

Electoral Amendment Bill – FAQs

What does the Electoral Amendment Bill do?

The Bill implements those recommendations of the Justice and Electoral Committee's Inquiry into the 2011 General Election that require legislation and can realistically be put in place in time for the 2014 General Election.

Why was the Inquiry carried out? Was there a problem with the last election?

After each general election the Justice and Electoral Committee (the Committee) conducts, as a matter of routine, an inquiry into the election. The Government of the day then responds to the recommendations of the inquiry.

What changes does the Bill introduce?

The Bill introduces changes to:

- **Improve services to voters, candidates and parties** – e.g. the Bill allows for greater use of EasyVote cards to simplify and improve the accuracy of issuing and recording votes. This will simplify and speed up vote issuing and reduce special votes. This will also improve the accuracy and efficiency of the scrutiny of the rolls.
- **Improve efficiency by allowing greater use of technology** – e.g. the Bill provides for full online enrolment using Electronic Identity Verification. This will allow new and existing electors to enrol or update their details online using the RealMe service (the Government's Electronic Identity Verification Service). Paper based methods of enrolment will continue to be available; and
- **Improve the integrity of elections through simplifying and clarifying the law** – e.g. the Bill clarifies that the High Court can direct the Electoral Commission to recalculate and amend the allocation of list seats if there is a successful electorate election petition.
- The Bill makes some other minor changes to clarify current provisions and correct minor incorrect references in the Act. Some of these reflect recent minor changes to the Local Electoral Act 2001.

What are the seven Committee recommendations that do not require law changes?

- Providing funding, as fiscal conditions permit, to continue developing the Long Term Strategy for Voting Technology.
- Asking the Electoral Commission to report on the implications of the increasing trend towards advance voting.
- Requesting the Electoral Commission to liaise with the Ministry of Education on the feasibility, including resourcing implications, of incorporating ongoing comprehensive civics education into the New Zealand school curriculum.

- Supporting the Electoral Commission to expand the public civics education programmes, resources permitting.
- Ensuring that future public information campaigns about electoral matters provide sufficient detail and are accessible to all voters.
- Examining the merits of a standalone postal vote versus a referendum in conjunction with the general election when making decisions about future public referenda.
- Continuing to regularly update and cull the dormant roll as appropriate.

Does the Bill provide for e-voting?

No. The changes in the Bill will allow for full online enrolment, not voting. While the Committee's report discusses the future benefits (and risks) of e-voting, implementing e-voting is still some way off. The Electoral Commission will investigate e-voting as priorities allow.

Once implemented, new and existing electors will be able to enrol or update their details fully online using RealMe (the Government's Electronic Identity Verification Service).

What are the new provisions about disclosure of party loans?

The Bill creates new disclosure rules for party loans that reflect current rules for disclosure of party donation.

Currently, while donations to parties are disclosed, there is limited disclosure of loans made to fund political parties.

The new provisions mean:

- parties will have to disclose details of every loan exceeding \$15,000 as part of an annual return;
- parties will have to disclose details of every loan exceeding \$30,000 within 10 working days of the loan being entered into; and
- it will be an offence for a person to enter into an agreement or arrangement with any other person with the intention of circumventing these requirements.

Regular commercial loans from banks will be excluded.

Does the Bill provide for online registration for political parties?

No. However the Minister of Justice has asked officials to look into this matter further.

The Government recognises that technology can improve the administration of elections and electoral processes. However, it is critical that the security and integrity of new electronic systems are tested and established.

Does the Bill introduce any electronic initiatives?

The Bill introduces several new electronic initiatives for the next election including:

- full online voter enrolment using RealMe, (the Government's Electronic Identity Verification Service);
- political parties being able to email party lists and nomination forms; and
- political parties being able to pay the Electoral Commission through online banking.

Does the Bill impact on the Māori Electoral Option?

The Bill does not make any fundamental changes to the Māori Electoral Option. However it does allow for Māori to exercise the option online and modernises the wording of the Māori electoral option provisions.

The Māori Electoral Option closed in July and was separate to the Justice and Electoral Committee's inquiry and the Government's response to it. The Committee did not recommend any changes to the Māori Electoral Option.

However, the Māori Electoral Option and Māori representation are part of the Consideration of Constitutional Issues which is currently underway. The Constitutional Advisory Panel is engaging with the New Zealand public on our constitutional arrangements. Submissions closed on 31 July and the Panel will report back to Ministers by the end of this year.

Will the Bill impact on the review of electorate boundaries?

The Bill will not affect the review of electorate boundaries. This is a separate process undertaken by the Representation Commission that will commence later this year after the number of electorates is announced on 7 October 2013.

The Representation Commission will likely release proposed boundaries in late November for public consultation and issue its final report in mid April 2014.

Will any new services authorised by the Bill be in place for the 2014 General Election?

The Bill allows for two new services that will improve services for voters – full online enrolment and expanding the use of EasyVote cards when voting.

Both of these new services still require development and testing. While it is hoped these will both be ready for the 2014 General Election, the Commission will not implement any new services unless it is satisfied the integrity of the electoral system will be maintained.

Does the Bill make any changes regarding electoral integrity legislation ('party-hopping')?

No. The Bill does not contain any electoral integrity provisions. Electoral integrity was not included in the Justice and Electoral Committee's Terms of Reference and the Committee did not make any recommendations about this.

However, this issue is included in the Terms of Reference of the Consideration of Constitutional Issues which is currently underway.

Is there scope for parties to introduce amendments to make changes to MMP?

It is unlikely that changes to MMP would be in scope of the Bill. The scope is narrowly focussed on minor matters for which there is agreed consensus or majority support.

Is the Government concerned about voter turnout?

The Government will be encouraging the Electoral Commission to continue its public education programmes and also to work with the Ministry of Education on improving its excellent education programmes for schools.