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THE CITIZENS INITIATED REFERENDA REGULATIONS 1995

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 24th day of October 1995

Present:

THE HON. D. A. M. GRAHAM PRESIDING IN COUNCIL

PURSUANT to section 58 of the Citizens Initiated Referenda Act 1993, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

- 1. Title and commencement
- 2. Interpretation
- 3. Voting paper
- 4. Electoral rolls
- 5. Special voting

- 6. Declaration by polling officer or scrutineer
- 7. Information in relation to indicative referendum Schedule

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Citizens Initiated Referenda Regulations 1995.

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

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2. Interpretation—In these regulations, unless the context otherwise requires, “polling day”, in relation to any indicative referendum, means the day appointed in the writ for the indicative referendum issued pursuant to section 26 of the Citizens Initiated Referenda Act 1993 as the day on which the indicative referendum is to be held.

3. Voting paper—Every voting paper issued for an indicative referendum shall be in form 1 in the Schedule to these regulations.

4. Electoral rolls—Section 27 (1) of the Citizens Initiated Referenda Act 1993, shall, in relation to any indicative referenda held before the first general election has been held under the Electoral Act 1993, apply as if the lists compiled pursuant to section 101 (1) of the Electoral Act 1993, and not the electoral rolls for the time being in force under the Electoral Act 1993, were deemed to be the rolls of electors for the purposes of those indicative referenda.

5. Special voting—Regulation 16 of the Electoral Regulations 1993 shall, for the purposes of any indicative referendum, have effect as if, for subclauses (1) and (2), there were substituted the following subclauses:

“(1) Voting papers may be issued to special voters at any time in the period beginning with the 19th day before polling day and ending with the close of the poll by any Returning Officer or person authorised by the Returning Officer.

“(2) The Returning Officer for any district—

“(a) Shall throughout the period beginning with the 19th day before polling day and ending with the close of the day before polling day, maintain within the district at least one office at which voting papers may, on such days and at such times as the Returning Officer decides, be issued to special voters; and

“(b) May maintain outside the district, at any time in the period beginning with the 19th day before polling day and ending with the close of the day before polling day, one or more offices at which voting papers may, on such days and at such times as the Returning Officer decides, be issued to special voters.”

6. Declaration by polling officer or scrutineer—In relation to an indicative referendum, a declaration in form 2 in the Schedule to these regulations shall be used instead of a declaration in form 1 in the Second Schedule to the Electoral Act 1993.

7. Information in relation to indicative referendum—(1) The Chief Electoral Officer shall print and forward to each Returning Officer before polling day such information sheets and other material as the Chief Electoral Officer considers appropriate about—

(a) The precise question to be put to voters in the indicative referendum; and

(b) The method of voting at the indicative referendum on the question referred to in paragraph (a) of this subclause; and

(c) The non-binding character of the indicative referendum.

(2) The information sheets and other material forwarded under subclause (1) of this regulation shall be forwarded to each Returning Officer in such quantities as to enable every elector who wishes to do so to inspect those information sheets and that material before casting a vote.

(3) Nothing in subclause (1) of this regulation limits the power of the Chief Electoral Officer to print, publish, advertise, distribute, or exhibit

such information sheets and other material about the indicative referendum as the Chief Electoral Officer considers appropriate.

SCHEDULE
FORMS
Form 1

Reg. 3

VOTING PAPER FOR INDICATIVE REFERENDUM

.....
[Consecutive Number]

..... Electoral District


Directions

(Read carefully before voting)

1. Vote by putting a tick in the circle immediately after the answer you choose.
2. After voting, fold the voting paper so that its contents cannot be seen and place it in the ballot box.
3. If you spoil this voting paper, return it to the officer who issued it and apply for another.
4. You must not take this voting paper out of the polling booth.



Vote for only one answer



Vote Here

Question

[Set out the question]

YES	<input type="radio"/>
NO	<input type="radio"/>

Reg. 6

Form 2

DECLARATION BY POLLING OFFICER OR SCRUTINEER IN RELATION TO INDICATIVE REFERENDUM

I, A. B., [Insert place of abode and description], solemnly and sincerely declare that I will at the indicative referendum well and truly serve in the office of—

- Returning Officer
- Deputy Returning Officer
- Poll Clerk
- Usher
- Interpreter
- Electoral Official

Tick as appropriate

*Delete whichever does not apply

- Scrutineer for electors who are in favour of a Yes*/No* answer to the following question:

.....


.....

.....

.....

Insert question here

- Justice of the Peace at the official count

Declared at 

this day of 19 *Signature*

before me

Tick as appropriate

- Justice of the Peace
- Solicitor
- Returning Officer
- Deputy Returning Officer

NOTE: Declarations by Returning Officers must be made before a Justice of the Peace or a Solicitor.

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 prescribe requirements and forms in relation to indicative referenda held under the Citizens Initiated Referenda Act 1993.

Regulation 2 defines the term "polling day" in relation to an indicative referendum.

Regulation 3 prescribes the form of the voting paper.

Regulation 4 provides that, in relation to any indicative referenda held before the first general election has been held under the Electoral Act 1993, the lists compiled pursuant to section 101 (1) of the Electoral Act 1993, and not the electoral rolls for the time being in force under the Electoral Act 1993, are to be deemed to be the rolls of electors for the purposes of those referenda.

Regulation 5 modifies, in relation to special voting at an indicative referendum, provisions of the Electoral Regulations 1993.

Regulation 6 prescribes the form of declaration to be made by a polling officer or scrutineer in relation to an indicative referendum.

Regulation 7 requires the Chief Electoral Officer to print and forward to each Returning Officer before polling day information sheets and other material relating to the indicative referendum.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 26 October 1993.

These regulations are administered in the Ministry of Justice.

