

New Zealand

Background	Name of EMB:	Electoral Commission, New Zealand
	Status:	Permanent
	Number of commissioners:	One chief electoral officer, one chairperson and one deputy chairperson.
	Number of full-time EMB staff:	Twenty- six full-time staff
Establishment of the EMB	Constitutional and/or legislative provisions for establishment of the EMB:	Established under Section 4B of the Electoral Act 1993 and is an independent crown entity under the Crown Entities Act 2004. Its substantive law is codified in the Electoral Act and the accompanying Electoral Regulations 1996.
	EMB's mandate:	<p>The objectives of the Electoral Commission are to administer the electoral system impartially, efficiently, effectively and in a way that:</p> <ol style="list-style-type: none"> facilitates participation in parliamentary democracy; promotes understanding of the electoral system and associated matters; and maintains confidence in the administration of the electoral system. <p>The functions of the Electoral Commission are to:</p> <ol style="list-style-type: none"> carry the provisions of the Electoral Act 1993 into effect; carry out duties in relation to parliamentary election programmes that are prescribed by Part 6 of the Broadcasting Act 1989; promote public awareness of electoral matters by means of the conduct of education and information programmes or by other means; consider and report to the minister or to the House of Representatives on electoral matters referred to the Electoral Commission by the ministers or the House of Representatives; make available information to assist parties, candidates and others to meet their statutory obligations in respect of electoral matters administered by the Electoral Commission; and carry out any other functions or duties conferred on the Electoral Commission by or under any other enactment.
	EMB model:	Independent

	What standards are established in the constitution or other legislation for democratic legitimacy?	None specified
Appointment, tenure and removals	Provisions for the appointment of commissioners:	Appointed by the Governor-General on the recommendation of the House of Representatives.
	Political status of commissioners:	Appointments are based on expertise, with consideration to the desirability of promoting diversity in the membership of Crown entities.
	Chair qualifications:	The chairperson is usually a retired judge, though this is not a legislative requirement.
	Commissioner qualifications:	None specified
	Tenure of chair and commissioners:	Commissioners are appointed for up to a five-year renewable term.
	Provisions for the removal of commissioners:	Commissioners may be removed by the Governor-General at any time for just cause, on the advice of the responsible minister given after consultation with the Attorney-General. 'Just cause' includes misconduct, inability to perform the functions of office, neglect of duty, and breach of any of the collective duties of the board or the individual duties of members.
	Provisions for the appointment of EMB senior staff:	None specified
	Tenure of EMB senior staff: Provisions for the removal of EMB senior staff:	None specified Senior staff members are subject to the commission's disciplinary process.

<p>Funding arrangements</p>	<p>Setting and control of EMB's budget:</p>	<p>The commission sets its annual budgets and manages expenditure to the extent that funding allows. Funding/appropriations are voted by parliament annually under the Public Finance Act. Eighty-five per cent of the commission's current funding needs for the three-year electoral cycle are covered by established and recurring appropriations, with the balance plus any initiatives requiring funding, subject to a funding bid/s prepared and submitted by the commission each three years.</p>
	<p>Financial autonomy:</p>	<p>There is limited financial autonomy. The commission is responsible for managing its financial activity, as long as it does so within the available funding and the requirements of the Public Finance Act and the Crown Entities Act. The Crown Entities Act requires the commission to prepare and submit to the minister and the House of Representatives a Statement of Intent, renewed at least every three years, and an annual Statement of Performance Expectations, which includes both performance indicators for the year and budgeted expenditure for the next four to seven years.</p>
	<p>Legal provisions for financial autonomy:</p>	<p>There is no specific legal provision related to financial autonomy, but there is a general statutory provision requiring the commission to act independently in performing its statutory functions and duties and exercising its statutory powers.</p>
<p>Electoral system</p>	<p>Number of chambers/houses within the legislature:</p>	<p>Unicameral</p>
	<p>Voting system:</p>	<p>The House of Representatives is elected using the mixed member proportional representation (MMP) voting system.</p>
	<p>Amendments to electoral laws:</p>	<p>Legislative authority is wholly vested in parliament, which can amend legislation by a simple majority. The exception is electoral law relating to the three-year term of parliament, the membership of the Representation Commission, the division of New Zealand into general electoral districts, the voting age and the method of voting. These elements of the electoral system can be amended only if the people in a referendum approve, or three-quarters of the Members of Parliament agree. The Electoral Commission participates in law making by recommending legislative change to parliament.</p>

	Drafting of electoral regulations:	No
Electoral disputes	Electoral dispute resolution mechanisms:	Judicial recourse to the District Court; election petition to the High Court or Court of Appeal.
Other issues:		
Secretariat	Administrative autonomy:	Yes
	Women in senior positions:	One of the three board members, and four of the six managers are women.
	Administrative structure:	Headed by the Electoral Commission Board, which comprises chief electoral officer, chairperson and deputy chairperson. There are the following directorates: <ul style="list-style-type: none"> • Electoral Events • Information Technology • Electoral Policy • Communication and Education • Corporate Legal • Corporate Services Enrolment Services integrated into the organisation from 30 June 2016