

- (4) If the description of any ward or constituency or community or subdivision to which subsection (3) applies is defective, but the Surveyor-General, or a person appointed by the Surveyor-General, certifies that it can be amended and the defect overcome without making any change in what was evidently intended to be the area comprised in the description, the description—
- (a) may be so amended by resolution; and
 - (b) if so amended, has effect as if the provisions of subsection (3) had been complied with.
- (5) The territorial authority or regional council must reimburse the Commission for any costs incurred by the Commission in obtaining the certificate required by subsection (3) or must meet the cost of the production of that certificate if required to do so by the Surveyor-General.
- (6) The following provisions apply to every determination of the Commission under this section:
- (a) it is to come into force at the next triennial general election, except so far as may be necessary to provide for that election; and
 - (b) a copy must be kept at the office of the territorial authority or regional council, and must be available for inspection without fee by any person during normal office hours.

Compare: 1974 No 66 s 101M

Section 19Y: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Y(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19Y(2)(a)(iv): amended, on 29 June 2013, by section 14 of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19Y(3): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Māori wards and Māori constituencies

Heading: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19Z Territorial authority or regional council may resolve to establish Māori wards or Māori constituencies

- (1) Any territorial authority may resolve that the district be divided into 1 or more Māori wards for electoral purposes.
- (2) Any regional council may resolve that the region be divided into 1 or more Māori constituencies for electoral purposes.
- (3) A resolution under this section,—
 - (a) if made after a triennial general election but no later than 23 November of the year that is 2 years before the next triennial general election, takes

- effect, subject to paragraph (c), for the purposes of the next triennial general election of the territorial authority or regional council; and
- (b) in any other case, takes effect, subject to paragraph (c), for the purposes of the next but one triennial general election; and
 - (c) in either case, takes effect for 2 triennial general elections of the territorial authority or regional council, and for any associated election, and continues in effect after that until a further resolution under this section takes effect.
- (4) This section—
- (a) is subject to clauses 2(5) and 4(4) of Schedule 1A; and
 - (b) does not apply in relation to a territorial authority or regional council if another enactment requires,—
 - (i) in the case of a territorial authority, that the district be divided into 1 or more Māori wards; or
 - (ii) in the case of a regional council, that the region be divided into 1 or more Māori constituencies.
- (5) In this section, **associated election**, in relation to any 2 successive triennial general elections of a territorial authority or regional council, means—
- (a) any election to fill an extraordinary vacancy in the membership of the body concerned that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election:
 - (b) an election of the members of the body concerned under section 258I or 258M of the Local Government Act 2002 that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election.

Section 19Z: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Z(3)(c): replaced, on 2 March 2021, by section 6(1) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(4): replaced, on 2 March 2021, by section 6(2) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(5): amended, on 2 March 2021, by section 6(3) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(5)(b): amended, on 5 December 2012, by section 43 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

19ZA Public notice of right to demand poll*[Repealed]*

Section 19ZA: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZB Electors may demand poll*[Repealed]*

Section 19ZB: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZC Requirements for valid demand*[Repealed]*

Section 19ZC: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZD Territorial authority or regional council may resolve to hold poll*[Repealed]*

Section 19ZD: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZE Limitation on division into Māori wards or Māori constituencies*[Repealed]*

Section 19ZE: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZF Poll of electors*[Repealed]*

Section 19ZF: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZG Effect of poll*[Repealed]*

Section 19ZG: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZH Basis of election of territorial authority and regional council

If, for the purpose of a triennial general election,—

- (a) a district of a territorial authority is required to be divided into 1 or more Māori wards; or
- (b) a region of a regional council is required to be divided into 1 or more Māori constituencies,—

the provisions of this Part (other than those of sections 19B, 19G, and 19J, and those of this section) are subject to the provisions of Schedule 1A.

Section 19ZH: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Guidelines

Heading: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19ZI Guidelines in relation to reviews of representation or minor alterations to boundaries

- (1) The Commission must issue guidelines identifying factors and considerations for territorial authorities or regional councils to take into account in making determinations under any of the provisions of sections 19H to 19JB and Schedule 1A.
- (2) The Commission may, from time to time, amend or revoke any guidelines issued under subsection (1).
- (3) Any guidelines issued under subsection (1) may relate to territorial authorities or regional councils generally or to a specific class of territorial authorities or regional councils.
- (4) The Commission must, as soon as practicable after issuing any guidelines under subsection (1),—
 - (a) send a copy of those guidelines to every territorial authority and every regional council; and
 - (b) publish in the *Gazette* a notice—
 - (i) stating that the guidelines have been issued; and
 - (ii) naming the place or places at which copies of the guidelines are available for inspection free of charge or for purchase or both.
- (5) The Commission must ensure that, so long as the guidelines remain in force, copies of the guidelines are available—
 - (a) for inspection by members of the public free of charge; and
 - (b) for supply to members of the public either free of charge or for purchase at a reasonable price.
- (6) The provisions of subsections (4) and (5) apply, with all necessary modifications, in respect of any amendment or revocation of any guidelines issued under subsection (1).

Section 19ZI: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19ZI heading: amended, on 29 June 2013, by section 15(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19ZI(1): amended, on 29 June 2013, by section 15(2) of the Local Electoral Amendment Act 2013 (2013 No 40).