Commission—	20
	Copie The H	es of r Elector must	olls, etc, for Returning Officer al Commission— supply to the Returning Officer for an electoral district— as many copies as the Returning Officer may require of the main roll and supplementary rolls for the district and any other district;	
	Copie The H	es of r Elector must (i) (ii) may inform	olls, etc, for Returning Officer al Commission— supply to the Returning Officer for an electoral district— as many copies as the Returning Officer may require of the main roll and supplementary rolls for the district and any other district; and a copy of the list of post-writ day deletions referred to in section	
	Copie The F (a) (b) Despite for tion i	es of r Elector must (i) (ii) may inform ident ite second or or f that i	olls, etc, for Returning Officer al Commission— supply to the Returning Officer for an electoral district— as many copies as the Returning Officer may require of the main roll and supplementary rolls for the district and any other district; and a copy of the list of post-writ day deletions referred to in section 98(5); and supply to the Returning Officer for an electoral district any other mation that the Electoral Commission holds that may assist with the	25

(2)	Polling	g day must not be earlier than the 20th day after nomination day.			
(2)	In sect	tion 139(4), replace "50th" with "60th".			
12		tion 151A (b), replace "51st" with "61st".			
13	Section 155 amended (Power to appoint polling places) Repeal section 155(3).				
14	New section 155A inserted (Use of licensed premises as polling places) After section 155, insert:				
155A	Use of	f licensed premises as polling places			
(1)	-	censed premises may be appointed as a polling place under section 155, ly if—	10		
	` /	alcohol will not be available for sale, supply, or consumption in that part of the licensed premises where voting papers are issued; and			
	` /	that part of the licensed premises where voting papers are issued may be accessed without passing through any other part of the licensed premises in which alcohol is being consumed.	15		
(2)		s section, alcohol and licensed premises have the same meanings as in a 5(1) of the Sale and Supply of Alcohol Act 2012.			
	Compar	e: Commonwealth Electoral Act 1918 (Aust) s 205			
15	Section 163 amended (Ballot box to remain closed during poll)				
	After	section 163(4), insert:			
(5)	In this section, ballot box means a box in which ballot papers issued in accordance with section 167 are deposited.				
16	Sectio	n 174 amended (Preliminary count of votes cast in polling place)			
	Replac	ce section 174(1) with:	25		
(1)	of the polling other	nanager of every polling place must, as soon as practicable after the close poll, in the presence of any scrutineers (including those lawfully in the g place under any other Act) and the polling place officials, but of no person, arrange for a preliminary count of the votes cast in that polling to be conducted in accordance with this section—	30		
	(a)	at the polling place; or			
	(b)	at any other place designated by the Electoral Commission.			
(1A)	polling	Electoral Commission may, under subsection (1)(b) , designate for a g place some other place where the preliminary count of votes cast in the g place may be conducted only if the Commission is satisfied that it is	35		

necessary to do so because the preliminary count of votes will not be able to be
conducted at the polling place in the absence of unauthorised persons.

(1B) If the Electoral Commission designates for a polling place some other place where the preliminary count of votes cast in the polling place may be conducted, the Returning Officer must give notice to the constituency candidates or their scrutineers of that place at which the preliminary count of votes will be conducted.

17 Section 195 and cross-heading replaced

Replace section 195 and the cross-heading above section 195 with:

Polling disruptions

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195 Adjournment of poll on polling day

- (1) The Chief Electoral Officer may direct that the voting at 1 or more polling places on polling day be adjourned because of an unforeseen or unavoidable disruption that is likely to—
 - (a) prevent voters voting at the polling place or places; or

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- (b) pose a risk to the proper conduct of the election.
- (2) Voting may be adjourned on the direction of the Chief Electoral Officer for—
 - (a) an initial period of no more than 3 days; and
 - (b) 1 or more subsequent periods of no more than 7 days each.
- (3) Before making a direction under **subsection (2)(b)** adjourning the voting for a subsequent period, 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 adjournment is necessary in all the circumstances.
- (4) The Chief Electoral Officer must, in any manner the Chief Electoral Officer considers appropriate, give public notice of an adjournment under this section.
- (5) If voting at 1 or more polling places is adjourned under this section for any number of days, the day on or before which the writ must be returned is postponed by the same number of days.
- (6) In this section and sections 195A to 195C, an unforeseen or unavoidable disruption includes, but is not limited to, a disruption arising as a result of—
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 - (a) a natural disaster:
 - (b) adverse weather conditions:

a riot or disorder, or a threat of a riot or disorder:

(c)

	(d)	an epidemic notice given under section 5(1) of the Epidemic Preparedness Act 2006 being in force:			
	(e)	a cyberattack on the Electoral Commission's electronic operating systems.	5		
95A	Alter	native voting processes to respond to polling disruption			
1)	This s	section applies if—			
	(a)	an unforeseen or unavoidable disruption occurs at 1 or more advance polling places that may reasonably be expected to continue until polling day; or	10		
	(b)	an unforeseen or unavoidable disruption occurs at 1 or more polling places on polling day.			
2)	tion to Chief	Chief Electoral Officer may manage an unforeseen or unavoidable disrup- to which this section applies by using alternative voting processes if the Electoral Officer considers that doing so is the most appropriate and effi- way to address the disruption.	15		
3)	The alternative voting processes referred to in subsection (2) may modify or adapt any requirements, processes, or procedures specified by or prescribed under this Act (for example, the Chief Electoral Officer may extend the polling hours, or extend to voters in New Zealand the procedure for the electronic issue of voting papers that is available to voters outside New Zealand).				
4)	In this section, advance polling place has the same meaning given to it in section 197A(10).				
95B	OSB Matters Chief Electoral Officer must have regard to when exercising discretion under section 195 or 195A When considering whether to exercise his or her discretion under section 195 or 195A, the Chief Electoral Officer must have regard to the following matters:				
	(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	30		
	(c)	the need to ensure that the election process is concluded in a timely and expeditious manner.			
95C		ral of release of information about result of preliminary count of at polling place if close of poll delayed	35		
1)	at any	a result of an unforeseen or unavoidable disruption, the close of the poll polling place is delayed, the Chief Electoral Officer must not disclose information about the results of a preliminary count of votes cast at that			

	pollin places	- 1	e, or any other polling place, until the close of the poll at all polling	
(2)	consid	wever, the Chief Electoral Officer may disclose that information if he or she siders that the disclosure of the information will not unduly influence voters to have yet to cast their votes.		
(3)	A per	son co	mmits an offence and is guilty of a corrupt practice if—	
	(a)	the pe	erson knows that,—	
		(i)	as a result of an unforeseen or unavoidable disruption, the close of the poll at any polling place has been delayed; and	
		(ii)	the Chief Electoral Officer has not disclosed the results of a pre- liminary count of votes cast at that polling place or any other poll- ing place; and	10
	(b)	the pe	erson discloses information about those results.	
(4)	Subs	ectio	n (3) does not apply to disclosures of information between—	
	(a)	electo	oral officials; or	15
	(b)	memb	pers of the Electoral Commission; or	
	(c)	electo	oral officials and members of the Electoral Commission.	
195D	Inter	fering	with or influencing voters at resumed poll	
	pollin	g resu	ection 195 , voting at any polling place is adjourned, then, when mes at that polling place or any alternative polling place and until the poll at that place,—	20
	(a) section 197(1)(i) and (j) applies with all necessary modifications as if references in those paragraphs to any polling place were references to the polling place at which polling has resumed; and			
	(b)	sectio	on 197A applies with all necessary modifications as if—	25
		(i)	references in that section to an advance voting place were references to the polling place at which polling has resumed; and	
		(ii)	references in that section to a buffer zone for the advance voting place were references to the buffer zone for the polling place at which polling has resumed.	30
			Part 2	

Related amendments and repeals

Amendments to Electoral Regulations 1996

Related amendments to Electoral Regulations 1996 18 **Sections 19 to 25** amend the Electoral Regulations 1996.

19	Regu	lation 12 amended (List of late enrolments)				
(1)	Repla	ce regulation 12(1) with:				
(1)	to the	on as practicable after polling day, the Electoral Commission must send Returning Officer a list of those persons whose names have been entered e electoral roll for the district after writ day and by the end of polling day section 88(3) or (4) of the Act.	5			
(2)	In reg	gulation 12(2), replace "section 88(3)" with "section 88(3) or (4)".				
20	Regu	lation 21 amended (Issue of special voting papers)				
	Revol	ke regulation 21(6).				
21	Regu	lation 27 amended (Voting by special voter)	10			
(1)	Revol	ke regulation 27(3A) and (3B).				
(2)	In reg 22".	gulation 27(4), delete "or as required by subclauses (3) to (4) of regulation				
22	Regu	lation 36 amended (Duties of Electoral Commission)				
	After	After regulation 36(2)(f), insert:				
	(fa)	must, where section 60(g) of the Act may be applicable, check the applications for registration received by the Electoral Commission on polling day:				
23	_	lation 49 amended (Parcels of spoilt ballot and voting papers, and papers)	20			
	In reg	gulation 49(1), (2), and (3), delete "in form 20 or form 21" in each place.				
24	_	lation 52 replaced (Allowance or disallowance of votes of members of nce Force)				
	Repla	ce regulation 52 with:				
52	Allow	vance or disallowance of votes of members of Defence Force	25			
		Returning Officer for the district in respect of which a special vote has cast in an election by a member of the Defence Force must allow the spectoe if—				
	(a)	the member of the Defence Force has made a declaration that the Returning Officer is satisfied establishes the member's right to vote in the Returning Officer's district at the election, and has signed that declaration; and	30			
	(b)	a witness has signed the declaration, or the Returning Officer is otherwise satisfied that the declaration was signed by the member before a witness.	35			

- (2) If a special vote cast by a member of the Defence Force is not allowed under **subclause (1)**, the Returning Officer must disallow the special vote.
- 25 Regulation 64A amended (Parcels of unused and spoilt ballot and voting and other papers)

In regulation 64A(1) and (2), delete "in form 19 or form 20 or form 21" in each 5 place.

Wellington, New Zealand:

Published under the authority of the New Zealand Government—2019