

Electoral Amendment Bill FAQs

What does the Electoral Amendment Bill do?

The Bill mainly implements changes that stem from the Justice and Electoral Select Committee's Inquiry into the 2011 General Election. The proposals in the Bill primarily reflect recommendations made by the Committee that require legislation and can be put in place in time for the 2014 General Election.

The Bill will:

- *Improve services to voters, candidates and parties* – for example, allowing for parties to lodge bulk candidate nomination and party list documents by email;
- *Improve efficiency by allowing greater use of technology* – for example, allowing people to enrol and update their details fully online using Electronic Identity Verification; and
- *Improve the integrity of elections by simplifying and clarifying the law* – for example, the Bill clarifies that the High Court can direct the Electoral Commission to recalculate and amend the allocation of list seats following a successful electorate seat petition. For example, when an electorate seat winner changes after a vote recount.

The Bill also makes some other minor changes to clarify and correct current provisions in the Electoral Act.

What changes did the Select Committee recommend to the Bill?

The Committee recommended several changes including:

- preserving the current law regarding electioneering on polling day;
- removing clauses which would expand the use and purpose of EasyVote cards; and
- a number of other minor additions to the Bill.

The Government supports these recommendations.

Does the Bill clear the way for e-voting?

No. The changes in the Bill will allow for full online enrolment, not voting. 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). Paper based methods of enrolment will still be available.

The Electoral Commission will investigate e-voting as priorities allow, however implementing e-voting is still some way off.

What are the new provisions about disclosure of party loans?

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

Providing transparency of political parties' financing recognises that voters have a legitimate interest in knowing who is funding election campaigns. This applies whether funding is provided in the form of donations or loans.

The Bill creates new disclosure rules for party loans that reflect current rules for disclosure of party donations, including:

- 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 are excluded.

Does the Bill affect the Māori Electoral Option?

No. The Bill does not make any fundamental changes to the Māori Electoral Option. However, it does allow Māori to choose the option online and modernises the wording of the Māori electoral option provisions.

Māori representation (including issues such as Māori seats in Parliament) was part of the Consideration of Constitutional Issues. The Constitutional Advisory Panel reported back in December 2013. The Panel's advice was that the current arrangements should remain while the conversation continues. The Government is considering the Panel's report.

Will the Bill affect the current review of electorate boundaries?

No. This is a separate process being undertaken by the Representation Commission. The Representation Commission released its proposed boundaries in late November for consultation. Final boundaries will be announced by Easter 2014.

Why was the inquiry into the 2011 election carried out?

After each general election the Justice and Electoral Select 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.

The Committee reported to the House on its inquiry into the 2011 General Election in April 2013. The Government presented its response to the House of Representatives in July, and introduced the Electoral Amendment Bill to Parliament in August. The Committee then considered the Bill after its first reading in September, and reported back in December.

Does the Bill deal with all the recommendations from the Committee's inquiry into the 2011 election?

The Government response in July outlined that:

- One recommendation, to allow overseas voters to scan and upload their ballot papers to a secure elections server had already been addressed by amending the Electoral Regulations in March 2013 to enable the Electoral Commission to offer this service.
- Seven of the Committee's other recommendations do not require changes to the law to be implemented. The Government will work with the Electoral Commission to action these as appropriate.
- The Government would work through the remaining recommendations and where practicable look to make changes before the 2014 General Election.

The response noted that some recommendations require policy development that can't be completed in time for this Bill or the 2014 General Election and that the Government will consider including these in future law changes.