



Electoral Amendment Regulations 2026

Cindy Kiro, Governor-General

Order in Council

At Wellington this 16th day of March 2026

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 267 of the Electoral Act 1993 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Electoral Amendment Regulations 2026.

2 Commencement

These regulations come into force on 20 April 2026.

3 Principal regulations

These regulations amend the Electoral Regulations 1996.

4 Regulation 2 amended (Interpretation)

In regulation 2(1), revoke the definition of **MIQF**.

5 Regulation 19 amended (Facilities for special voting)

Replace regulation 19(4), (5), and (6) with:

- (4) A Returning Officer must ensure that, as far as practicable, facilities for special voting are available at the following places:
- (a) hospitals; and
 - (b) maternity centres; and
 - (c) institutions for—
 - (i) the reception or relief of persons requiring medical, surgical, or other treatment;
 - (ii) persons suffering from any illness, disease, or disability;
 - (iii) convalescent, aged, infirm, incurable, destitute, or poor people; and
 - (d) prisons.
- (5) For the purposes of regulation 23, the Returning Officer for a district in which there is situated a place referred to in subclause (4) must ensure that, as far as practicable, the following are provided at that place in respect of each district ordinarily served by that place:
- (a) the main and supplementary rolls; and
 - (b) ballot papers and voting papers; and
 - (c) a ballot box.
- (6) A person issuing ballot papers or voting papers in a place referred to in subclause (4)(a), (b), or (c) must be accompanied by—
- (a) a person appointed by the Returning Officer; or
 - (b) if the chief executive officer or other person in charge of the place approves, a person appointed by the local branches of political or other organisations interested in the election or poll.

6 Regulation 23 amended (Hospital votes)

- (1) Replace the heading to regulation 23 with “**Voting in hospitals, prisons, etc**”.
- (2) Replace regulation 23(1)(a) with:
- (a) is—
 - (i) a patient in a hospital or maternity centre, or a patient or resident in an institution referred to in regulation 19(4)(c); or
 - (ii) a prisoner in a prison; and
- (3) In regulation 23(5), replace “hospital votes” with “votes under this regulation”.
- (4) Replace regulation 23(5)(b) with:
- (b) deliver to the Returning Officer—
 - (i) all ballot boxes; and
 - (ii) all parcels referred to in paragraph (a).

7 Regulation 23A amended (Telephone dictation of vote by special voter with disability)

In regulation 23A(7)(a), replace “subclause (5)(a)(iv)” with “subclause (5)(a)(iii)”.

8 Regulation 24C revoked (Special vote by person in MIQF or place of self-isolation)

Revoke regulation 24C.

9 Regulation 25 amended (Declaration by special voter)

Replace regulation 25(3)(a)(ii), (iii), and (iv) with:

- (ii) a place referred to in regulation 19(4); and

10 Regulation 30 replaced (Delivery of special votes to Returning Officer)

Replace regulation 30 with:

30 Envelope endorsed by Issuing Officer

After marking an envelope in accordance with regulation 29(1) or (2), an Issuing Officer must immediately deliver the envelope to the Returning Officer who appointed the Issuing Officer.

30A Envelope endorsed or received by Returning Officer containing special vote for another district

- (1) This regulation applies if—
 - (a) a Returning Officer—
 - (i) marks an envelope in accordance with regulation 29(1) or (2); or
 - (ii) receives an envelope under regulation 30; and
 - (b) the envelope contains a special vote issued for a district that is not the Returning Officer’s district.
- (2) The Returning Officer must immediately—
 - (a) arrange for the envelope to be posted or forwarded to the Returning Officer for the district for which the vote was issued; or
 - (b) if the Returning Officer considers that there is insufficient time for the Returning Officer referred to in paragraph (a) to receive the envelope before 7 pm on the tenth day after polling day, deal with the envelope in accordance with regulations 32 to 34 and 37 to 42 as if the Returning Officer were the Returning Officer referred to in paragraph (a).

30B Envelope endorsed by Electoral Commission

- (1) This regulation applies if an Electoral Commissioner or electoral official marks an envelope in accordance with regulation 29(3) or (4).

- (2) The Electoral Commissioner or electoral official must immediately—
- (a) arrange for the envelope to be posted or forwarded to the Returning Officer for the district for which the vote was issued; or
 - (b) deal with the envelope in accordance with regulations 32 to 42, and references in those regulations to a Returning Officer must be read as references to the Electoral Commissioner or electoral official.

11 Regulation 34 amended (Disallowance of special votes received late)

- (1) Replace regulation 34(1) with:
- (1) A Returning Officer must disallow a special vote issued for the Returning Officer's district under this Part if the Returning Officer receives the envelope containing the vote later than 7 pm on the tenth day after polling day.
- (2) Replace regulation 34(2)(b) and (c) with:
- (b) in the case of a vote issued under Part 3, regulation 50(1) or (2) does not apply to the envelope; or
 - (c) in the case of a vote issued under Part 4, the envelope was not received in accordance with—
 - (i) regulation 63A(1)(a) or (b); or
 - (ii) regulation 63A(3).

12 Regulation 44A amended (Application for special vote by persons outside New Zealand)

Replace regulation 44A(3)(b) with:

- (b) by post, under regulation 45; or

13 Regulation 45 amended (Issue of special voting papers)

Replace regulation 45(1A) with:

- (1A) The issue of documents under subclause (1) in person must be completed before 4 pm local time on the day before polling day.
- (1B) Documents may be issued by post under subclause (1) if the Overseas Returning Officer or the Overseas Issuing Officer considers there is sufficient time for the overseas elector to receive the voting papers and make arrangements for their return.

14 Regulation 45A amended (Electronic issue of special voting papers)

Replace regulation 45A(3)(c) with:

- (c) regulation 21(5)(a)(iii).

15 Regulation 45B amended (Dictation of vote by overseas electors with disability)

In regulation 45B(6)(a), replace “subclause (5)(a)(iv)” with “subclause (5)(a)(iii)”.

16 Regulation 47 replaced (Special votes may be returned by personal delivery or post)

Replace regulation 47 with:

47 Special votes may be returned by personal delivery or post to Overseas Returning Officer or Overseas Issuing Officer

- (1) Any person to whom documents are issued under regulation 45 or 45A may, after voting in the manner prescribed for special voters by Part 2, arrange for an envelope containing the ballot paper, any voting papers, and the declaration to be delivered by hand or by post to—
 - (a) an Overseas Returning Officer; or
 - (b) an Overseas Issuing Officer.
- (2) The envelope must be received by an Overseas Returning Officer or the Overseas Issuing Officer by 4 pm local time on the day before polling day.
- (3) A special vote issued under regulation 45 or 45A and contained in an envelope that is delivered by hand or post other than in accordance with subclauses (1) and (2) must be disallowed.

17 Regulation 48 replaced (Endorsement and posting of envelopes)

Replace regulation 48 with:

48 Endorsement and dispatch of envelopes by Overseas Returning Officers or Overseas Issuing Officers

- (1) An Overseas Returning Officer or an Overseas Issuing Officer who receives an envelope in accordance with the requirements of regulation 47 must immediately mark the envelope with their official mark.
- (2) An Overseas Returning Officer or an Overseas Issuing Officer who receives an envelope otherwise than in accordance with the requirements of regulation 47 must immediately—
 - (a) mark on the envelope “Received late”; and
 - (b) mark the envelope with their official mark; and
 - (c) sign the envelope.
- (3) Immediately after marking an envelope in accordance with subclause (1) or (2), the Overseas Returning Officer or the Overseas Issuing Officer must arrange for the envelope to be posted or forwarded (either directly or through the Ministry of Foreign Affairs and Trade) by the quickest means of transport to—

- (a) the Electoral Commission; or
 - (b) the Returning Officer of the district for which the vote was issued.
- (4) Immediately after receiving an envelope in accordance with subclause (3)(a), an Electoral Commissioner or electoral official must—
- (a) arrange for the envelope to be posted or forwarded to the Returning Officer for the district for which the vote was issued; or
 - (b) place the envelope in a box or receptacle that is specially provided for the votes of special voters.
- (5) Immediately after receiving an envelope in accordance with subclause (3)(b), a Returning Officer for the district in which the vote was issued may post or forward the envelope to the Electoral Commission and on receipt of the envelope an Electoral Commissioner must place the envelope in a box or receptacle that is specially provided for the votes of special voters.

18 Regulation 50 replaced (Overseas special votes received in time)

Replace regulation 50 with:

50 Overseas special votes received in time

- (1) This regulation applies to every envelope containing a special vote issued under this Part—
- (a) that the Returning Officer for the district for which the vote was issued receives not later than 7 pm on the tenth day following polling day; and
 - (b) that is—
 - (i) marked under regulation 48(1) with the official mark of an Overseas Returning Officer or an Overseas Issuing Officer (and received by the Returning Officer under regulation 48(3)(b) or (4)(a)); or
 - (ii) marked under regulation 48B(c)(i) with the official mark of the Electoral Commission (and received by the Returning Officer under that provision).
- (2) This regulation also applies to every envelope containing a special vote issued under this Part that—
- (a) an Electoral Commissioner or electoral official receives not later than 7 pm on the tenth day following polling day and that is marked by an Overseas Returning Officer or an Overseas Issuing Officer under regulation 48(1) and that the Electoral Commissioner or electoral official receives—
 - (i) under regulation 48(3)(a) and places in a box or receptacle under regulation 48(4)(b); or
 - (ii) under regulation 48(5) and places in a box or receptacle under that provision:

- (b) an Electoral Commissioner or electoral official receives under regulation 48B and places in a box or receptacle under regulation 48B(c)(ii).
- (3) Regulations 32, 33, and 35 to 42 apply in respect of—
 - (a) an envelope described in subclause (1):
 - (b) an envelope described in subclause (2), and for this purpose all references in those regulations to a Returning Officer must be read as references to an Electoral Commissioner or an electoral official.
- (4) After extracting from an envelope a declaration form completed by a member of the New Zealand Defence Force, the Returning Officer, Electoral Commissioner, or electoral official (as the case may be) must—
 - (a) securely attach the envelope to the declaration form; and
 - (b) take the action required under regulation 52 (and for this purpose references in that regulation to a Returning Officer must be read as references also to an Electoral Commissioner or electoral official).

19 Regulation 57 amended (Electoral Commission may issue special voting papers to special voters)

- (1) Revoke regulation 57(2)(b).
- (2) In regulation 57(2)(c)(i)(A), delete “or (b)”.

20 Regulation 58 amended (Dictation of special votes)

In regulation 58(1), replace “regulation 57(2)(d)” with “regulation 57(2)(c)”.

21 Regulation 59 amended (Return of special votes)

- (1) In regulation 59(1), replace “regulation 57(2)(d)” with “regulation 57(2)(c)”.
- (2) Revoke regulation 59(1)(b).
- (3) Revoke regulation 59(4).

22 Regulation 60 amended (Receipt of special votes by hand or post)

- (1) In the heading to regulation 60, delete “or post”.
- (2) Revoke regulation 60(4) to (9).

23 Regulation 63A amended (Special votes under this Part received in time)

- (1) Replace regulation 63A(1)(b) with:
 - (b) after the close of the poll but not later than 7 pm on the tenth day following polling day and that is marked under regulation 60(1)(b) with the official mark of an Issuing Officer.
- (2) Revoke regulation 63A(2).
- (3) Replace regulation 63A(3) with:

- (3) This regulation also applies to every envelope containing a special vote issued under this Part that is marked by an Electoral Commissioner or electoral official under arrangements made pursuant to regulation 58(1)(d), and placed in a box or receptacle in accordance with regulation 58(1)(d)(ii).

Nicola Purvis,
Acting Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 20 April 2026, amend the Electoral Regulations 1996 to—

Special voting

- shorten, by 3 days, the deadline for special votes to be repatriated to the electoral district for which they were issued before they can be processed after a general election (the new deadline is 7 pm on the tenth day after polling day):
- enable Returning Officers, Electoral Commissioners, and electoral officials to process special votes rather than repatriate the votes to the electoral district for which they were issued if it is considered that there is insufficient time for the votes to be repatriated to that district before the deadline:
- provide for ordinary ballot papers, rather than special ballot papers, to be issued to prisoners who are electors (if it is practicable to do so), to align with the current practice in hospitals and other institutions:

Overseas special voting

- provide that voting papers may only be issued by post to overseas electors by Overseas Returning Officers and Overseas Issuing Officers:
- provide that an Overseas Returning Officer or Overseas Issuing Officer may only issue voting papers to an overseas elector by post if they consider that there is sufficient time for the overseas elector to receive the voting papers and make arrangements for their return:
- provide that overseas electors may only return their voting papers by post to an Overseas Returning Officer or Overseas Issuing Officer (a vote posted by or on behalf of an overseas elector otherwise than to an Overseas Returning Officer or Overseas Issuing Officer is disallowed):

Overseas special voting from remote locations

- provide that voting papers may not be issued by post to special voters in remote overseas locations (including Tokelau, Campbell Island, Raoul Island, Pitt

Island, Ross Dependency, vessels, offshore installations, and remote islands administered by the Department of Conservation):

- provide that special voters in remote overseas locations to whom voting papers have been issued, other than by dictation, may only return their voting papers by hand to an Issuing Officer or by electronic transmission to the Electoral Commission (and not by post to either a Returning Officer in New Zealand or the Electoral Commission):

Other

- make other minor technical amendments.

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These regulations are administered by the Ministry of Justice.