

Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill

Government Bill

Explanatory note

General policy statement

The Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill (the **Bill**) is an omnibus Bill introduced under Standing Order 267(1)(a). That Standing Order provides that an omnibus Bill to amend more than 1 Act may be introduced if the amendments deal with an interrelated topic that can be regarded as implementing a single broad policy. The single broad policy implemented by the amendments in this Bill is to reduce the voting age in local elections and polls from 18 to 16 years of age.

The Bill amends the Local Electoral Act 2001 so that persons aged 16 or 17 years are eligible to vote in local elections and polls; it does not change the voting age for parliamentary elections. The Bill establishes a new category of electors, named youth electors, and provides for 16-year-olds and 17-year-olds to be registered on a youth electoral roll.

However, although it lowers the voting age to 16 years for local elections and polls, the Bill does not change the age for—

- being elected or appointed as a member of an alcohol licensing trust or trustee of a community trust:
- voting in the election of members of an alcohol licensing trust:
- voting in the election of trustees of a community trust:
- serving as a juror.

The relevant age for those activities remains 18 years.

The Bill also amends the Electoral Act 1993 and other Acts, including local Acts, for the purpose of implementing the policy. The Local Electoral Regulations 2001 are also amended.

Departmental disclosure statement

The Department of Internal Affairs 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=2023&no=279>

Regulatory impact statement

A supplementary analysis report (SAR) has been prepared for this Bill instead of a regulatory impact statement. The Department of Internal Affairs produced a SAR on 12 June 2023 to help inform decisions by the Government on the introduction of this Bill.

A copy of the SAR can be found at <https://www.dia.govt.nz/Resource-material-Regulatory-Impact-Statements-Index>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides for the Bill to come into force on a date appointed by the Governor-General by Order in Council, which must not be earlier than 1 March 2027. However, if the Bill is not in force by 1 March 2028, it comes into force on that date. A deferred commencement date is necessary because the Electoral Commission and local authorities need time to resolve complex practical and technological issues that arise in connection with the registration of youth electors and establishing, and bringing into operation, youth electoral rolls.

Part 1

Amendments to Local Electoral Act 2001

Clause 3 provides that *Part 1* amends the Local Electoral Act 2001 (the **principal Act**).

Clause 4 amends section 5 of the principal Act. The amendments include inserting definitions of terms used in *new Part 1B* of the principal Act (inserted by *clause 5*). These terms include dormant youth electoral roll, electoral district, youth elector, youth electoral roll, and youth offender.

Clause 5 inserts *new Part 1B* into the principal Act. *New Part 1B*, which contains *new sections 19ZJ to 19ZZL*, is about youth electors.

New section 19ZJ sets out the purpose of *new Part 1B*, which is to enable persons aged 16 or 17 years to register as youth electors and participate in any election or poll held under the principal Act to the extent provided by any enactment.

Subpart 1 of new Part 1B (new sections 19ZK to 19ZY) is about registration of youth electors.

Qualification

New section 19ZK sets out who is qualified to be registered as a youth elector. A person aged 16 years or over, but under 18 years, is qualified to be registered as a youth elector if, were it not for their age, they would be qualified under section 74 of the Electoral Act 1993 to be registered as a parliamentary elector under that Act. However, a person is not qualified to be registered as a youth elector if they are disqualified under section 80 of the Electoral Act 1993 for registration as a parliamentary elector, or if they are a youth offender (a person aged 16 or 17 years who is detained in a youth justice residence or prison under a sentence of imprisonment) who is serving a sentence of imprisonment for life or for a term of 3 years or more.

Registration

New section 19ZL provides for the compulsory registration of youth electors. A person who is required by that section to apply for registration as a youth elector and who knowingly and wilfully fails to apply commits an offence and is liable on conviction to a fine not exceeding \$100 (or \$200 on a second or subsequent conviction).

New section 19ZM provides for how an application for registration as a youth elector is made. The form of the application and the details required to be included in an application are the same as for an application made under section 83 of the Electoral Act 1993 for registration as a parliamentary elector.

New section 19ZN provides for the Electoral Commission to receive the details of youth offenders who are not qualified to be registered as youth electors because they are serving a sentence of imprisonment for life or for a term of 3 years or more (**disqualified youth offenders**). No later than 7 days after a disqualified youth offender is received into a youth justice residence to serve the whole or part of their sentence, the chief executive of Oranga Tamariki must forward to the Electoral Commission details of the youth offender and the name and address of the youth justice residence. No later than 7 days after a disqualified youth offender is received into a prison to serve the whole or part of their sentence, the prison manager must forward to the Electoral Commission details of the youth offender and the name and address of the prison.

Registration of youth offenders serving sentence of imprisonment of less than 3 years or after serving sentence of imprisonment of 3 years or more

New section 19ZO provides for a youth offender who is serving a sentence of imprisonment of less than 3 years in a youth justice residence to be assisted by the chief executive of Oranga Tamariki to apply for registration as an elector.

New section 19ZP provides for a youth offender who is serving a sentence of imprisonment of less than 3 years in a prison to be assisted by the prison manager to apply for registration as an elector.

New section 19ZQ provides that before a youth offender who has served a sentence of imprisonment for a term of 3 years or more is released from a youth justice residence, the chief executive of Oranga Tamariki must offer assistance to the youth offender to register as an elector.

New section 19ZR provides that before a youth offender who has served a sentence of imprisonment for a term of 3 years or more is released from a prison, the prison manager must offer assistance to the youth offender to register as an elector.

New section 19ZS provides that the chief executive of Oranga Tamariki must collect enrolment information from a youth offender referred to in *new sections 19ZO or 19ZQ* who wants to register as a youth elector and the chief executive must send the information to the Electoral Commission.

New section 19ZT provides that a prison manager must collect enrolment information from a youth offender referred to in *new section 19ZP or 19ZR* who wants to register as a youth elector and the prison manager must send the information to the Electoral Commission.

New section 19ZU provides that enrolment information in respect of a youth offender received by the Electoral Commission from the chief executive of Oranga Tamariki under *new section 19ZS* must be treated as an application by the youth offender for registration as a youth elector.

New section 19ZV provides that enrolment information in respect of a youth offender received by the Electoral Commission from a prison manager under *new section 19ZT* must be treated as an application by the youth offender for registration as a youth elector.

New section 19ZW provides for the delegation of a prison manager's functions under *new sections 19ZP, 19ZR, and 19ZT*.

New section 19ZX requires that, when carrying out their duties under *new sections 19ZO to 19ZT*, the chief executive of Oranga Tamariki and prison managers must communicate with a youth offender in a way that the youth offender can understand.

Certain provisions of Electoral Act 1993 to apply

New section 19ZY sets out the provisions of the Electoral Act 1993 that are to apply, with modification, to the registration of a person as a youth elector. The provisions include those relating to the qualification of electors, the exercise of the Māori option, applying for registration, and giving notice of a change of place of residence.

Subpart 2 of new Part 1B (new sections 19ZZ to 19ZZL) is about youth electoral rolls.

Establishing and maintaining youth electoral rolls

New section 19ZZ provides for the Electoral Commission to establish a youth electoral roll for each electoral district.

New section 19ZZA provides that, in any year in which a triennial general election of local authority members must be held, the Electoral Commission must conduct an inquiry for the purpose of updating the particulars on youth electoral rolls.

New section 19ZZB provides that, not less than 6 months before polling day for an election held under section 10 of the principal Act, the Electoral Commission must send to Māori youth electors information about the exercise of the Māori option and about how to change the type of district in which they are registered.

New section 19ZZC provides that no inquiry is required to be made under *new section 19ZZA* in respect of a person from whom the Electoral Commission receives an application for registration as a youth elector during an inquiry period.

New section 19ZZD sets out the procedure that the Electoral Commission must follow after an inquiry under *new section 19ZZA* to ensure that the particulars of youth electors are correctly recorded on youth electoral rolls.

New section 19ZZE provides that, if the Electoral Commission is unable to contact a youth elector at the address recorded on a youth electoral roll, the Electoral Commission must remove the youth elector's name from the roll and place it on the dormant youth electoral roll.

New section 19ZZF requires the Electoral Commission to maintain a dormant youth electoral roll that shows for each district the particulars of persons whose names have been removed from a youth electoral roll. The Electoral Commission can remove a person's name from the dormant youth electoral roll when the person registers as a youth elector, dies, or attains the age of 18. In the case of a person who attains the age of 18, the Electoral Commission must include that person's name on the dormant roll maintained under section 109 of the Electoral Act 1993.

Removal of names from youth electoral rolls and alterations to youth electoral rolls

New section 19ZZG sets out the circumstances in which the Electoral Commission must remove the name of a person from a youth electoral roll. The circumstances include when, because of a change of address, a person is no longer qualified to be registered as a youth elector of a district and when a youth elector attains the age of 18 years.

New section 19ZZH provides that the Electoral Commission may at any time add or restore to a youth electoral roll a name that was omitted or removed by mistake, by clerical error, or as a result of false information. The Electoral Commission may also alter the particulars in a youth electoral roll to correct a mistake or an omission.

New section 19ZZI requires the Electoral Commission to notify a person whose name is removed from or added to a youth electoral roll.

Compiled lists

New section 19ZZJ provides that, when the names and boundaries of the electoral districts are fixed by the Representation Commission, the Electoral Commission must compile for each electoral district a list of persons who appear to be entitled to be registered as youth electors of that district.

Unpublished names

New section 19ZZK provides that, if the Electoral Commission is satisfied that publishing the name of a youth elector would prejudice the safety of that elector or their family, the Electoral Commission may direct that the name, residence, and occupation of the elector not be published in a youth electoral roll or in any list that is available for public inspection.

Certain provisions of Electoral Act 1993 to apply

New section 19ZZL sets out the provisions of the Electoral Act 1993 that are to apply, with modifications, to youth electoral rolls. The provisions include those relating to objections to registration, supplying information from the youth electoral rolls, offences relating to the use of electoral information, and disclosure of personal information to the Electoral Commission for enrolment purposes.

Clause 6 replaces section 23 of the principal Act. *New section 23* provides that parliamentary electors and youth electors are qualified as residential electors of a local government area if the address at which they are registered as an elector is within the local government area.

Clause 7 amends section 24 of the principal Act to provide that a youth elector is qualified as a ratepayer elector of an area or community if the address at which they are registered as a youth elector is outside the area or community but they are listed on the valuation roll as the sole ratepayer in respect of the property at that address or are otherwise nominated to be enrolled as a ratepayer elector in respect of the property at that address.

Clause 8 amends section 24A of the principal Act to include as an elector of a Māori ward, for the purpose of a triennial general election, an election to fill an extraordinary vacancy, or an election called under section 258I or 258M of the Local Government Act 2002, any youth elector who is registered at an address within a Māori ward and as an elector of a Māori electoral district.

Clause 9 amends section 24D of the principal Act to include as an elector of a Māori constituency, for the purpose of a triennial general election, an election to fill an extraordinary vacancy, or an election called under section 258I or 258M of the Local Government Act 2002, any youth elector who is registered at an address within the Māori constituency and as an elector of a Māori electoral district.

Clause 10 amends section 25 of the principal Act to provide that a New Zealand citizen who is either a parliamentary elector or a youth elector is qualified to be a candidate at an election held under the principal Act. However, this does not apply to the election of members of a licensing trust, or to the election of trustees of a community trust, that is held under the principal Act (pursuant to section 313 or 372 of the Sale and Supply of Alcohol Act 2012).

Clause 11 amends section 30 of the principal Act to provide that a youth elector is able to sign a demand for a poll about the use of a specified electoral system at local

authority elections if the address at which the youth elector is registered is within the district of the local authority.

Clause 12 amends section 41 of the principal Act to enable an electoral officer to obtain from the Electoral Commission information to ascertain whether a youth elector is qualified as a ratepayer elector.

Clause 13 amends section 44 of the principal Act to provide that an application for registration, or correction of registration, as a parliamentary elector is made in the form approved by the Electoral Commission. Section 44 of the principal Act is further amended to provide for youth electors to similarly apply to the Electoral Commission for registration or correction of registration.

Clause 14 amends section 61 of the principal Act, which is about candidate profile statements, to include reference to a candidate's principal place of residence being the address at which the candidate is registered as a parliamentary elector or youth elector.

Clause 15 amends section 68 of the principal Act to provide that a person aged 16 or 17 and who is otherwise qualified may be appointed as a scrutineer.

Part 2

Amendments to other enactments

Subpart 1—Amendments to Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001

Clause 16 provides that *subpart 1* amends the Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001 (the **principal Act**).

Clause 17 amends section 3 of the principal Act to insert definitions of ratepayer elector, residential elector, and youth elector.

Clause 18 replaces section 10 of the principal Act. *New section 10* provides that, in the case of any triennial general election or an election to fill an extraordinary vacancy, residential and ratepayer electors of a Māori constituency include youth electors who reside, or have an entitlement in respect of a property, in the constituency and who are registered as youth electors of a Māori electoral district under the Local Electoral Act 2001.

Clause 19 amends section 13 of the principal Act to enable the Council to obtain confirmation from the Electoral Commission that a person who is qualified as a ratepayer elector of the region is registered as a parliamentary elector or youth elector of a Māori electoral district under the Electoral Act 1993 or Local Electoral Act 2001.

Subpart 2—Amendments to Christchurch District Drainage Act 1951

Clause 20 provides that *subpart 2* amends the Christchurch District Drainage Act 1951 (the **principal Act**). The amendments primarily relate to the election of members of the Christchurch Drainage Board and are to provisions that are essentially

spent as the functions, duties, and powers of the Board are now performed and exercised by the Christchurch City Council.

Clause 21 amends section 2 of the principal Act to insert definitions of General electoral district, Māori electoral district, and youth elector.

Clause 22 amends section 3 of the principal Act to replace a reference to the Local Elections and Polls Act 1976 with a reference to that Act's successor, the Local Electoral Act 2001.

Clause 23 amends section 8 of the principal Act so that it now provides that a person may be either a parliamentary elector or youth elector to qualify for election to the Christchurch Drainage Board. References to the Local Elections and Polls Act 1976 are also removed.

Clause 24 amends section 8A(a) of the principal Act to replace a reference to section 112 of the Local Elections and Polls Act 1976. The effect of the amendment is to require a person standing for election or appointment as a member of the Christchurch Drainage Board to be a New Zealand citizen.

Subpart 3—Amendments to Electoral Act 1993

Clause 25 provides that *subpart 3* amends the Electoral Act 1993 (the **principal Act**).

Clause 26 amends section 3 of the principal Act to insert definitions of youth elector and youth electoral roll.

Clause 27 amends section 5 of the principal Act to include, as a function of the Electoral Commission, carrying into effect the provisions of *new Part 1B* of the Local Electoral Act 2001.

Clause 28 amends section 60 of the principal Act to provide that a person is qualified to vote in any election in an electoral district if they are qualified to be registered as an elector of the district and were at the time of the last preceding election registered as an elector (including as a youth elector) of the district.

Clause 29 repeals section 77(1) of the principal Act, which provides that a Māori who is 17 years old may exercise the Māori option when they apply for registration as an elector under section 82(2) of the principal Act. This is a consequential amendment arising from the repeal of the latter provision (*see clause 30*).

Clause 30 repeals section 82(2) of the principal Act to remove provision for a person aged 17 years to apply for registration as an elector. A 17-year-old is required to be registered as a youth elector under the Local Electoral Act 2001 (and on attaining the age of 18 years is automatically registered as an elector under the principal Act—*see clause 31*).

Clause 31 inserts *new section 82A* into the principal Act. It provides that when a youth elector registered in an electoral district attains the age of 18 years and their name is removed from a youth electoral roll, the Electoral Commission must register the person as a parliamentary elector under the principal Act in the same electoral district without the person needing to apply for registration.

Clause 32 amends section 89A of the principal Act to provide that the Electoral Commission may give a notice of registration to a person who is registered as an elector under *new section 82A* in any form and in any manner that it decides.

Clause 33 amends section 89D of the principal Act to update the definition of a person registered as an elector to refer to a person of or over the age of 17 years who has had an application to register as a youth elector accepted by the Electoral Commission.

Clause 34 amends section 92 of the principal Act to require the Registrar-General to notify the Electoral Commission only of the death of any person aged 18 years or over. The death of a person aged 17 will not be required to be notified under section 92 because the death of a person aged 15, 16, or 17 will be notified by the Registrar-General to the Electoral Commission under the Local Electoral Act 2001 (so that steps can be taken to remove the name of the deceased from the relevant youth electoral roll).

Clause 35 repeals section 93(3)(b) of the principal Act, which requires the Electoral Commission to contact persons aged 17 years who have applied under section 82(2) of the principal Act for registration as an elector, and who have recently entered into a marriage or civil union, to ask if any changes are required to their registration details. This requirement will no longer be necessary as section 82(2) of the principal Act is repealed (*see clause 30*) and an application for registration as an elector by a person aged 17 years will be made under the Local Electoral Act 2001.

Clause 36 amends section 109 of the principal Act to provide that if a person's name is transferred to the dormant roll from the dormant youth electoral roll, the person's name will remain on the dormant roll for a period of 3 years beginning with the date on which the person's name is entered on the dormant youth electoral roll.

Clause 37 amends section 263B of the principal Act, which provides for specified agencies to disclose to the Electoral Commission for enrolment purposes certain personal information about persons of or over the age of 17 years. The reference to 17 years of age is increased to 18 years of age as the disclosure of personal information of youth electors will be dealt with under the Local Electoral Act 2001.

Subpart 4—Amendments to Gore District Council (Otama Rural Water Supply) Act 2019

Clause 38 provides that *subpart 4* amends the Gore District Council (Otama Rural Water Supply) Act 2019 (the **principal Act**).

Clause 39 amends section 4 of the principal Act to insert a definition of youth elector.

Clause 40 amends section 7 of the principal Act to provide that a youth elector is eligible to vote in a referendum conducted under the principal Act about the transfer of the water supply scheme if they are a residential elector and their registered address is at a property serviced, or capable of being serviced, by the scheme and is within the scheme distribution area.

Subpart 5—Amendments to Greytown District Trust Lands Act 1979

Clause 41 provides that *subpart 5* amends the Greytown District Trust Lands Act 1979 (the **principal Act**).

Clause 42 amends section 2 of the principal Act to insert definitions of General electoral district, Māori electoral district, and youth elector.

Clause 43 replaces section 4A of the principal Act. *New section 4A* provides that a person may be either a parliamentary elector or a youth elector to qualify for election or appointment to the Trust Board.

Clause 44 amends section 5 of the principal Act to provide that the roll for elections under the principal Act is the residential electoral roll of the South Wairarapa District.

Clause 45 amends section 8(a) of the principal Act to replace a reference to section 112 of the Local Elections and Polls Act 1976. The effect of the amendment is to require a person standing for election or appointment as a member of the Trust Board to be a New Zealand citizen.

Subpart 6—Amendments to Juries Act 1981

Clause 46 provides that *subpart 6* amends the Juries Act 1981 (the **principal Act**).

Clause 47 amends section 6 of the principal Act to clarify that only parliamentary electors are qualified to serve as jurors. Youth electors may not serve as jurors.

Clause 48 amends section 9 of the principal Act to clarify that the Electoral Commission must, for each jury district, prepare a jury list comprising the names of persons who are registered parliamentary electors residing in the jury district.

Subpart 7—Amendment to Land Drainage Act 1908

Clause 49 provides that *subpart 7* amends the Land Drainage Act 1908 (the **principal Act**).

Clause 50 amends section 9 of the principal Act to remove the requirement that a person be of or over the age of 18 years to be elected to a Board of Trustees. The effect of the amendment is to enable youth electors to be elected to a Board of Trustees. This is because section 25 of the Local Electoral Act 2001 (as amended by *clause 10*) applies to the election of trustees under the principal Act (*see* section 5 of the principal Act) and provides that both parliamentary electors and youth electors are qualified to be elected as candidates at an election.

Subpart 8—Amendments to Local Government Act 2002

Clause 51 provides that *subpart 8* amends the Local Government Act 2002 (the **principal Act**).

Clause 52 amends section 132 of the principal Act to define youth elector and to provide that a youth elector is eligible to vote in a referendum conducted under the principal Act about a water service if they are a residential elector and their registered address is at a property serviced by the water service.

Subpart 9—Amendments to Masterton Trust Lands Act 2003

Clause 53 provides that *subpart 9* amends the Masterton Trust Lands Act 2003 (the **principal Act**).

Clause 54 amends section 4 of the principal Act to insert definitions of General electoral district, Māori electoral district, residential elector, and youth elector.

Clause 55 replaces section 24 of the principal Act. *New section 24* provides that a person may be either a parliamentary elector or a youth elector to qualify for election or appointment to the Trust.

Subpart 10—Amendment to River Boards Act 1908

Clause 56 provides that *subpart 10* amends the River Boards Act 1908 (the **principal Act**).

Clause 57 amends section 30 of the principal Act to lower the age restriction of a ratepayer from 18 years to 16 years. The effect of this amendment is to enable persons aged of or over 16 years to elect, and be elected, members of a River Board.

Subpart 11—Amendments to Sale and Supply of Alcohol Act 2012

Clause 58 provides that *subpart 11* amends the Sale and Supply of Alcohol Act 2012 (the **principal Act**). The purpose of the amendments in this subpart is to retain 18 years as the minimum age at which a person may participate in licensing and community trust elections under the principal Act despite the voting age being lowered to 16 years in the case of elections held under the Local Electoral Act 2001.

Clause 59 amends section 5 of the principal Act to replace the definition of elector. The effect of this amendment is to retain 18 years as the minimum age for participating in licensing trust elections, requesting polls on amalgamation proposals, and attending annual meetings of electors and meetings to discuss amalgamation proposals or resolutions.

Clause 60 amends section 301 of the principal Act to retain, as the threshold for the Minister recommending the making of an order establishing a licensing trust for an area, a written request of at least 15% of residential electors in the area aged 18 years or over.

Clause 61 amends section 312 of the principal Act to retain 18 years as the minimum age to be eligible to vote in an election of members of a licensing trust.

Clause 62 amends section 314 of the principal Act to require the electoral officer of a territorial authority to indicate on the electoral roll for the residential electors of that territorial authority the names of the persons of or over the age of 18 years eligible to vote in licensing trust elections.

Clause 63 amends section 322 of the principal Act to retain 18 years as the minimum qualifying age for election or appointment as a member of a licensing trust.

Clause 64 amends section 349 of the principal Act to provide that only residential electors of or over the age of 18 years may request, or participate in, a poll on a competition proposal.

Clause 65 amends section 371 of the principal Act to retain 18 years as the minimum age to be eligible to vote in an election of trustees of a community trust.

Clause 66 amends section 373 of the principal Act to require the electoral officer of a territorial authority to indicate on the electoral roll for the residential electors of that territorial authority the names of the persons of or over the age of 18 years eligible to vote in community trust elections.

Clause 67 amends section 376 of the principal Act to retain 18 years as the minimum qualifying age for election or appointment as a trustee of a community trust.

Subpart 12—Amendments to Soil Conservation and Rivers Control Act 1941

Clause 68 provides that *subpart 12* amends the Soil Conservation and Rivers Control Act 1941 (the **principal Act**).

Clause 69 amends section 5 of the principal Act to insert a definition of youth elector.

Clause 70 replaces section 53 of the principal Act. *New section 53* provides that a person may be either a parliamentary elector or a youth elector to qualify for election or appointment as a member of a Board.

Subpart 13—Amendments to South Taranaki District Council (Cold Creek Rural Water Supply) Act 2014

Clause 71 provides that *subpart 13* amends the South Taranaki District Council (Cold Creek Rural Water Supply) Act 2014 (the **principal Act**).

Clause 72 amends section 4 of the principal Act to insert a definition of youth elector.

Clause 73 amends section 7 of the principal Act to provide that a youth elector is eligible to vote in a referendum conducted under the principal Act about the transfer of the water supply scheme if they are a residential elector and their registered address is at a property serviced, or capable of being serviced, by the scheme and is within the scheme distribution area.

Subpart 14—Amendments to Local Electoral Regulations 2001

Clause 74 provides that *subpart 14* amends the Local Electoral Regulations 2001 (the **principal regulations**).

Clause 75 amends regulation 11 of the principal regulations, which sets out the information that an electoral roll must include. As youth electors will not be eligible to vote in all elections or polls held under the principal Act (for example, certain elections under the Sale and Supply of Alcohol Act 2012), the amendment requires youth electors registered on an electoral roll to be identified, but in a way that is only visible to or accessible by electoral officers and electoral officials who are carrying out their

duties or exercising their powers conferred by or under the principal Act. Youth electors will not be identifiable by members of the public inspecting the electoral rolls. This is to protect the identity of youth electors and ensure their safety. Regulation 11 of the principal regulations requires the electoral roll to include for each ratepayer elector the address at which the elector is registered as a parliamentary elector. This requirement is amended to provide for the possibility that a ratepayer elector may be a youth elector.

Clause 76 amends regulation 15 of the principal regulations, which sets out the information that must be included in a public notice of the qualifications and procedures for enrolment or nomination as a ratepayer elector. The amendment provides for the possibility that a ratepayer elector may be a youth elector.

Clause 77 amends regulation 17 of the principal regulations, which sets out the information to be included in an enrolment confirmation form. The amendment provides for the information to include a reference to a ratepayer elector being a youth elector whose residential address appears on a youth electoral roll.

Clause 78 amends regulation 18 of the principal regulations, which is about the nomination of ratepayer electors. The amendment provides for a youth elector whose address is registered outside the relevant region to be nominated as a ratepayer elector.

Clause 79 amends regulation 38 of the principal regulations, which sets out what must be stated in a special voting declaration. The amendment provides for the possibility that a special voter may be enrolled as a youth elector.

Clause 80 amends regulation 43 of the principal regulations, which sets out the tasks of a Registrar of Electors after receiving a special voting declaration. The first task is to determine whether the person was qualified to vote as a special voter. The grounds for making this determination are amended to include a reference to the possibility that the voter may be registered as a youth elector.

Clause 81 amends Schedule 1 of the principal regulations, which sets out the enrolment form for a ratepayer elector. The form is amended to include references to the possibility that a ratepayer may be registered as a youth elector whose residential address appears on a youth electoral roll.

Hon Kieran McAnulty

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Part 1B

Youth electors

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Act **2023**.

2 Commencement

5

(1) This Act comes into force—

(a) on a single date on or after **1 March 2027** that is appointed by the Governor-General by Order in Council; and

(b) on **1 March 2028**, if it has not commenced by then.

(2) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements). 10

Part 1

Amendments to Local Electoral Act 2001

3 Principal Act

This Part amends the Local Electoral Act 2001.

15

4 Section 5 amended (Interpretation)

(1) In section 5(1), repeal the definition of **roll** or **roll of electors**.

(2) In section 5(1), insert in their appropriate alphabetical order:

approved electronic medium, in relation to making an application or providing any information, means an electronic medium approved by the Electoral Commission for making that application or providing that information 20

dormant youth electoral roll means a roll maintained under **section 19ZZF**

electoral district has the same meaning as **district** or **electoral district** or **electorate** in section 3(1) of the Electoral Act 1993

electoral roll or **roll** or **roll of electors**, in relation to a territorial authority, means a roll of electors of the district of the territorial authority compiled under section 38 25

prison means a prison established or deemed to be established under the Corrections Act 2004

prison manager has the same meaning as in section 3(1) of the Corrections Act 2004

youth elector means a person of or over the age of 16 years, but under 18 years, who is registered as an elector under this Act 5

youth electoral roll in relation to any electoral district, means, subject to **section 19ZZJ(2)**, the forms of application for registration kept by the Electoral Commission of persons registered as youth electors of that district (including notifications received in forms or in an approved electronic medium following an inquiry under **section 19ZZA**) 10

youth justice residence means a youth justice residence established under section 364 of the Oranga Tamariki Act 1989

youth offender means a person of or over the age of 16 years, but under the age of 18 years, who is detained in a youth justice residence or prison under a sentence of imprisonment 15

5 New Part 1B inserted

After section 19ZI, insert:

Part 1B
Youth electors 20

19ZJ Purpose of this Part

The purpose of this Part is to enable persons aged 16 or 17 years to register as youth electors so that, to the extent provided by this Act or any other enactment, they may participate in any election or poll held under this Act.

Subpart 1—Registration of youth electors 25

Qualification

19ZK Qualification of youth electors

- (1) A person of or over the age of 16 years, but under the age of 18 years, is qualified to be registered as a youth elector for the purposes of this Act if, were it not for their age, the person would be qualified under section 74 of the Electoral Act 1993 to be registered as an elector under that Act. 30
- (2) However, a person of or over the age of 16 years, but under the age of 18 years, is not qualified to be registered as a youth elector for the purposes of this Act if the person—

- (a) is disqualified, under section 80 of the Electoral Act 1993 (other than under subsection (1)(d) of that section) for registration as an elector under that Act; or
- (b) is a youth offender who is serving—
 - (i) a sentence of imprisonment for life; or 5
 - (ii) a sentence of imprisonment for a term of 3 years or more.
- (3) For the purposes of **subsection (2)(b)(ii) and sections 19ZO to 19ZR**, 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. 10

Registration

19ZL Compulsory registration of youth electors

- (1) A person who is qualified to be registered as a youth elector of an electoral district for the purposes of this Act and who is in New Zealand must apply to the Electoral Commission for registration as a youth elector— 15
 - (a) within 1 month after the date on which they first become qualified to be registered as a youth elector:
 - (b) within 1 month after the date on which they cease to be registered as a youth elector by reason of the inclusion of their name in the dormant youth electoral roll. 20
- (2) A person who is qualified to be registered as a youth elector of an electoral district for the purposes of this Act and who is outside New Zealand may apply to the Electoral Commission for registration as a youth elector at any time.
- (3) A person of or over the age of 15 years, but under 16 years, may apply to the Electoral Commission for registration as a youth elector, and that person is not then required to apply for registration as a youth elector on attaining the age of 16 years. 25
- (4) If a Māori is qualified to be registered as a youth elector of both a Maori electoral district and a General electoral district, that person may apply for registration as a youth elector of only 1 of those districts, which is the district in respect of which that person has exercised their option under section 77 of the Electoral Act 1993 (as applied by **section 19ZY(2)(e)**). 30
- (5) A person commits an offence against this section if they are required by this section to apply for registration as a youth elector and knowingly and wilfully fail to apply. 35
- (6) A person who applies for registration as a youth elector is not liable to prosecution for their earlier failure to apply for registration as a youth elector.
- (7) A person who commits an offence against this section is liable on conviction to a fine not exceeding—

- (a) \$100 on a first conviction; and
- (b) \$200 on a second or subsequent conviction.

19ZM Application for registration as youth elector

- (1) An application for registration as a youth elector is made to the Electoral Commission— 5
 - (a) in writing, by—
 - (i) completing and signing a form that the Electoral Commission has approved for registration as an elector under section 83(1)(a) of the Electoral Act 1993; and
 - (ii) returning the form to the Electoral Commission; or 10
 - (b) in an approved electronic medium, by providing the information necessary to complete a form that the Electoral Commission has approved for registration.
- (2) An application for registration as a youth elector must state, in respect of the person making the application,— 15
 - (a) the person’s full name; and
 - (b) the person’s date of birth; and
 - (c) the residential address in respect of which registration is claimed, specified in a manner that enables it to be clearly identified; and
 - (d) the person’s postal address, if different from the address given under **paragraph (c)**; and 20
 - (e) the person’s occupation, if any; and
 - (f) the honorific (if any) by which the person wishes to be addressed; and
 - (g) whether the person is Māori; and
 - (h) any other particulars that are prescribed in regulations. 25
- (3) The Electoral Commission may reject an application for registration as a youth elector if—
 - (a) the application is made under **subsection (1)(a)** and the form is not—
 - (i) signed; or
 - (ii) completed with the details specified in **subsection (2)(a), (b), (c), and (h)**; or 30
 - (b) the application is made under **subsection (1)(b)** and the information provided does not include the details specified in **subsection (2)(a), (b), (c), and (h)**.
- (4) If a person does not specify in their application whether they are Māori, this Part applies as if the person had specified in their application that they are not Māori. 35

- (5) An application for registration as a youth elector that is rejected by the Electoral Commission is treated as not having been made.

19ZN Details of youth offenders disqualified for registration as youth electors to be forwarded to Electoral Commission

- (1) No later than 7 days after a youth offender described in **section 19ZK(2)(b)** is received into a youth justice residence to serve the whole or part of their sentence, the chief executive of Oranga Tamariki must forward to the Electoral Commission a notice stating—

- (a) the name, previous residential address, and date of birth of the youth offender; and
(b) the name and address of the youth justice residence into which the youth offender is received.

- (2) No later than 7 days after a youth offender described in **section 19ZK(2)(b)** is received into a prison to serve the whole or part of their sentence, the prison manager must forward to the Electoral Commission a notice stating—

- (a) the name, previous residential address, and date of birth of the youth offender; and
(b) the name and address of the prison into which the youth offender is received.

Compare: 1993 No 87 s 81

Registration of youth offenders serving sentence of imprisonment of less than 3 years or after serving sentence of imprisonment of 3 years or more

19ZO Registration of youth offenders serving sentence of imprisonment of less than 3 years in youth justice residence

- (1) This section applies when—

- (a) a youth offender is received into a youth justice residence to serve a sentence of imprisonment for a term of less than 3 years;
(b) a youth offender detained in a youth justice residence has their sentence of imprisonment reduced or altered on appeal, or following a retrial, to a term of less than 3 years;
(c) a person detained in a youth justice residence turns 16 years old while serving a sentence of imprisonment for a term of less than 3 years.

- (2) The chief executive of Oranga Tamariki must, as soon as is reasonably practicable after any event described in **subsection (1)** occurs,—

- (a) advise the youth offender that if they are a New Zealand citizen or a permanent resident of New Zealand (as defined in section 73 of the Electoral Act 1993) and have at some time resided continuously in New Zealand for a period of not less than 1 year they are qualified to be regis-

tered as a youth elector of an electoral district, and are required by section 19ZL to apply to the Electoral Commission for registration; and	
(b) ask the youth offender whether they want their enrolment details sent to the Electoral Commission to facilitate their registration as an elector.	
(3) If the youth offender wants their enrolment details sent to the Electoral Commission to facilitate their registration as an elector, section 19ZS applies.	5
Compare: 1993 No 87 s 86A	
19ZP Registration of youth offenders serving sentence of imprisonment of less than 3 years in prison	
(1) This section applies when—	10
(a) a youth offender is received into a prison to serve a sentence of imprisonment for a term of less than 3 years:	
(b) a youth offender detained in prison has their sentence of imprisonment reduced or altered on appeal, or following a retrial, to a term of less than 3 years:	15
(c) a person detained in prison turns 16 years while serving a sentence of imprisonment for a term of less than 3 years.	
(2) The prison manager must, as soon as is reasonably practicable after any event described in subsection (1) occurs,—	
(a) advise the youth offender that if they are a New Zealand citizen or a permanent resident of New Zealand (as defined in section 73 of the Electoral Act 1993) 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 a youth elector of an electoral district, and are required by section 19ZL to apply to the Electoral Commission for registration; and	25
(b) ask the youth offender whether they want their enrolment details sent to the Electoral Commission to facilitate their registration as an elector.	
(3) If the youth offender wants their enrolment details sent to the Electoral Commission to facilitate their registration as an elector, section 19ZT applies.	30
Compare: 1993 No 87 s 86A	
19ZQ Registration of youth offenders released from youth justice residence after serving sentence of imprisonment of 3 years or more	
(1) Before a youth offender who is serving a sentence of imprisonment for a term of 3 years or more is released from a youth justice residence on parole or after serving the full sentence, the chief executive of Oranga Tamariki must—	35
(a) advise the youth offender that if they are a New Zealand citizen or a permanent resident of New Zealand (as defined in section 73 of the Electoral Act 1993) they will, on release, be qualified to be registered as a youth elector of an electoral district, and are required by section 19ZL	

	to apply to the Electoral Commission, within 1 month after their release, for registration; and	
	(b) ask the youth offender whether they want their enrolment details sent to the Electoral Commission to facilitate their registration as an elector.	
(2)	If the youth offender wants their enrolment details sent to the Electoral Commission to facilitate their registration as an elector, section 19ZS applies.	5
	Compare: 1993 No 87 s 86AB	
19ZR	Registration of youth offenders released from prison after serving sentence of imprisonment of 3 years or more	
(1)	Before a youth offender who is serving a sentence of imprisonment for a term of 3 years or more is released from prison on parole or after serving the full sentence, the prison manager must—	10
	(a) advise the youth offender that if they are a New Zealand citizen or a permanent resident of New Zealand (as defined in section 73 of the Electoral Act 1993) they will, on release, be qualified to be registered as a youth elector of an electoral district, and are required by section 19ZL to apply to the Electoral Commission, within 1 month after their release, for registration; and	15
	(b) ask the youth offender whether they want their enrolment details sent to the Electoral Commission to facilitate their registration as an elector.	20
(2)	If the youth offender wants their enrolment details sent to the Electoral Commission to facilitate their registration as an elector, section 19ZT applies.	
	Compare: 1993 No 87 s 86AB	
19ZS	Chief executive of Oranga Tamariki to collect and send enrolment information to Electoral Commission	25
(1)	This section applies to a youth offender who is—	
	(a) a youth offender referred to in section 19ZQ :	
	(b) a youth offender referred to in section 19ZQ .	
(2)	If the youth offender wants their enrolment details sent to the Electoral Commission to facilitate their registration as a youth elector, the youth offender must provide to the chief executive of Oranga Tamariki the following information for that purpose:	30
	(a) the youth offender's details specified in section 19ZM(2)(a), (b), (c), (d), (g), and (h) ; and	
	(b) if the youth offender is of Māori descent and at the time of providing their enrolment details is eligible to exercise the Māori option under section 77 of the Electoral Act 1993 (as applied by section 19ZY(2)(e)), whether the youth offender prefers to be enrolled on the Māori electoral roll or the General electoral roll.	35

- (3) The chief executive of Oranga Tamariki must collect the enrolment information provided by a youth offender and send that information to the Electoral Commission as soon as is reasonably practicable—
- (a) after collecting the information, if the information is collected from a youth offender referred to in **section 19ZO**; or 5
 - (b) after the youth offender’s release from a youth justice residence, if the information is collected from a youth offender referred to in **section 19ZQ**.
- (4) If the youth offender wishes to apply for a direction under **section 19ZZK** (unpublished names of youth electors), the chief executive of Oranga Tamariki must— 10
- (a) assist the youth offender to prepare an application accompanied by supporting information; and
 - (b) send the application and supporting information to the Electoral Commission with the youth offender’s information. 15
- (5) The chief executive of Oranga Tamariki may not use or disclose the information collected from a youth offender other than in accordance with **subsection (3) or (4)**.
- (6) If, at any time after the chief executive of Oranga Tamariki sends a youth offender’s information to the Electoral Commission, the overall length of a youth offender’s sentence or sentences of imprisonment changes in a way that results in the youth offender becoming disqualified for registration as a youth elector under **section 19ZK(2)(b)**, the chief executive of Oranga Tamariki must notify the Electoral Commission. 20
- Compare: 1993 No 87 s 86B 25

19ZT Prison manager to collect and send enrolment information to Electoral Commission

- (1) This section applies to a youth offender who is referred to in **section 19ZP or 19ZR**.
- (2) If the youth offender wants their enrolment details sent to the Electoral Commission to facilitate their registration as a youth elector, the youth offender must provide to the prison manager the following information for that purpose: 30
- (a) the youth offender’s details specified in **section 19ZM(2)(a), (b), (c), (d), (g), and (h)**; and
 - (b) if the youth offender is of Māori descent and at the time of providing their enrolment details is eligible to exercise the Māori option under section 77 of the Electoral Act 1993 (as applied by **section 19ZY(2)(e)**), whether the youth offender prefers to be enrolled on the Māori electoral roll or the General electoral roll. 35

- (3) The prison manager must collect the enrolment information provided by a youth offender and send that information to the Electoral Commission as soon as is reasonably practicable—
- (a) after collecting the information, if the information is collected from a youth offender referred to in **section 19ZP**; or 5
 - (b) after the youth offender’s release from prison, if the information is collected from a youth offender referred to in **section 19ZR**.
- (4) If the youth offender wishes to apply for a direction under **section 19ZZK** (unpublished names of youth electors) the prison manager must—
- (a) assist the youth offender to prepare an application accompanied by supporting information; and 10
 - (b) send the application and supporting information to the Electoral Commission with the youth offender’s enrolment information.
- (5) A prison manager may not use or disclose the information collected from a youth offender other than in accordance with **subsection (3) or (4)**. 15
- (6) If, at any time after a prison manager sends a youth offender’s information to the Electoral Commission, the overall length of a youth offender’s sentence or sentences of imprisonment changes in a way that results in the youth offender becoming disqualified for registration as a youth elector under **section 19ZK(2)(b)**, the prison manager must notify the Electoral Commission. 20
- Compare: 1993 No 87 s 86B

19ZU Enrolment information received from chief executive of Oranga Tamariki treated as application for registration

- (1) The Electoral Commission must, for the purposes of this Act, treat—
- (a) the receipt of a youth offender’s details referred to in **section 19ZS(2)(a)** as an application by the youth offender to register as a youth elector of an electoral district; and 25
 - (b) the receipt of a youth offender’s preference referred to in **section 19ZS(2)(b)** to be enrolled on the Māori electoral roll as a request by the youth offender to be registered as a youth elector of a Māori electoral district. 30
- (2) This section overrides **section 19ZM**.
- Compare: 1993 No 87 s 86C

19ZV Enrolment information received from prison manager treated as application for registration 35

- (1) The Electoral Commission must, for the purposes of this Act, treat—
- (a) the receipt of a youth offender’s details referred to in **section 19ZT(2)(a)** as an application by the person to register as a youth elector of an electoral district; and

(b)	the receipt of a youth offender's preference referred to in section 19ZT(2)(b) to be enrolled on the Māori electoral roll as a request by the youth offender to be registered as a youth elector of a Māori electoral district.	
(2)	This section overrides section 19ZM . Compare: 1993 No 87 s 86C	5
	19ZW Delegation of prison manager's functions under sections 19ZP, 19ZR, and 19ZT	
(1)	A prison manager may delegate to 1 or more prison officers the prison manager's functions under sections 19ZP, 19ZR, and 19ZT .	10
(2)	Subject to any directions or conditions imposed by the prison manager, a prison officer to whom the prison manager's functions are delegated under this section may carry out those functions in the same manner and with the same effect as if they had been conferred on the prison officer directly by sections 19ZP, 19ZR, and 19ZT .	15
(3)	A delegation must be in writing and may be revoked at any time.	
(4)	In this section, prison officer means an officer within the meaning of paragraph (a)(ii) of the definition of that term in section 3(1) of the Corrections Act 2004. Compare: 1993 No 87 s 86D	20
	19ZX Requirement to communicate with youth offender in way youth offender can understand	
(1)	When carrying out their duties under sections 19ZO, 19ZQ, and 19ZS , the chief executive of Oranga Tamariki must communicate with a youth offender in a way that the youth offender can reasonably be expected to understand.	25
(2)	When carrying out their duties under sections 19ZP, 19ZR, and 19ZT , a prison manager must communicate with a youth offender in a way that the youth offender can reasonably be expected to understand. Compare: 1993 No 87 s 86E	
	<i>Certain provisions of Electoral Act 1993 to apply</i>	30
	19ZY Provisions of Electoral Act 1993 to apply to registration of youth electors	
(1)	The provisions of the Electoral Act 1993 listed in subsection (2) relating to the registration of electors apply in respect of the registration of youth electors subject to the modifications specified in respect of those provisions in that subsection and to any other necessary modifications, including the following:	35
(a)	references to an elector are to be read as references to a youth elector:	

- (b) references to an application for registration or application for registration as an elector are to be read as references to an application for registration as a youth elector:
- (c) references to being registered as an elector of an electoral district or district are to be read as references to being registered as a youth elector of an electoral district or district: 5
- (d) references to an electoral roll or roll are to be read as references to a youth electoral roll:
- (e) references to an election are to be read as references to a local election or poll conducted under this Act. 10
- (2) The provisions referred to in **subsection (1)** are—
- (a) section 72, except that—
- (i) subsection (5) also applies to a person who is detained in a youth justice residence:
- (ii) subsection (6)(b) applies only to the extent that the person is absent from the place they reside in because the person's spouse, civil union partner, or de facto partner is a member of Parliament: 15
- (iii) subsection (10) applies only to the extent that the person's spouse, civil union partner, or de facto partner is appointed as a member of the Executive Council: 20
- (b) section 73:
- (c) section 75, except that in subsection (3) the reference to section 60 is to be read as a reference to section 20 of this Act:
- (d) section 76:
- (e) section 77, except that,— 25
- (i) in the heading above subsection (1), the reference to 17-year-olds is to be read as a reference to 15-year-olds:
- (ii) in subsection (1), the reference to 17 years is to be read as a reference to 15 years:
- (iii) in subsection (1), the reference to section 82(2) is to be read as a reference to **section 19ZL(3)** of this Act: 30
- (iv) in subsection (2), the reference to section 83 is to be read as a reference to **section 19ZM** of this Act:
- (f) section 78, except that,—
- (i) in subsection (6), the reference to section 83 is to be read as a reference to **section 19ZM** of this Act: 35
- (ii) in subsection (6)(a), the reference to section 3(1) is to be read as a reference to section 5(1) of this Act:
- (iii) in subsection (6)(b), the reference to section 103 is not relevant:

- (g) section 78A, except that,—
 - (i) in subsections (1)(b) and (3)(b), the reference to a dormant roll is to be read as a reference to a dormant youth electoral roll:
 - (ii) in subsection (2), the reference to the type of district in which the person is entitled to vote is to be read as a reference to the type of district in which the person is registered as a youth elector: 5
 - (iii) in subsection (3)(b), the reference to section 83 is to be read as a reference to **section 19ZM** of this Act:
- (h) section 78B, except that,—
 - (i) in subsections (1)(b) and (3)(b), the reference to a dormant roll is to be read as a reference to a dormant youth electoral roll: 10
 - (ii) in subsection (2), the reference to the type of district in which the person is entitled to vote is to be read as a reference to the type of district in which the person is registered as a youth elector:
 - (iii) in subsection (3)(b), the reference to section 83 is to be read as a reference to **section 19ZM** of this Act: 15
- (i) section 78C, except that,—
 - (i) in subsection (2), the reference to being eligible to vote in a by-election is to be read as a reference to being registered as a youth elector in the electoral district in which the by-election is being held: 20
 - (ii) in subsections (2)(b) and (4)(b), the reference to a dormant roll is to be read as a reference to a dormant youth electoral roll:
 - (iii) in subsection (3), the reference to the type of district in which the person is entitled to vote is to be read as a reference to the type of district in which the person is registered as a youth elector: 25
 - (iv) in subsection (4)(b), the reference to section 83 is to be read as a reference to **section 19ZM** of this Act:
- (j) section 84, except that the reference to section 83 is to be read as a reference to **section 19ZM** of this Act: 30
- (k) section 85, except that the reference to section 83 is to be read as a reference to **section 19ZM** of this Act:
- (l) section 86:
- (m) section 87:
- (n) section 89(1) and (2): 35
- (o) section 89A:
- (p) section 89B:
- (q) section 89C, except that the reference in subsection (3)(c) to section 83 is to be read as a reference to **section 19ZM** of this Act.

Subpart 2—Youth electoral rolls

*Establishing and maintaining youth electoral rolls***19ZZ Youth electoral rolls**

- (1) The Electoral Commission must establish a youth electoral roll for each electoral district. 5
- (2) If the Electoral Commission is satisfied that an applicant for registration as a youth elector is qualified to be registered, the Electoral Commission must enter the name of the applicant on the youth electoral roll for the electoral district in which the applicant would be qualified to be registered under the Electoral Act 1993 if the age of the applicant were 18 years or over. 10
- (3) However, if an election is being conducted under the Electoral Act 1993 in an electoral district, the Electoral Commission may not enter the name of the applicant for registration as a youth elector on the youth electoral roll for that district during the period in which, had the application been an application for registration as an elector under that Act, the application could not, under section 88 of that Act, be registered. 15

19ZZA Inquiry to be made to update youth electoral rolls

- (1) The Electoral Commission must, at the times required by or under this section, direct an inquiry to be made in relation to the particulars on the youth electoral rolls for every person registered as a youth elector of a district in respect of whom an inquiry has not been conducted under section 89D of the Electoral Act 1993 (*see* section 89D(7) of that Act). 20
- (2) In any year in which a triennial general election of members of any local authority must be held, the Electoral Commission must direct an inquiry to be made concerning the particulars on the youth electoral rolls of every person who— 25
- (a) is registered as a youth elector of an electoral district; and
- (b) appears from those particulars to reside within a particular local government area.
- (3) An inquiry may be made at any other time determined by the Electoral Commission. 30
- (4) If a youth electoral roll that is not yet in force has been compiled under **section 19ZZJ(1)**, the inquiry directed to be made under this section must be in respect of that roll.
- (5) An inquiry must be in a form approved by the Electoral Commission and— 35
- (a) contain—
- (i) the particulars on the youth electoral roll for the youth elector to whom it is addressed; or

- (ii) information about how the youth elector can access their particulars electronically; and
 - (b) require the youth elector, if any of those particulars have changed or are incorrect, to notify the Electoral Commission by—
 - (i) sending the corrected particulars to the Electoral Commission in a form that it has approved; or
 - (ii) using an approved electronic medium to make any change or correction required.
- (6) A youth elector who has a physical or mental impairment may give a notification required by **subsection (5)(b)** through a representative, and section 86 of the Electoral Act 1993 applies with any necessary modifications.
- (7) For the purposes of this section,—
- (a) a **person registered as a youth elector** includes any person of or over the age of 15 years who has had an application to register as a youth elector accepted by the Electoral Commission; and
 - (b) the particulars contained in the application to register are the particulars on the youth electoral roll for that person.

Compare: 1993 No 87 s 89D

19ZZB Updating Māori option details

- (1) The Electoral Commission must send to Māori youth electors information about the exercise of the Māori option under section 77 of the Electoral Act 1993 (as applied by **section 19ZY(2)(e)**) not less than 6 months before polling day for an election held under section 10(2).
- (2) The information required to be sent to Māori youth electors under **subsection (1)** may be sent by any means that the Electoral Commission considers appropriate and—
- (a) must inform the youth elector that they are currently registered on a youth electoral roll in a Māori electoral district or a General electoral district (whichever applies); and
 - (b) must inform the youth elector that they are entitled to—
 - (i) exercise the Māori option as provided in the Electoral Act 1993; and
 - (ii) change the type of district in which they are registered; and
 - (c) must include a form or information about an approved electronic medium to use to exercise the Māori option; and
 - (d) may include information about the differences between the 2 types of electoral districts that the Electoral Commission considers would be useful.

Compare: 1993 No 87 s 89DA

19ZZC No inquiry required if application for registration as youth elector received

If the Electoral Commission receives, during an inquiry under **section 19ZZA(1)** or within 28 days before the commencement of an inquiry under that section, a duly completed application for registration as a youth elector,—

- (a) that application is deemed to be a completed form for the purposes of **section 19ZZA**; and
- (b) the Electoral Commission must notify that youth elector that they will not receive an inquiry under **section 19ZZA**.

Compare: 1993 No 87 s 89E

19ZZD Procedure following inquiry under section 19ZZA

(1) If, following an inquiry under **section 19ZZA**, the Electoral Commission receives notice under **section 19ZZA(5)(b)** that a youth elector has changed their place of residence and now resides in another electoral district, the Electoral Commission must—

- (a) remove the youth elector's name from the youth electoral roll for the district in which the youth elector previously resided; and
- (b) register the youth elector on the youth electoral roll for the district in which the youth elector resides.

(2) If, following an inquiry under **section 19ZZA**, the Electoral Commission receives notice under **section 19ZZA(5)(b)** of any change or correction to an elector's particulars, other than a change of place of residence, the Electoral Commission must amend the youth elector's particulars on the youth electoral roll in accordance with that notification.

(3) A youth elector remains on a youth electoral roll and their particulars on the youth electoral roll remain unchanged if—

- (a) the Electoral Commission does not receive from the elector a form or information under **section 19ZZA(5)(b)**; or
- (b) the Electoral Commission receives from the elector a form or information under **section 19ZZA(5)(b)** with no changes.

(4) A form that a youth elector intends to return, or returns, under **section 19ZZA(5)(b)(i)** must be signed and may be rejected for incompleteness in accordance with **section 19ZM(1)(a), (2), and (3)**.

(5) Information that an elector intends to supply, or supplies, electronically under **section 19ZZA(5)(b)(ii)**—

- (a) is not an application in respect of registration as an elector required to be signed; but
- (b) may be rejected for incompleteness in accordance with **section 19ZM(1)(a), (2), and (3)**.

Compare: 1993 No 87 s 89F

19ZZE Youth elector who cannot be contacted must be included in dormant youth electoral roll

- (1) This section applies if—
- (a) the Electoral Commission is notified that an inquiry made under **section 19ZZA(1)** cannot be delivered to the youth elector to whom it is addressed because the whereabouts of the youth elector are not known; or
 - (b) at any other time, the youth elector cannot be contacted at the youth elector’s address on the youth electoral roll for the relevant district.
- (2) If this section applies, the Electoral Commission must—
- (a) make any inquiry as to the whereabouts of the youth elector that the Electoral Commission thinks fit; and
 - (b) if the Electoral Commission is unable to contact the youth elector, remove the youth elector’s name from the youth electoral roll of the relevant district and include the name in the dormant youth electoral roll.

Compare: 1993 No 87 s 89G

19ZZF Dormant youth electoral roll

- (1) The Electoral Commission must maintain a dormant youth electoral roll that shows for each district the particulars of those persons whose names have been removed from the youth electoral roll for the relevant district—
- (a) under **section 19ZZE**; or
 - (b) as a result of the removal of a person’s name from the roll under section 95A(4) or 96(4) of the Electoral Act 1993 (as applied by **section 19ZZL(2)(6) and (10)** of this Act).
- (2) The Electoral Commission must remove a person’s name from the dormant youth electoral roll on the first occurrence of any of the following events:
- (a) in the case of a person whose name has been removed from the electoral roll under **section 19ZZE**, when the person registers as a youth elector of any district; or
 - (b) in the case of a person whose name has been removed from the electoral roll under section 95A(4) or 96(4) of the Electoral Act 1993, when the person registers as a youth elector of any district; or
 - (c) in the case of a person who dies, when the Electoral Commission is satisfied of the person’s identity and the death has been notified to the Electoral Commission—
 - (i) by any Registrar of Births and Deaths; or
 - (ii) by the person’s father, mother, spouse, civil union partner, de facto partner, sister, or brother; or
 - (iii) by the administrator of the person’s estate; or

(d)	when the person attains the age of 18 years.	
(3)	When the Electoral Commission removes a person's name from the dormant youth electoral roll under subsection (2)(d) , it must include the person's name on the dormant roll maintained under section 109 of the Electoral Act 1993.	5
	Compare: 1993 No 87 s 109	
	<i>Removal of names from youth electoral rolls and alterations to youth electoral rolls</i>	
19ZZG	Removal of names from rolls by Electoral Commission	
	The Electoral Commission must remove from a youth electoral roll—	10
(a)	the name of every youth elector who, consequent on a change in their place of residence,—	
	(i) is not qualified to be registered as a youth elector of the district; and	
	(ii) resides in, and is registered as a youth elector of, another district:	15
(b)	the name of every youth elector of whose identity the Electoral Commission is satisfied and whose death has been notified to the Electoral Commission—	
	(i) by any Registrar of Births and Deaths; or	
	(ii) by the youth elector's father, mother, sister, brother, spouse, civil union partner, or de facto partner:	20
(c)	the name of every youth elector who, as a result of an inquiry made at the youth elector's address on the roll, the Electoral Commission has reason to believe has ceased for 1 month or more to reside in the district:	
(d)	the name of every youth elector whose name is entered on the Corrupt Practices List made out for any district:	25
(e)	the name of every youth elector whose disqualification under section 19ZK(2) is—	
	(i) certified to the Electoral Commission; or	
	(ii) notified to the Electoral Commission under section 19ZN, 19ZS(6), or 19ZT(6) :	30
(f)	the name of every youth elector who has exercised the Māori option under section 77 of the Electoral Act 1993 (as applied by section 19ZY(2)(e) of this Act) and chosen to be registered as a youth elector for a different type of electoral district:	35
(g)	if the youth electoral roll is for a Māori electoral district, the name of every youth elector who is not a Māori:	

- (h) the name of every youth elector who has been registered as a youth elector for the district—
 - (i) by mistake; or
 - (ii) by clerical error; or
 - (iii) as a result of false information: 5
- (i) the name of every person who has turned 18 years (*see section 82A* of the Electoral Act 1993, which provides for a person whose name has been removed from a youth electoral roll when they attained the age of 18 years to be automatically registered as an elector under the Electoral Act 1993). 10

Compare: 1993 No 87 s 98(1)

19ZZH Additions or alterations to youth electoral rolls by Electoral Commission

- (1) The Electoral Commission may place the name of any person aged 16 years or over, but under the age of 18 years, on a youth electoral roll at any time, or restore that person’s name to a youth electoral roll at any time, if the Electoral Commission is satisfied that the person’s name has been omitted or removed from the roll— 15
 - (a) by mistake; or
 - (b) by clerical error; or 20
 - (c) as a result of false information.
- (2) In addition to other powers of alterations conferred by this Act, the Electoral Commission may, subject to **subsection (4)**, at any time alter the youth electoral roll—
 - (a) by correcting any mistake or omission in the particulars of the enrolment of a person: 25
 - (b) by striking out the superfluous entry when the name of a person appears more than once on the roll.
- (3) The Electoral Commission may, subject to **subsection (4)**, place a person’s name on the roll if— 30
 - (a) the person has been registered as a youth elector of a district other than the district in which the person should have been registered; and
 - (b) the person’s name has, under **section 19ZZG(g) or (h)**, been removed from the youth electoral roll of the district for which the person was correctly registered. 35
- (4) If an election is being conducted under the Electoral Act 1993 in an electoral district, no alteration to the youth electoral roll for that district may be made during the period—
 - (a) beginning on the day after polling day for the election; and

(b) ending on the day after the return of the writ for the election.

Compare: 1993 No 87 s 98(2)–(4), (6)

19ZZI Notice of alterations to youth electoral roll

- (1) If under **section 19ZZG(c) to (h)** a person's name is removed from a youth electoral roll, the Electoral Commission must, in accordance with **subsection (3)**, deliver or send to that person notice in writing of the removal of that person's name from the roll. 5
- (2) If a person's name has been removed from a youth electoral roll under **section 19ZZG(g) or (h)** and is entered, under **section 19ZZH(3)**, on another youth electoral roll, the Electoral Commission must, in accordance with **subsection (3)**, deliver or send to that person notice in writing of the entry of that person's name on that other roll. 10
- (3) The notice required by **subsection (1) or (2)** must—
- (a) be delivered to the person personally or sent to the person by post; and
- (b) be delivered or sent not later than 14 days after the date on which,— 15
- (i) if the notice is required by **subsection (1)**, the person's name is removed; or
- (ii) if the notice is required by **subsection (2)**, the person's name is entered. 20
- Compare: 1993 No 87 s 99(1)–(3) 20

Compiled lists

19ZZJ Compiled lists

- (1) When a notice is gazetted under section 40(1)(b) or 45(9)(b) of the Electoral Act 1993, the Electoral Commission must—
- (a) decide, on the basis of the then existing youth electoral rolls, which of the youth electors are entitled to be registered as youth electors of each electoral district whose boundaries are fixed by the report to which the notice relates; and 25
- (b) compile for each electoral district whose boundaries are fixed by the report to which the notice relates a list of persons who appear to be entitled to be registered as youth electors of that electoral district (the **compiled list of youth electors**). 30
- (2) For the purposes of any inquiry under **section 19ZZA**, which is considered before the dissolution or expiration of the Parliament in existence when any list is compiled under **subsection (1)(b)**, the compiled list of youth electors— 35
- (a) must be the youth electoral roll for the district to which it relates; and
- (b) comes into force on the dissolution or expiry of the then existing Parliament.

- (3) A compiled list of youth electors must be prepared immediately before the earliest of the following:
- (a) the next succeeding inquiry under **section 19ZZA**; or
 - (b) the next succeeding inquiry under section 89D of the Electoral Act 1993; or
 - (c) the printing of the main rolls under section 104 of the Electoral Act 1993 (when the Electoral Commission directs that, for the purposes of the printing of the main rolls and the supplementary rolls, each compiled list must be the electoral roll for the district to which it relates).
- (4) A compiled list of youth electors for an electoral district does not form part of a main roll or supplementary roll printed for that district under the Electoral Act 1993.
- Compare: 1993 No 87 s 101(1), (2), (4), (5)

Unpublished names

19ZZK Unpublished names of youth electors

- (1) Despite **section 19ZZJ**, if the Electoral Commission is satisfied, on the application of any youth elector, that the publication of that youth elector's name would be prejudicial to the personal safety of that elector or their family, the Electoral Commission may direct that the name, residence, and occupation of that youth elector not be published in a youth electoral roll or in any list that may be available for inspection by the public.
- (2) Without limiting the discretion conferred on it by **subsection (1)**, the Electoral Commission may, without further evidence or inquiry, exercise the power conferred by that subsection on the production of—
- (a) a protection order that is in force under the Family Violence Act 2018 in respect of a youth elector; or
 - (b) a restraining order that is in force under the Harassment Act 1997 in respect of a youth elector; or
 - (c) a statutory declaration from a constable to the effect that they believe that the personal safety of a youth elector or of a youth elector's family could be prejudiced by the publication of the youth elector's name.
- Compare: 1993 No 87 s 115(1)(a), (2)

Certain provisions of Electoral Act 1993 to apply

19ZZL Provisions of Electoral Act 1993 to apply to youth electoral rolls

- (1) The provisions of the Electoral Act 1993 listed in **subsection (2)** relating to the registration of electors apply in respect of the registration of youth electors subject to the modifications specified in respect of those provisions in that subsection and to any other necessary modifications, including the following:

- (a) references to the electoral roll or a roll are to be read as references to the youth electoral rolls or a youth elector roll:
- (b) references to an elector are to be read as references to a youth elector:
- (c) references to being registered as an elector of an electoral district or district are to be read as references to being registered as a youth elector of an electoral district or district. 5
- (2) The provisions referred to in **subsection (1)** are—
- (1) section 92, except that in subsection (1) the reference to any person’s age is to be read as a reference to persons of or over the age of 15 years but under the age of 18 years: 10
- (2) section 93(3)(a) and (4) in relation to information provided by the Registrar-General to the Electoral Commission under section 93(2) about parties to a marriage or civil union who are youth electors, except that in subsection (3)(b) the reference to section 82(2) is to be read as a reference to **section 19ZL(3)** of this Act: 15
- (3) section 94, except that references to a person are to be read as references to a person of or over the age of 15 years but under the age of 18 years:
- (4) section 94A, except that a reference to “this Act” is to be read as a reference to the provisions of the Electoral Act 1993 as applied (with or without any necessary modifications) by this Act: 20
- (5) section 95, except that the reference in subsection (1) to any elector is to be read as a reference to any person registered, or qualified to be registered, as an elector under the Electoral Act 1993 or as a youth elector under this Act:
- (6) section 95A, except that in subsection (4)(b) the reference to section 109 is to be read as a reference to **section 19ZZF** of this Act: 25
- (7) section 95B:
- (8) section 95C:
- (9) section 95D:
- (10) section 96, except that in subsection (4)(b) the reference to section 109 is to be read as a reference to **section 19ZZF** of this Act: 30
- (11) section 97:
- (12) section 100(1) and (2):
- (13) sections 111A to 111F, except that,—
- (i) in section 111A, references to a Maori elector are to be read as references to a person registered as a youth elector who has given written notice to the Electoral Commission that they are of Māori descent: 35

- (ii) in section 111B, definition of Maori elector, the reference to an elector who has given written notice to the Electoral Commission that they are of Maori descent is to be read as a reference to a youth elector who has given written notice to the Electoral Commission that they are of Māori descent: 5
- (iii) in section 111C(4), the reference to section 115 is to be read as a reference to **section 19ZZK** of this Act:
- (iv) in section 111E, the reference to the information described in section 111C(2) and (3)(b) is to be read as a reference to the information described in those provisions relating to a Maori elector as that term is modified in **subparagraph (ii)**: 10
- (14) section 112, except that subsection (1)(a)(i) and (c)(i) is to be read as referring to a list of the youth electors:
- (15) section 112A, except that—
- (i) subsection (1)(a) is to be read as referring to a list of the youth electors: 15
- (ii) subsection (1)(e) is to be read as referring to a list of the youth electors on the dormant youth electoral roll:
- (iii) in subsection (2), the reference to section 115(1) is to be read as a reference to **section 19ZZK(1)** of this Act: 20
- (16) section 113:
- (17) section 114(1), (2)(b), (3)(b), (4), (5), (6), and (8), except that subsection (4)(c) does not apply and subsection (4)(d) is to be read as referring to a list of the youth electors:
- (18) section 114A: 25
- (19) section 116, except that in subsection (1) the reference to information is to be read as a reference to information about youth electors:
- (20) section 117, except that references to information are to be read as references to information about youth electors:
- (21) section 118, except that references to any application, certificate, or information are to be read as references to any application, certificate, or information in relation to youth electors: 30
- (22) section 119, except that the offences are to be read as relating to, or being in connection with, the registration of youth electors and the maintenance of the youth electoral rolls: 35
- (23) section 120, except that the reference to section 119 is to be read as a reference to that section as applied and modified by **paragraph (22)**:
- (24) section 121, except that the reference to an application for registration is to be read as a reference to an application for registration as a youth elector: 40

(25)	section 122:	
(26)	section 124, except that,—	
	(i) in subsection (1)(b), the reference to general elections is to be read as a reference to general elections conducted under the Electoral Act 1993:	5
	(ii) in subsection (2)(b), the reference to section 89D is to be read as a reference to section 19ZZA of this Act:	
	(iii) subsection (2)(c) is to be read as referring to records forming part of the dormant youth electoral roll:	
(27)	section 263, in relation to the service of notices under this subpart only, unless any provision specifically provides for the manner and time frame for the service of a notice or other document:	10
(28)	section 263A, except that—	
	(i) references to a person are to be read as references to persons aged of or over 15 years, but under the age of 18 years:	15
	(ii) the reference in subsection (6)(b) to section 96 is to be read as a reference to section 96 of the Electoral Act 1993 (as applied and modified by paragraph (10)):	
(29)	section 263B, except that in subsection (2), the reference to 17 years is to be read as a reference to 15 years.	20

6 Section 23 replaced (Residential electors)

Replace section 23 with:

23 Residential electors

- | | | |
|-----|--|----|
| (1) | A person who is a parliamentary elector is qualified as a residential elector of a local government area if the address in respect of which the person is registered as a parliamentary elector is within the local government area. | 25 |
| (2) | A person who is a youth elector is qualified as a residential elector of a local government area if the address in respect of which the person is registered as a youth elector is within the local government area. | |

7 Section 24 amended (Ratepayer electors)

In section 24(1), replace “Every parliamentary elector is qualified as a ratepayer elector of a region, a district, a local board area, or a community if the address for which the person is registered as a parliamentary elector” with “A person who is a parliamentary elector or a youth elector is qualified as a ratepayer elector of a region, a district, a local board area, or a community if the address for which the person is registered as a parliamentary elector or youth elector”.	30
	35

- 8 Section 24A amended (Electors of Māori wards)**
- (1) In section 24A(1)(a) and (3)(a), after “parliamentary elector”, insert “or youth elector”.
- (2) In section 24A(1)(b), (2)(b), and (3)(b), replace “an elector” with “a parliamentary elector or youth elector”. 5
- (3) In section 24A(4)(b), replace “a elector” with “a parliamentary elector or youth elector”.
- 9 Section 24D amended (Electors of Māori constituencies)**
- (1) In section 24D(1)(b), (2)(b), (3)(b), and (4)(b), replace “an elector” with “a parliamentary elector or youth elector”. 10
- (2) In section 24D(3)(a), after “parliamentary elector”, insert “or youth elector”.
- 10 Section 25 amended (Candidate qualifications)**
- (1) Replace section 25(1) with:
- (1) A person who is a New Zealand citizen is qualified to be a candidate at every election to be held under this Act if the person is— 15
- (a) a parliamentary elector; or
- (b) a youth elector.
- (2) After section 25(2), insert:
- (3) **Subsection (1)** does not apply to—
- (a) the election of members of a licensing trust that is held under this Act pursuant to section 313 of the Sale and Supply of Alcohol Act 2012: 20
- (b) the election of the trustees of a community trust that is held under this Act pursuant to section 372 of the Sale and Supply of Alcohol Act 2012.
- 11 Section 30 amended (Requirements for valid demand)**
- (1) Repeal section 30(2)(b). 25
- (2) In section 30(2)(c)(i), after “parliamentary elector”, insert “or youth elector”.
- 12 Section 41 amended (Supply of information by Electoral Commission)**
- In section 41(1) and (2), after “parliamentary elector”, insert “or youth elector” in each place.
- 13 Section 44 amended (Application for registration as parliamentary elector)** 30
- (1) In the heading to section 44, after “elector”, insert “or youth elector”.
- (2) Replace section 44(2) with:
- (2) Any person to whom this subsection applies may make an application for registration or correction of registration as a parliamentary elector in the form approved by the Electoral Commission. 35

- (3) **Subsection (4)** applies to any person who claims to be qualified as a youth elector in respect of an address within the district of a territorial authority but whose name—
- (a) does not appear on the youth electoral roll for that district; or
 - (b) is incorrectly recorded on the youth electoral roll for that district; or
 - (c) is recorded on the youth electoral roll for that district with an incorrect address or occupation.
- (4) Any person to whom this subsection applies may apply for registration or correction of registration as a youth elector in the form approved by the Electoral Commission.
- 14 Section 61 amended (Candidate profile statements)**
In section 61(2)(ca), after “parliamentary elector”, insert “or youth elector”.
- 15 Section 68 amended (General rules affecting scrutineers)**
In section 68(3)(c), replace “18 years” with “16 years”.

Part 2

Amendments to other enactments

Subpart 1—Amendments to Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001

- 16 Principal Act**
This subpart amends the Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001.
- 17 Section 3 amended (Interpretation)**
In section 3, insert in their appropriate alphabetical order:
- ratepayer elector** means a person who is qualified as a ratepayer elector under section 24 of the Local Electoral Act 2001
 - residential elector** means a person who is qualified as a residential elector under section 23 of the Local Electoral Act 2001
 - youth elector** has the same meaning as in section 5(1) of the Local Electoral Act 2001
- 18 Section 10 replaced (Electors of Māori constituencies)**
Replace section 10 with:
- 10 Electors of Māori constituencies**
- (1) The electors of any Māori constituency created in accordance with this Part are, in the case of any triennial general election,—

- (a) those residential electors of the region entitled to vote at the election of the Council who—
 - (i) are registered as parliamentary electors or youth electors at addresses within the constituency; and
 - (ii) are registered as parliamentary electors or youth electors of a Māori electoral district under the Electoral Act 1993 or the Local Electoral Act 2001; and
 - (b) those ratepayer electors of the region entitled to vote at the election of the Council—
 - (i) whose entitlement as electors arises in respect of property in the constituency; and
 - (ii) who are registered as parliamentary electors or youth electors of a Māori electoral district under the Electoral Act 1993 or the Local Electoral Act 2001.
- (2) The electors of any Māori constituency created in accordance with this Part are, in the case of an election to fill an extraordinary vacancy,—
- (a) those residential electors of the region who, on the day before polling day at the election,—
 - (i) are registered as parliamentary electors or youth electors at addresses within the constituency; and
 - (ii) are registered as parliamentary electors or youth electors of a Māori electoral district under the Electoral Act 1993 or the Local Electoral Act 2001; and
 - (b) those persons who, on the day before polling day at the election, are ratepayer electors of the region—
 - (i) whose entitlement as electors arises in respect of property in the constituency; and
 - (ii) who are registered as parliamentary electors or youth electors of a Māori electoral district under the Electoral Act 1993 or the Local Electoral Act 2001.

19 Section 13 amended (Supply of information by Electoral Commission to Council)

In section 13(1), replace “an elector of a Māori electoral district” with “a parliamentary elector or youth elector of a Māori electoral district under the Electoral Act 1993 or the Local Electoral Act 2001”.

Subpart 2—Amendments to Christchurch District Drainage Act 1951

20 Principal Act

This subpart amends the Christchurch District Drainage Act 1951.

21 Section 2 amended (Interpretation)

In section 2, insert in their appropriate alphabetical order:

General electoral district has the meaning given to it by section 3(1) of the Electoral Act 1993

Māori electoral district has the meaning given to it by section 3(1) of the Electoral Act 1993 5

youth elector has the meaning given to it by section 5(1) of the Local Electoral Act 2001

22 Section 3 amended (District constituted)

In section 3(5), replace “Local Elections and Polls Act 1976” with “Local Electoral Act 2001”. 10

23 Section 8 amended (Election of representatives for subdistricts)

(1) Replace section 8(1) with:

(1) In each of the subdistricts of the district of the Board, the electors for the sub-district must elect a person or persons to be a member of the Board. 15

(1A) The number of persons to be elected is,—

- (a) for the City subdistrict, 9;
- (b) for the Waimairi subdistrict, 3;
- (c) for the Paparua subdistrict, 1;
- (d) for the Heathcote subdistrict, 1; 20
- (e) for the Riccarton Middleton subdistrict, 1.

(1B) A person may stand for election as a member of the Board in only 1 subdistrict.

(1C) A person is qualified to be elected a member of the Board if the person is—

- (a) a parliamentary elector or youth elector of a General electoral district or Māori electoral district, whether within or outside the district; and 25
- (b) not disqualified by section 8A.

(2) In section 8(2), replace “Notwithstanding the provisions of section 1, the Board shall have” with “Despite **subsections (1) and (1A)** the Board has”.

(3) In section 8(4), replace “Local Elections and Polls Act 1976” with “Local Electoral Act 2001”. 30

(4) In section 8(7), replace “section 118 of the Local Elections and Polls Act 1976” with “section 147 of the Local Electoral Act 2001”.

24 Section 8A amended (Disqualification from election or appointment)

Replace section 8A(a) with:

- (a) any person who is not a New Zealand citizen: 35

Subpart 3—Amendments to Electoral Act 1993

- 25 Principal Act**
This subpart amends the Electoral Act 1993.
- 26 Section 3 amended (Interpretation)** 5
In section 3(1), insert in their appropriate alphabetical order:
youth elector has the same meaning as in section 5(1) of the Local Electoral Act 2001
youth electoral roll has the same meaning as in section 5(1) of the Local Electoral Act 2001
- 27 Section 5 amended (Functions)** 10
After section 5(a), insert:
(aa) carry the provisions of **Part 1B** of the Local Electoral Act 2001 into effect:
- 28 Section 60 amended (Who may vote)**
(1) In section 60(c), replace “an elector of the district or,” with “an elector (or youth elector) of the district or,” 15
(2) In section 60(d)(ii), replace “registration as an elector” with “registration as an elector (or youth elector)”.
- 29 Section 77 amended (Exercise of Māori option)**
Repeal section 77(1) and the heading above section 77(1). 20
- 30 Section 82 amended (Compulsory registration of electors)**
Repeal section 82(2).
- 31 New section 82A inserted (Person registered as youth elector who turns 18 years registered as elector under this Act without application being made)**
After section 82, insert: 25
- 82A Person registered as youth elector who turns 18 years registered as elector under this Act without application being made**
When under **section 19ZZG(i)** of the Local Electoral Act 2001 the Electoral Commission removes from the youth electoral roll for an electoral district the name of a person who has attained the age of 18 years, the Electoral Commission must, without the person needing to make an application under section 83, register the person as an elector under this Act by entering the person’s name on the electoral roll for the same electoral district. 30

- 32 Section 89A amended (Notice of registration)**
In section 89A, insert as subsection (2):
- (2) However, in the case of a person who is registered as an elector under **section 82A** without making an application, a notice of registration may be given in any form and in any manner the Electoral Commission decides. 5
- 33 Section 89D amended (Inquiry to be made to update electoral rolls)**
In section 89D(7)(a), replace “an elector accepted” with “a youth elector accepted”.
- 34 Section 92 amended (Notification of death of registered elector)**
In section 92(1), replace “17 years” with “18 years”. 10
- 35 Section 93 amended (Notification of marriages and civil unions)**
Repeal section 93(3)(b).
- 36 Section 109 amended (Dormant roll)**
After section 109(2)(d), insert:
- (e) if the person’s name was transferred to the dormant roll from the dormant youth electoral roll under **section 19ZZF(3)** of the Local Electoral Act 2001, the expiry of 3 years beginning with the date on which the person’s name was included in the dormant youth electoral roll. 15
- 37 Section 263B amended (Disclosure of personal information for enrolment purposes)** 20
In section 263B(2), replace “17 years” with “18 years”.
- Subpart 4—Amendments to Gore District Council (Otama Rural Water Supply) Act 2019
- 38 Principal Act**
This subpart amends the Gore District Council (Otama Rural Water Supply) Act 2019. 25
- 39 Section 4 amended (Interpretation)**
In section 4, insert in its appropriate alphabetical order:
- youth elector** has the same meaning as in section 5(1) of the Local Electoral Act 2001 30
- 40 Section 7 amended (Eligibility to vote in referendum)**
In section 7(a), after “parliamentary elector”, insert “or youth elector”.

Subpart 5—Amendments to Greytown District Trust Lands Act 1979

- 41 Principal Act**
This subpart amends the Greytown District Trust Lands Act 1979.
- 42 Section 2 amended (Interpretation)**
In section 2, insert in their appropriate alphabetical order: 5
General electoral district has the meaning given to it by section 3(1) of the Electoral Act 1993
Māori electoral district has the meaning given to it by section 3(1) of the Electoral Act 1993
youth elector has the meaning given to it by section 5(1) of the Local Electoral Act 2001 10
- 43 Section 4A replaced (Qualifications of members)**
Replace section 4A with:
- 4A Qualifications of members**
A person is qualified to be elected or appointed as a member of the Trust Board if the person is— 15
(a) a parliamentary elector or youth elector of a General electoral district or Māori electoral district, whether within or outside the district; and
(b) not disqualified by section 8.
- 44 Section 5 amended (Elections of members)** 20
(1) Replace section 5(4) with:
(4) The roll of electors for elections under this Act (the **electoral roll**) is the residential electoral roll of the South Wairarapa District.
(2) In section 5(5), replace “electoral roll for the South Wairarapa District” with “electoral roll”. 25
- 45 Section 8 amended (Disqualification from election or appointment)**
Replace section 8(a) with:
(a) any person who is not a New Zealand citizen:

Subpart 6—Amendments to Juries Act 1981

- 46 Principal Act** 30
This subpart amends the Juries Act 1981.
- 47 Section 6 amended (Qualification and liability)**
In section 6, replace “an elector” with “a parliamentary elector”.

48 Section 9 amended (Preparation of jury lists)

Replace section 9(3) with:

- (3) The Electoral Commission must, for each jury district, prepare a jury list containing a random selection of the names of people who, according to the electoral roll (as defined in section 3(1) of the Electoral Act 1993),—
- (a) reside in the jury district; and
 - (b) are registered as parliamentary electors.

5

Subpart 7—Amendment to Land Drainage Act 1908

49 Principal Act

This subpart amends the Land Drainage Act 1908.

10

50 Section 9 amended (Qualifications of electors and Trustees)

In section 9(1), delete “, if of or over the age of 18 years,”.

Subpart 8—Amendments to Local Government Act 2002

51 Principal Act

This subpart amends the Local Government Act 2002.

15

52 Section 132 amended (Eligibility to vote in referendum)

- (1) In section 132(a), after “parliamentary elector”, insert “or youth elector”.
- (2) In section 132, insert as subsection (2):
- (2) In this section, **youth elector** has the same meaning as in section 5(1) of the Local Electoral Act 2001.

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Subpart 9—Amendments to Masterton Trust Lands Act 2003

53 Principal Act

This subpart amends the Masterton Trust Lands Act 2003.

54 Section 4 amended (Interpretation)

In section 4, insert in their appropriate alphabetical order:

25

General electoral district has the meaning given to it by section 5(1) of the Local Electoral Act 2001

Māori electoral district has the meaning given to it by section 5(1) of the Local Electoral Act 2001

residential elector means a person who is qualified as a residential elector under section 23 of the Local Electoral Act 2001

30

youth elector has the meaning given to it by section 5(1) of the Local Electoral Act 2001

55 Section 24 replaced (Qualifications of members)

Replace section 24 with:

24 Qualifications of members

A person is qualified to be elected or appointed as a member of the Trust if the person is—

- (a) a New Zealand citizen; and
- (b) a parliamentary elector or youth elector of a General electoral district or Māori electoral district, whether within or outside the Trust district.

5

Subpart 10—Amendment to River Boards Act 1908

56 Principal Act

This subpart amends the River Boards Act 1908.

10

57 Section 30 amended (Who are ratepayers)

In section 30, replace “18 years” with “16 years”.

Subpart 11—Amendments to Sale and Supply of Alcohol Act 2012

58 Principal Act

This subpart amends the Sale and Supply of Alcohol Act 2012.

15

59 Section 5 amended (Interpretation)

In section 5(1), replace the definition of **elector** with:

elector means any person who is—

- (a) of or over the age of 18 years; and
- (b) entitled to vote at an election held under the Local Electoral Act 2001

20

60 Section 301 amended (When Minister must recommend establishment of licensing trust)

In section 301, after “residential electors of the area”, insert “who are of or over the age of 18 years”.

25

61 Section 312 amended (Who is qualified to vote in election of members of licensing trust)

(1) Replace section 312(1) with:

(1) Subject to subsection (2), a person is qualified to vote in the election of members of a licensing trust if that person—

- (a) is of or over the age of 18 years; and
- (b) is qualified as a residential elector of a territorial authority in whose district the trust is situated; and

30

- (c) resides in the trust district.
- (2) In section 312(2), after “within that ward”, insert “and who is of or over the age of 18 years”.
- 62 Section 314 amended (Electoral roll)**
- Replace section 314(2) with: 5
- (2) The electoral officer of a territorial authority whose district contains or overlaps a trust district must indicate on the electoral roll for the residential electors of that territorial authority—
- (a) the names of the persons who are of or over the age of 18 years and qualified to vote at elections of members of the licensing trust; and 10
- (b) if the trust district is divided into wards, for each person who is of or over the age of 18 years and qualified to vote at elections of members of the licensing trust, the ward in which that person is qualified to vote.
- 63 Section 322 amended (Disqualification from election or appointment as member of licensing trust)** 15
- Before section 322(1)(a), insert:
- (aaa) is under the age of 18 years:
- 64 Section 349 amended (Poll may be held on competition proposal)**
- (1) In section 349(1), after “trust district”, insert “who are of or over the age of 18 years”. 20
- (2) In section 349(3)(b), after “trust district”, insert “who are of or over the age of 18 years”.
- 65 Section 371 amended (Who is qualified to vote in election of trustees of community trust)**
- (1) Replace section 371(1) with: 25
- (1) A person is qualified to vote in the election of the trustees of a community trust if that person—
- (a) is of or over the age of 18 years; and
- (b) is qualified as a residential elector of a territorial authority in whose district the trust is situated; and 30
- (c) resides in the trust district.
- (2) In section 371(2), after “within that ward”, insert “and who is of or over the age of 18 years”.
- 66 Section 373 amended (Electoral roll for election of trustees)**
- Replace section 373(2) with: 35

- (2) The electoral officer of a territorial authority whose district contains or overlaps a trust region must indicate on the electoral roll for residential electors of that territorial authority—
- (a) the names of the persons who are of or over the age of 18 years and qualified to vote at elections of the trustees of the community trust; and 5
 - (b) if the trust region is divided into wards, for each person who is of or over the age of 18 years and qualified to vote at elections of trustees of the community trust, the ward in which that person is qualified to vote.
- 67 Section 376 amended (Disqualification from election or appointment as trustee)** 10
- Before section 376(a), insert:
- (aaa) is under the age of 18 years; or
- Subpart 12—Amendments to Soil Conservation and Rivers Control Act 1941
- 68 Principal Act** 15
- This subpart amends the Soil Conservation and Rivers Control Act 1941.
- 69 Section 5 amended (Interpretation)**
- In section 5(1), insert in its appropriate alphabetical order:
- youth elector** has the same meaning as in section 5(1) of the Local Electoral Act 2001 20
- 70 Section 53 replaced (Qualification of members)**
- Replace section 53 with:
- 53 Qualification of members**
- (1) A person is qualified to be elected or appointed as a member of a Board if the person is— 25
 - (a) a New Zealand citizen; and
 - (b) a parliamentary elector or youth elector; and
 - (c) not disqualified by section 54(b) or (c).
 - (2) A person may stand for election as a member of a Board of a combined district in only 1 constituent district. 30

Subpart 13—Amendments to South Taranaki District Council (Cold
Creek Rural Water Supply) Act 2014

71 Principal Act

This subpart amends the South Taranaki District Council (Cold Creek Rural Water Supply) Act 2014.

5

72 Section 4 amended (Interpretation)

In section 4, insert in its appropriate alphabetical order:

youth elector has the same meaning as in section 5(1) of the Local Electoral Act 2001

73 Section 7 amended (Eligibility to vote in referendum)

10

In section 7(a), after “parliamentary elector”, insert “or youth elector”.

Subpart 14—Amendments to Local Electoral Regulations 2001

74 Principal regulations

This subpart amends the Local Electoral Regulations 2001.

75 Regulation 11 amended (What electoral roll must include)

15

(1) In regulation 11(2)(b)(ii), after “parliamentary elector”, insert “or youth elector”.

(2) After regulation 11(2), insert:

(2AAA) The electoral roll must identify an elector who is a youth elector in a manner that—

20

(a) the electoral officer thinks fit; and

(b) is visible or accessible only to an electoral officer or electoral official who is carrying out the duties or exercising the powers conferred on them by or under this Act.

(3) In regulation 11(2A), replace “subclause (2)(a)(iii)” with “subclauses (2)(a)(iii) and (2AAA)”.

25

76 Regulation 15 amended (Public notice of procedures for enrolment as ratepayer on electoral roll)

In regulation 15(a) and (b), after “parliamentary elector”, insert “or youth elector”.

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77 Regulation 17 amended (Ratepayer enrolment confirmation form)

In regulation 17(1)(a)(iii), after “roll”, insert “or youth electoral roll”.

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- 78 Regulation 18 amended (Nominations for ratepayer electors)**
In regulation 18(3), after “parliamentary elector”, insert “or youth elector”.
- 79 Regulation 38 amended (Special voting declaration by special voter)**
In regulation 38(4)(b), after “parliamentary elector”, insert “or youth elector”.
- 80 Regulation 43 amended (Duties of Registrars of Electors)** 5
In regulation 43(1)(a) and (c), after “parliamentary elector”, insert “or youth elector”.
- 81 Schedule 1 amended**
- (1) In Schedule 1, replace “parliamentary electors who” with “parliamentary electors and youth electors who”. 10
- (2) In Schedule 1, replace “parliamentary electors are” with “parliamentary electors or youth electors are”.
- (3) In Schedule 1, Section A and Section B, replace “[*as it appears on the parliamentary electoral roll*]” with “[*as it appears on the parliamentary electoral roll or youth electoral roll*]” in each place. 15
- (4) In Schedule 1, paragraph E3, first bullet point, replace “parliamentary elector” with “[*state whether a parliamentary elector or youth elector*]”.