

Version
as at 28 October 2021



Citizens Initiated Referenda Act 1993

Public Act 1993 No 101
Date of assent 28 September 1993
Commencement see section 1(2)

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Justice.

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An Act to provide for the holding, on specific questions, of citizens initiated referenda, the results of which referenda will indicate the views held by the people of New Zealand on specific questions but will not be binding on the New Zealand Government

1 Short Title and commencement

- (1) This Act may be cited as the Citizens Initiated Referenda Act 1993.
- (2) This Act shall come into force on 1 February 1994.

2 Interpretation

In this Act, unless the context otherwise requires,—

applicant means a group that makes an application

application means an application under section 47

court, in Part 4, means the High Court

elector means a person registered as an elector of an electoral district

Electoral Commission has the same meaning as in section 3(1) of the Electoral Act 1993

electoral district means a General electoral district or Maori electoral district constituted under the Electoral Act 1993

electoral poll means the poll taken under the Electoral Act 1993 of the electors of each electoral district for the return of a member of Parliament for the district

electoral roll has the meaning given to that term by section 3(1) of the Electoral Act 1993

eligible elector, in relation to an indicative referendum petition, means an elector whose name appears on an electoral roll that is in force on the date on which the petition is delivered to the Clerk of the House of Representatives under section 15(3)

hearing means the hearing of an application

indicative referendum petition means a petition seeking the holding under this Act of an indicative referendum; and includes the forms on which the signatures of the signatories are recorded

person complained of means a person named in an application as a person connected with the referendum, into whose conduct the application asks for an inquiry

postal voting has the same meaning as it has in the Referenda (Postal Voting) Act 2000

promoter, in relation to an indicative referendum petition, means the person who, in accordance with section 13(2)(a)(ii), is the promoter of that petition

Registrar of the court means the Registrar of the High Court where an application is filed

respondent means a respondent to an application

Speaker means the Speaker of the House of Representatives

voting period has the same meaning as it has in the Referenda (Postal Voting) Act 2000

working day means any day of the week other than—

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day; and
- (ab) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
- (b) a day in the period commencing with 25 December in any year and ending with 15 January in the following year.

Section 2 **applicant**: inserted, on 15 November 2000, by section 83 of the Referenda (Postal Voting) Act 2000 (2000 No 48).

Section 2 **application**: inserted, on 15 November 2000, by section 83 of the Referenda (Postal Voting) Act 2000 (2000 No 48).

Section 2 **Chief Electoral Officer**: repealed, on 1 October 2010, by section 32(2)(b) of the Electoral (Administration) Amendment Act 2010 (2010 No 26).

Section 2 **Clerk of the Writs**: repealed, on 28 February 2002, by section 101(2) of the Electoral Amendment Act 2002 (2002 No 1).

Section 2 **court**: inserted, on 15 November 2000, by section 83 of the Referenda (Postal Voting) Act 2000 (2000 No 48).

Section 2 **Electoral Commission**: inserted, on 1 October 2010, by section 32(2)(b) of the Electoral (Administration) Amendment Act 2010 (2010 No 26).

Section 2 **electoral district**: amended, on 1 July 1995, by section 2(2) of the Citizens Initiated Referenda Amendment Act 1994 (1994 No 146).

Section 2 **electoral poll**: amended, on 1 July 1995, by section 2(3) of the Citizens Initiated Referenda Amendment Act 1994 (1994 No 146).

Section 2 **electoral roll**: amended, on 1 July 1995, by section 2(4) of the Citizens Initiated Referenda Amendment Act 1994 (1994 No 146).