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THE ELECTORAL REGULATIONS 1993, AMENDMENT NO. 1

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of August 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Electoral Act 1956, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Electoral Regulations 1993, Amendment No. 1, and shall be read together with and deemed part of the Electoral Regulations 1993* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Inquiry about qualification for late enrolment—The principal regulations are hereby amended by inserting, after regulation 11, the following regulation:

“11A. (1) Where any person makes an application for registration as an elector after writ day but before polling day in respect of any election (not being an application that, by virtue of section 50 (2) of the Act, is deemed

*S.R. 1993/142

to be received on or before writ day), subsections (2) to (4) of this regulation shall apply in respect of that application.

"(2) The Registrar of Electors shall, subject to subclause (3) of this regulation, send form 13A to the person making the application.

"(3) It shall not be necessary to send form 13A to the person making the application if that person's date of birth (as shown on the application for registration) indicates that that person attained the age of 18 years not earlier than one month before writ day.

"(4) If the Registrar of Electors is satisfied—

"(a) That the person making the application—

"(i) Attained the age of 18 years after the 32nd day before writ day; and

"(ii) Is eligible for registration pursuant to section 50 of the Act; or

"(b) Upon the return by the person making the application of the reply that forms part of form 13A and after such other inquiries as the Registrar of Electors thinks fit, that that person is eligible for registration pursuant to section 50 of the Act,—

the Registrar of Electors shall enter the name of that person on the roll and send form 3 to that person."

3. Production of copies of special votes—Regulation 57 (2) (g) of the principal regulations is hereby amended by omitting the words "both consecutive numbers", and substituting the words "the consecutive number".

4. Voting by blind electors—Regulation 62 (12) of the principal regulations is hereby amended by omitting the expression "regulation 15", and substituting the expression "regulation 20".

5. New form 13A—The First Schedule to the principal regulations is hereby amended by inserting, after form 13, the form 13A set out in the Schedule to these regulations.

6. Declaration by resident or former resident of Campbell Island or Raoul Island—Form 18 in the First Schedule to the principal regulations is hereby amended by omitting from the third entry under the heading "**Qualification of Witness**" the word "declaration", and substituting the word "declaration".

7. Declaration by serviceman applying to vote as special voter—Form 19 in the First Schedule to the principal regulations is hereby amended by omitting from the third entry under the heading "**Qualification of Witness**" the word "declaration", and substituting the word "declaration".

SCHEDULE

Reg. 5

NEW FORM 13A INSERTED IN FIRST SCHEDULE TO PRINCIPAL REGULATIONS
Form 13A

Reg. 11A

*Parliamentary Electors:**Inquiry about Qualification for Late Enrolment*

Dear Applicant

I received your application for registration as an elector AFTER the time set by law for the closing of the rolls.

Except where the law allows late registration, the rolls are now closed.

The law allows late registration only if you qualify for registration as an elector of the district AFTER (Note 1). The attached reply shows the cases in which you can qualify for late registration. If any one of these applies to you, please complete the statement by filling in the correct date. The reply must also be signed and dated.

If I am satisfied on the return of the enclosed form that you are entitled to register late, I shall send you written confirmation of your registration as a Parliamentary elector. As your name will not appear on the printed roll, you should show the written confirmation when you attend to vote. If you have not received your confirmation by polling day, you may still cast a special vote.

I must receive your reply not later than (Note 2) to determine whether you are entitled to register late.

Yours faithfully,

Registrar of Electors.

[The attached reply shall be in the following form]

To the Registrar of Electors

From *[Full Name]*of *[Present residential address]*

I believe I am entitled to register late for the reason I have stated below.

● *RECENT CHANGE OF ADDRESS*

I moved to my present residential address on / / .

Late registration is allowed if you moved after (Note 3).

● *RECENT RETURN FROM OVERSEAS**New Zealand Citizens*

I returned to New Zealand on / / following an absence of at least 3 years. The address in respect of which I was qualified to be registered

SCHEDULE—continued

Form 13A—continued

at the time of my departure from New Zealand is [Insert full residential address].

Late registration is allowed if you returned to New Zealand after (Note 1).

Permanent Residents

I returned to New Zealand on / / following an absence of at least 12 months. The address in respect of which I was qualified to be registered at the time of my departure from New Zealand is [Insert full residential address].

Late registration is allowed if you returned to New Zealand after (Note 1).

● NEW RESIDENTS

I have resided continuously in New Zealand for a period of not less than one year.

That period of continuous residence began on / / .

I became a New Zealand citizen or permanent resident on / / .

Late registration is allowed if—

- (a) Your period of continuous residence in New Zealand began on or before (Note 4) but you became a New Zealand citizen or permanent resident after (Note 1); or
- (b) You became a permanent resident on or before (Note 1) but your period of continuous residence in New Zealand began in the period beginning with (The day after the date specified in Note 4) and ending with the close of (Note 5); or
- (c) Your period of continuous residence in New Zealand began in the period beginning with (The day after the date specified in Note 4) and ending with the close of (Note 5) and you became a permanent resident after (Note 1).

● OTHER REASONS

I was not previously qualified to be registered because of my detention in an institution from which I was released or discharged on / / .

Late registration is allowed if you were released or discharged after (Note 1).

My name was removed from a Corrupt Practices List maintained under the Electoral Act 1956 on / / .

Late registration is allowed if your name was removed from a Corrupt Practices List after (Note 1).

.....
Signature

/ /
date

SCHEDULE—*continued*Form 13A—*continued*

NOTES

1. Insert date fixed by reference to section 50 (3) of the Electoral Act 1956. Under section 50 (3) of that Act late enrolment is permitted if the applicant becomes qualified for registration after the 32nd day before writ day. Accordingly if, for example, 14 November 19 were writ day, the day to be inserted here would be 13 October 19 .
2. Insert the date of the ninth day after polling day.
3. Here insert the date that is one month before the date inserted under Note 1. Accordingly if, for example, that date were 13 October 19 , the date to be inserted here would be 13 September 19 .
4. Here insert the date that is 1 year before the date inserted under Note 1. Accordingly if, for example, that date were 13 October 1993, the date to be inserted here would be 13 October 1992.
5. Here insert the date that is 1 year before the day before polling day. Accordingly, if the day before polling day were 19 November 1993, the date to be inserted here would be 19 November 1992.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Electoral Regulations 1993.

The only significant amendments are the amendments that are consequential on the passing of the Electoral Amendment Act 1993.

Those amendments, which relate to applications for late enrolment under section 50 (3) of the Electoral Act 1956, insert into the Electoral Regulations 1993 a new regulation 11A (which is based on regulation 10 of the Electoral Regulations 1987) and a new form 13A (which is based on form 12 in the First Schedule to the Electoral Regulations 1987).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 2 September 1993.
These regulations are administered in the Department of Justice.

