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Electoral law links

(Electoral Commission, 2008)

This page lists and links to current laws and regulations relevant to parliamentary, local government, and electoral matters.

These laws and regulations sit online at New Zealand Legislation, which has a useful user guide.

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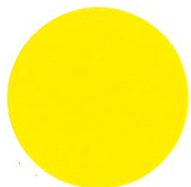
Please note that the descriptions given highlight the main areas covered by each source, with further detail available on the contents pages of each (and to which the links take you).

Links to administering agencies have been provided when the law or regulation is not the administrative responsibility of one of the central electoral agencies, and you should contact these other agencies with any follow-up questions or actions.

Parliamentary elections

- ✓ Broadcasting Act 1989 - Part 6 sets out the law covering election advertising on radio and television by parties and electorate candidates, the allocation of funds and time to political parties for this purpose by the Electoral Commission, and the requirements for broadcasters to supply returns of election advertising. It also makes the Broadcasting Standards Authority responsible for hearing complaints about election advertising (as well as its usual role in respect of other programming), and provides that all election related complaints may be made direct to it.
- ✓ Constitution Act 1986 - Part 3 establishes the House of Representatives, sets the maximum term of Parliament and the maximum time before Parliament must meet following an election. The Act establishes New Zealand's constitutional framework of the Head of State, the Executive, the Legislature, protects High Court judges from political interference. Inquiries about its administration should be made to the relevant institution(s).
- ✓ Electoral Act 1993 No 87 - Establishes the electoral agencies, electoral system, election processes

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(including for disputing results), means of replacing MPs between elections, registration processes for political parties and logos, enrolment and electoral roll requirements, and provides for the Māori Electoral option. See also:

- ✓ Electoral Main Rolls Closing Order 2008 (SR 2008/151)
- ✓ Electoral Regulations 1996 (SR 1996/93)
- ✓ Electoral (Advertisements of a Specified Kind) Regulations 2005 (SR 2005/147)
- ✓ Electoral (Iwi Organisation and Other Maori Organisation) Regulations 2005 (SR 2005/166)
- ✓ Electoral Referendum Act 1993 - Sets out the requirements of the binding referendum which saw MMP adopted as the electoral system.

Referendums

- ✓ Citizens Initiated Referenda Act 1993 - Sets out the requirements for approval of wording for a question to be put to referendum, the conduct of a petition calling for a non-binding referendum, and the mechanisms for holding a referendum where the criteria is met. The Act is administered by the Clerk of the House and the Ministry of Justice.
- ✓ Referenda (Postal Voting) Act 2000 - Sets out mechanisms for conducting a citizens or government initiated referendum by post.
- ✓ Electoral Referendum Act 2010 - Makes provision for an indicative referendum to be held in conjunction with the 2011 General Election on the preferred system of voting.

Local, district health board, and school elections

- ✓ Education Act 1989 – Part 9 establishes Boards of Trustees of State Schools and the framework for elections, for which detail is spelt out in Education (School Trustee Elections) Regulations 2000 (SR 2000/195). The Ministry of Education is the administering government department.
- ✓ Local Electoral Act 2001- Sets out the requirements for local elections and polls, including the Single Transferable Vote system used for District Health Board