

Powers currently retained by Council under the Local Electoral Act 2001

Section of Act	Power, Function, Duty	Comments
8(1)	May direct the electoral officer to conduct an election (whether on behalf of some other person or body or otherwise) that is not required to be held under the Act	Currently retained by Council – unchanged by the Local Electoral Amendment Act 2013 (the Amendment Act).
9(1)	May direct the electoral officer to conduct a referendum that is not required to be held under this or any other Act on various matters (listed in provision)	Currently retained by Council - unchanged by the Amendment Act.
9(2)	Must determine whether the matter that is the subject of the referendum affects all or part of its local government area, and must direct the electoral officer to conduct the referendum for all or the appropriate electors of the local government area accordingly	Currently retained by Council - unchanged by the Amendment Act.
12(1)	Must appoint electoral officer	Currently retained by Council - unchanged by the Amendment Act.
19I(1)	Must determine: <ul style="list-style-type: none"> a) the proposed number of constituencies; and b) the proposed name and the proposed boundaries of each constituency; and c) the number of members proposed to be elected by the electors of each constituency 	Currently retained by Council - unchanged by the Amendment Act.
19ZD(1)	May, at any time, resolve that a poll be held on the question whether the region should be divided into 1 or more Maori constituencies	Currently retained by Council - unchanged by the Amendment Act.
27(1)	May, not later than 12 September in the year that is 2 years before the year in which the next triennial general election is to be held, resolve that the next 2 triennial general elections of the local authority and its community boards (if any), and any	Currently retained by Council - unchanged by the Amendment Act.

Attachment 1 to Report 13.751

	associated election, will be held using a specified electoral system other than that used for the previous triennial general election	
31(1)	May, no later than 28 February in the year immediately before the year in which the next triennial general election is to be held, resolve that a poll be held on a proposal that a specified electoral system be used for the elections of the local authority and community boards (if any)	Currently retained by Council - unchanged by the Amendment Act.
36(1)	Every election or poll conducted for a local authority must be conducted using 1 or more methods of voting adopted by resolution of the local authority	Currently retained by Council - unchanged by the Amendment Act.
37(1)	Before passing any resolution under s36(1) that will apply to elections or polls conducted for any other local authority, the local authority concerned must consult the local authority	Currently retained by Council - unchanged by the Amendment Act.
79(1)	May determine, by resolution, that the voting documents in respect of a triennial general election, or a poll or election conducted in conjunction with a triennial general election, are to be processed during the voting period	Repealed on 29 June 2013, by section 27 of the Amendment Act. This power has now been given to the Electoral Officer.
79(2)	May determine, by resolution, that the voting documents in respect of any election or poll (other than a triennial general election or a poll conducted in conjunction with a triennial general election) are to be processed during the voting period	Repealed on 29 June 2013, by section 27 of the Amendment Act. This power has now been given to the Electoral Officer.
117(2), (3)	If a vacancy occurs in the office of a member of a local authority within 12 months before the next triennial general election the local authority must, at its next meeting (other than an extraordinary meeting) or, if that is not practicable, at its next subsequent meeting (other than an extraordinary meeting),	Currently retained by Council - unchanged by the Amendment Act.

	<p>determine by resolution:</p> <p>a) that the vacancy will be filled by the appointment by the local authority or community board of a person named in the resolution who is qualified to be elected as a member; or</p> <p>b) that the vacancy is not to be filled</p>	
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New powers introduced in the Local Electoral Amendment Act 2013

Section of Act	Power, Function, Duty	Comments
19JB	May determine by resolution new proposed boundaries of constituencies of the region of the regional council, if satisfied that various conditions are met (listed in provision)	This is a new section. Similar to 19I(1) above which is retained by council. It is proposed that this power should also be retained by Council.

General comments

Section of Act	Power, Function, Duty	Comments
19Z(2)	May resolve that the region be divided into 1 or more Maori constituencies for electoral purposes	This is not currently retained by Council but it is proposed that it should be.