

Outcome of Auckland Council's submissions to the Justice Select Committee's Inquiry into the 2016 Local Elections

Auckland Council submission to Inquiry into the 2016 Local Elections	Committee's recommendation to Parliament
<p>Matai names</p> <p>Amend the Local Electoral Act 2001 to include in section 56, for the purposes of avoiding doubt, a statement on whether a matai title is, or is not, a prohibited title under section 56 (c)(iii).</p>	(Not addressed.)
<p>Vacancies occurring within six months of an election</p> <p>Amend the Local Electoral Act 2001 by including a provision in section 117 "Extraordinary vacancies" to the effect that, if a vacancy occurs in the office of an elected member of a local authority, local board or community board within six months of a triennial election, the local authority responsible for conducting a by-election may fill that vacancy either by appointing the highest-polling unsuccessful candidate, providing the votes received by that candidate were at least 20% of the lowest polling successful candidate, or by holding a by-election. This provision would not apply to the position of mayor.</p>	<p>We recommend that the Government introduce legislation to require that, when a nonmayoral vacancy occurs within 12 months after a triennial local body election, the position be filled by the next highest polling candidate (or STV equivalent) at that election.</p>
<p>Online voting</p> <p>The Auckland Council submission included recommendations for online voting. These were separately addressed by the Justice Select Committee through the Local Electoral Matters Bill which amended the Local Electoral Act 2001</p>	(Included in Local Electoral Matters Bill which has now been enacted, however the committee has reported further on security concerns relating to elections.)
<p>Legal requirement for candidate to state whether residing in area</p> <p>Amend the requirement in section 61 of the Local Electoral Act 2001 for a residency statement so that, for a local board candidate, it applies only to whether the candidate's principal place of residence is in the full local board area and not the subdivision area. The existing requirement in regard to governing body candidates is retained.</p>	(Not addressed)
<p>Timing of school holidays</p> <p>Amend section 10 of the Local Electoral Act 2001 so that local government triennial elections are held on the first Saturday in October.</p>	<p>We recommend that the Government shift the local election polling day to avoid the school holidays.</p>
<p>Separation of District Health Board elections</p> <p>Note the confusion created for voters by the current system which combines local authority, district health board and licensing trust elections and that online voting has the potential to make the voting process more friendly to voters by being better able to guide voters through the process.</p>	<p>Committee report states:</p> <p><i>"There are advantages to holding local elections at the same time as DHB ones. It reduces overall cost and effort for both administrators and voters. We consider that the advantages of holding local and DHB elections together outweigh the advantages</i></p>

	<i>of moving DHB or other elections to a different time.”</i>
<p>Electronic transmission of voting documents to and from voters overseas</p> <p>Amend the Local Electoral Regulations 2001 to allow for electronic transmission of voting documents to voters overseas in similar fashion to clause 45A in the Electoral Regulations 1996</p>	We recommend that the Government align local election overseas voting processes with general election overseas voting processes.
<p>Legislative confirmation that local authorities may promote elections</p> <p>Amend the Local Electoral Act 2001 to give a clear mandate to local authorities to promote local authority elections as in the Cabinet papers describing a proposed “Local Government Regulatory Systems Bill”.</p>	(This has now been enacted – placing the responsibility on the chief executive for “facilitating and fostering representative and substantial elector participation in elections.”)
<p>Electronic nominations and candidate profile statements</p> <p>Amend the Local Electoral Regulations so that a nomination and the associated profile statement may be submitted electronically.</p>	We recommend that the Government introduce amendments to allow the electronic receipt of nomination forms and candidate statements and appropriate deadlines for them, consistent with our overall theme of wanting alignment between general and local elections.
<p>Consistency between Electoral Regulations and Local Electoral Regulations</p> <p>Modernise provisions in the Local Electoral Act 2001 or Local Regulations 2001, as appropriate, by including similar provisions to those in the Electoral Regulations which make use of modern technology to assist voters.</p>	
<p>Electoral Officer to have access to the supplementary roll</p> <p>Amend the Local Electoral Act 2001, Electoral Act 1993, or their regulations, as appropriate, to provide access to the supplementary roll to electoral officers.</p>	We recommend that the Government introduce amendments to the necessary legislation to give local authorities access to the supplementary roll and the deletions file held by the Electoral Commission.
<p>Access to data associated with electoral roll</p> <p>Include a provision in the Electoral Act 1993 providing for anonymous statistical information from the electoral roll to be provided by the Electoral Commission to local authorities for the purposes election planning.</p>	(This was addressed in the Local Electoral Matters Bill.)
<p>Time period for printing electoral rolls</p> <p>Amend clause 10(1) the Local Electoral Regulations 2001 so that the date for entitlement of residential electors to be included on the roll is brought forward from 7 July to 1 July, thus allowing more time for the roll to be printed and distributed for public inspection.</p>	(Not addressed)

<p>Electronic access to electoral rolls for election staff</p> <p>The Electoral Commission to provide online access to electoral officials for the purpose of verifying the electoral qualifications of nominators of candidates and legislation amended as appropriate.</p>	<p>We recommend that the Government introduce amendments to the necessary legislation to give local authorities access to the supplementary roll and the deletions file held by the Electoral Commission.</p>
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