

Hon Andrew Little
Minister of Justice

Proactive release – Order in Council: Electoral Main Rolls Closing Order 2020

Date of issue: 20 July 2020

The following documents have been proactively released in accordance with Cabinet Office Circular CO (18) 4.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

No.	Document	Comments
1	Order in Council: Electoral Main Rolls Closing Order 2020 <i>Cabinet paper</i>	Released in full.
2	Electoral Main Rolls Closing Order 2020 <i>Attachments to Cabinet paper</i>	Note that the copy of the Order provided to Ministers with this paper have been withheld in accordance with section 61 of the Legislation Act 2012 and section 9(2)(h) of the Official Information Act 1982 to maintain legal professional privilege. The legislative instruments are publicly available from www.legislation.govt.nz .
3.	LEG-20-MIN-0089 <i>Cabinet minute</i> Meeting date: 30 June 2020	Released in full.

In confidence

Office of the Minister of Justice

Chair

Cabinet Legislation Committee

ORDER IN COUNCIL: ELECTORAL MAIN ROLLS CLOSING ORDER 2020

Proposal

1. I recommend that the Cabinet Legislation Committee approve the attached Electoral Main Rolls Closing Order 2020 for submission to the Executive Council.

Electoral Main Rolls Closing Order

2. Section 104 of the Electoral Act 1993 provides for the printing of the main rolls containing the names of electors registered as at the date fixed for the closing of the main rolls. In an election year an Order in Council is required to fix this closing date. This is a statutory requirement and does not involve any new policy decisions
3. The closing date fixed by the proposed Order is Sunday 16 August 2020. The Electoral Commission advises that this is the appropriate date given the decision to hold the General Election on 19 September 2020. This will enable the inclusion of enrolment details while ensuring sufficient time after closing for printing, inspection and public scrutiny prior to Election Day.
4. The closing of the main rolls is a procedural requirement of the Electoral Act. While the Order closes the roll for the purposes of printing and inspection, electors can still enrol and update their information until midnight on Election Day

Timing and 28-day rule

5. This Order in Council will come into effect on 16 August 2020 and will apply to the General Election scheduled for 19 September 2020. No waiver of the 28-day rule is sought.

Compliance

6. The Order complies with the following:
 - the principles of the Treaty of Waitangi
 - the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993
 - the principles and guidelines set out in the Privacy Act 1993, and
 - the Legislation Guidelines.

Regulations Review Committee

7. There are no grounds on which the Regulations Review Committee should draw the Order to the special attention of the House in accordance with Standing Order 315.

Certification by Parliamentary Counsel

8. Parliamentary Counsel has certified the Order in Council as being in order for submission to the Executive Council.

Regulatory impact analysis

9. The Regulatory Quality Team at the Treasury has determined that the regulatory proposals in this paper are exempt from the requirement to provide a Regulatory Impact Assessment on the basis that they have no or minor impacts on businesses, individuals or not for profit entities.

Publicity

10. The Order will be published in the Gazette.

Proactive Release

11. I will proactively release this paper, with any appropriate redactions, in accordance with Cabinet Office Circular CO (18) 4.

Consultation

12. The Treasury and the Electoral Commission have been consulted on this paper. The Department of the Prime Minister and Cabinet has been informed of the contents of the paper.

Recommendations

13. I recommend that the Cabinet Legislation Committee authorise the submission to the Executive Council of the Electoral Main Rolls Closing Order 2020.

Authorised for lodgement

Hon Andrew Little
Minister of Justice

Attached: Electoral Main Rolls Closing Order 2020



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Electoral Main Rolls Closing Order 2020

Portfolio **Justice**

On 30 June 2020, the Cabinet Legislation Committee:

- 1 **noted** that the Electoral Main Rolls Closing Order 2020 fixes the date of 16 August 2020 as the closing date for the main rolls for the 2020 General Election;
- 2 **noted** that:
 - 2.1 this is a procedural requirement to ensure sufficient time after closing for printing, inspection and public scrutiny prior to election day;
 - 2.2 members of the public can still enrol and update their information up until midnight on Election Day;
- 3 **authorised** the submission to the Executive Council of the Electoral Main Rolls Closing Order 2020 [PCO 22952/4.0].

Gerrard Carter
Committee Secretary

Present:

Hon Chris Hipkins (Chair)
Hon Andrew Little
Hon David Parker
Hon Stuart Nash
Hon Iain Lees-Galloway
Hon Tracey Martin
Hon Eugenie Sage
Michael Wood MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG