

# **Bay of Plenty Regional Council (Maori Constituency Empowering) Bill**

Local Bill

## **Explanatory note**

### *Aim of Bill*

The purpose of the Bay of Plenty Regional Council (Maori Constituency Empowering) Bill is to allow the Bay of Plenty Regional Council to establish a Maori constituency for the election of councillors. Under the provisions of the Bill, the number of eligible voters enrolled on the Maori roll will be used to determine the proportionate number of Maori seats as compared to the number of non-Maori or general seats on the Bay of Plenty Regional Council.

### *Clause by clause analysis*

*Clause 1* relates to the title of the Bill.

*Clause 2* relates to the commencement of the Bill. The Bill will commence on the day on which it receives the Royal assent.

*Clause 3* comprises the interpretation provisions.

*Clause 4* provides that the Bill is to be read in conjunction with the Local Government Act 1974 and the Local Elections and Polls Act 1976.

*Clause 5* extends the criteria for membership of the Bay of Plenty Regional Council to include Maori electoral districts.

*Clause 6* defines the provisions for determining Maori electoral districts.

*Clause 7* defines the eligibility criteria for persons to be able to vote on the Maori roll for Bay of Plenty Regional council elections.

*Clause 8* relates to the provisions for compiling the Maori residential electoral roll for the Bay of Plenty Regional Council.

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*Mita Ririnui*

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**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Bay of Plenty Regional Council (Maori Constituency Empowering) Act **2000**.
- 2 Commencement** 5  
This Act comes into force on the day on which it receives the Royal assent.
- 3 Interpretation**  
In this Act, unless the context otherwise requires,—  
**constituency** has the same meaning as in section 2(1) of the Local Government Act 1974 10  
**Council** means the Bay of Plenty Regional Council  
**Maori electoral district** means an electoral district determined under **section 6**  
**meshblock** means statistical meshblock 15  
**region** means the Bay of Plenty Region comprising the area delineated on SO Plan 58080 deposited under the Local Government Act 1974 and the Local Elections and Polls Act 1976.

- 4 Act to be read with Local Government Act 1974 and Local Elections and Polls Acts 1976**  
This Act is to be read in conjunction with the Local Government Act 1974 and the Local Elections and Polls Act 1976.
- 5 Membership of Council** 5
- (1) Despite anything in sections 101H to 101M of the Local Government Act 1974, the region must be divided into constituencies with membership in accordance with this section.
- (2) The constituencies of the region are— 10
- (a) those general electoral districts being the constituencies specified in clause 11 of the Government (Bay of Plenty Region) Reorganisation Order 1989; and
- (b) 1 or more Maori electoral districts to be determined in accordance with **section 6**.
- (3) Sections 101H to 101M of the Local Government Act 1974 apply in respect of the region with such modifications as may be necessary to give effect to this Act. 15
- 6 Determination of Maori electoral districts**
- (1) The Maori electoral districts must be determined no later than 31 August in the year immediately preceding the year in which the triennial general election is to be held. 20
- (2) The number of Maori electoral districts must be ascertained by dividing the number of voters in the region enrolled on the Maori electoral roll for parliamentary purposes, by the total number of voters in the region enrolled on all electoral rolls for parliamentary purposes, and multiplying the quotient by the number of members of the Council. 25
- (3) Where the number of Maori electoral districts calculated according to **subsection (2)** includes a fraction, the fraction must be disregarded unless it exceeds a half. If the fraction exceeds a half, the number of Maori electoral districts must be the next whole number above the number that includes the fraction. 30
- (4) The boundaries of each Maori electoral district, if more than 1, must be determined having regard to— 35
- (i) the need for the number of voters in each such district to be similar; and
- (ii) the boundaries of any existing Maori electoral districts; and

- (iii) communities of interest and tribal affinities.

**7 Qualification for Maori residential electoral roll**

Every person who is enrolled on the Maori Electoral roll for parliamentary purposes under sections 45 and 76 to 79 of the Electoral Act 1993 must be enrolled as an elector of the Maori constituency in which the address at which that person is registered as a parliamentary elector is situated. 5

**8 Maori residential electoral roll**

- (1) The Maori residential electoral roll must comprise the names and addresses, arranged in alphabetical order of their surnames, of every person who, as at 14 July of the year in which a triennial general election of members of the Council is to be held, is qualified as an elector of the local authority under **section 6**. 10
- (2) For the purposes of compiling the Maori residential electoral roll, the principal administrative officer must— 15
- (a) obtain from the Registrar of Electors, under section 113 of the Electoral Act 1993, a computer-compiled list or computer tape containing the information specified in that section in respect of electors appearing to reside within the Region; and 20
- (b) use that list or tape to compile the Maori residential electoral roll.
- (3) The Maori residential electoral role must also contain the following information: 25
- (a) the occupations and postal addresses of electors; and
- (b) the statistical meshblock areas of the residences of electors; and
- (c) such other information as has been supplied by the Chief Registrar under section 113 of the Electoral Act 1993 in respect of electors. 30