

Legislative Statement: Electoral (Māori Electoral Option) Legislation Bill - Second Reading

Presented to the House of Representatives in accordance with Standing Order 272

Introduction

- 1 The Bill seeks to introduce a continuous option model for the Māori Electoral Option which gives Māori the choice of being on the general roll or the Māori roll for electoral purposes. The Bill is an omnibus Bill which seeks to amend the Electoral Act 1993, the Local Electoral Act 2001 and the Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001.

Background

- 2 The Māori Electoral Option is a four-month period that occurs every four to six years within which Māori voters can elect to exercise their option to move between general or Māori electoral rolls. The Option period is the only time when Māori voters can change their roll choice. The last Māori Electoral Option was in 2018 and the next one is due to be in 2024.
- 3 The Māori Electoral Option can create barriers to Māori participation in the electoral process by placing restrictions on the ability of Māori to change the electoral roll they are on to reflect their electoral preferences at the time of an election.

Provisions of the Electoral (Māori Electoral Option) Legislation Bill

- 4 The main changes proposed in the Bill are as follows:
 - Amendments to the Electoral Act to replace the current four-month option period for the Māori Electoral Option with a continuous option model. Under the new section 77, the Māori option is able to be exercised at any time and without restriction as to the number of times it may be exercised, subject to an exception immediately prior to a by-election.
 - Replacing the current approach in the Electoral Act of counting the Māori electoral population numbers as at the end of the four-month option period with counting the population figures as at the day of the census, except if the census and the general election are in the same year, in which case 1 April in the following year applies.
- 5 Additional changes proposed in the Bill are:
 - Amendments to the Local Electoral Act so as to replace the current approach of counting the Māori electoral population numbers for the purposes of that Act in the same way as under the Electoral Act, with counting the population figures as at the day of the census without an exception.
 - Amendments to the Bay of Plenty Regional Council (Maori Constituency Empowering) Act to align with the changes to the Local Electoral Act for the purpose of consistency.
- 6 The Justice Committee has suggested some minor and technical changes to improve the implementation of the Bill.