

Regulatory Impact Statement: Census Modernisation and its impact on the Electoral Act 1993

Decision sought	<i>This Regulatory Impact Statement provides analysis on policy options for enabling electoral boundary reviews from 2030, in light of changes being made to the census, and the proposed approach for responding to the deferral of a boundary review ahead of the 2029 General Election.</i>
Agency responsible	<i>Ministry of Justice</i>
Proposing Ministers	<i>Minister of Justice</i>
Date finalised	<i>9 October 2025</i>

In May 2025, Cabinet endorsed the Government Statistician’s decision to modernise the census. This includes, among other things, using an administrative data-first approach to the census, releasing census data annually from 2030, and deferring the next census from 2028 to 2030.

Cabinet also noted that decisions related to the census had implications for setting the size, number and boundaries for electoral districts, under the Electoral Act 1993. Consequently, the Minister of Justice is due to report back to Cabinet by the end of the year on any necessary or desirable changes to the Electoral Act 1993 in light of the changes to the census.

This Regulatory Impact Statement (RIS) focuses on two key issues/proposals:

- the trigger of future boundary reviews and
- the impact of the deferral of the census on the next boundary review.

Summary: Problem definition and options

The modernisation of the census has implications for the Electoral Act 1993 (the Electoral Act). Specifically:

- the shift from ‘taking’ a five-yearly census by full enumeration to an annual publication of census data using an administrative data-first approach raises some legal and practical uncertainties about when electoral boundary reviews should be held; and
- the deferral of the next census from 2028 to 2030 means a boundary review cannot take place ahead of the 2029 General Election, which is the public and political expectation.

Issue 1

The Electoral Act currently requires boundary reviews to be undertaken following ‘each periodical census’ and on no other occasion. Under the status quo, a census takes place every five years, which means boundary reviews are consequently triggered every five years. However, the shift to an annual publication of census data could result in boundary reviews being triggered on an annual basis. This would result in the boundary review system no longer being fit-for-purpose, confusing, and inefficient.

Issue 2

We understand that, under the status quo settings (i.e. a census in March 2028), it is highly unlikely that a boundary review would be completed ahead of the 2029 General Election (due to the time needed to produce census results). In any case, Cabinet has decided to defer the next census from 2028 to 2030, which negates any possibility of a boundary review being conducted ahead of the General Election in 2029. It is possible that there is both a public and political expectation that a boundary review occurs ahead of the 2029 General Election.

The purpose of boundary reviews is to provide for the regular adjustment of electoral districts to ensure they have about the same number of people and therefore equality of representation for electors between each district. The policy objectives for the proposals in this RIS are ensuring that boundary reviews continue to occur on a regular, predictable basis and that they draw on independent and up-to-date sources for calculating the general and Māori electoral populations.

Issue 1

In relation to boundary review processes from 2030, the following options were considered:

- the status quo/counterfactual (not amending the Electoral Act in light of the census modernisation);
- decoupling the timing of boundary reviews from the census and instead tying it to every second general election/parliamentary term (*Minister's preferred*); and
- amending the Electoral Act to retain the status quo as much as feasible by tying each boundary review with every fifth annual publication of census data.

Issue 2

In relation to policy settings for a boundary review ahead of the 2029 General Election, two options were considered:

- the status quo/counterfactual (the boundaries fixed as part of Boundary Review 2025 will remain fixed for the 2029 General Election)(*Minister's preferred*); and
- enabling a 'transitional' boundary review which would allow a division of electoral boundaries to take place ahead of the 2029 General Election (*Ministry's preferred*).

Non-regulatory options were not considered as the boundary review process is prescribed in the Electoral Act.

No public consultation has been undertaken, given the timeframes for developing the proposals and the need to have census legislation enacted ahead of the 2026 General Election. Options have been developed and assessed with significant input from Statistics New Zealand (Stats NZ) and the Electoral Commission, as well as with the Surveyor-General on the workability and fitness-for-purpose of these proposals.

Stats NZ has undertaken a substantial programme of public consultation as part of its work on the census modernisation. Where possible, we have sought to incorporate the views from stakeholders in that consultation as part of this RIS, where stakeholders' views are relevant to boundary review processes.

Boundary reviews have also featured prominently in other reports and inquiries, including:

- the Independent Electoral Review's 2023 report, *Our recommendations for a fairer, clearer and more accessible electoral system*;¹
- the 2014 Justice and Electoral Committee's report into the 2014 general election.²
- the 1986 Royal Commission of Inquiry into the Electoral System.³

Where relevant, we have sought to incorporate stakeholders' views throughout this RIS.

Cross-party consultation

Some of the boundary review provisions in the Electoral Act are entrenched due to the important constitutional role they play in our democratic arrangements. Entrenched provisions can only be amended with a 75 percent majority vote in the House or a binding national referendum. Cross-party support on these proposals is therefore essential. The Minister of Justice has signalled his intention, in consultation with the Minister of Statistics, to consult with political party leaders represented in the House of Representatives.

Is the preferred option in the Cabinet paper the same as preferred option in the RIS?

Issue 1: the preferred option in the Cabinet paper is the same as the preferred option in the RIS.

Issue 2: the preferred option in the Cabinet paper is not the same as the Ministry's preferred option in the RIS, which is to enable a 'transitional' boundary review in 2028.

¹ [Independent Electoral Review Panel. \(2023\). Final Report: Our recommendations for a fairer, clearer, and more accessible electoral system.](#)

² [Justice and Electoral Committee \(2016\). Inquiry into the 2014 general election.](#)

³ [Royal Commission on the Electoral System. \(1986\). Towards a Better Democracy: Report of the Royal Commission on the Electoral System.](#)

Summary: Minister's preferred option in Cabinet paper (Issue 1)

Costs (Core information)
In relation to boundary reviews from 2030, the status quo/counterfactual would mean boundary reviews are triggered on an annual, rather than five-yearly basis. In this context, both options considered in these proposals would not result in reduced monetised costs relative to the status quo/counterfactual. The preferred option in relation to Issue 1 would result in some additional upfront administrative costs, particularly for Stats NZ.
Benefits (Core information)
Tying boundary reviews to every second electoral cycle is most likely to achieve the policy objective of ensuring timely, predictable, and future boundary reviews in the future. This ensures the boundary review process remains robust and continues to operate with a high social license.
Balance of benefits and costs (Core information)
The benefits of ensuring predictable and certain boundary reviews in the future outweighs the financial and administrative costs to implementation.

Summary: Minister's preferred option in Cabinet paper (Issue 2)

Costs (Core information)
If no boundary review is undertaken ahead of the 2029 General Election and the electoral districts remain set until they are refixed ahead of the 2032 General Election, the main costs will be non-monetised opportunity costs. Public expectations around a census taking place in 2028 may give rise to a public and political expectation that boundaries are re-set ahead of 2029. Having the boundaries fixed until 2031/32 may present risks around the perceived legitimacy of representation in 2029.
Benefits (Core information)
Not undertaking a boundary review will result in marginal cost-savings, because a boundary division in 2028 will not need to be funded. However, given that the first boundary review conducted under the settings described in Issue 1 will need to be conducted from 2030, the cost savings are marginal in the short term.
Balance of benefits and costs (Core information)
No, the benefits (cost savings) do not outweigh the costs. There is a public and political interest in a regular adjustment to electoral districts to ensure they have about the same number of people, and therefore equality of representation between districts.

Summary: Ministry's preferred option in Cabinet paper (Issue 2)

Costs (Core information)
If a 'transitional' boundary review takes place in 2028, it will result in some additional costs relative to the status quo/counterfactual (being no review in 2028/29), but the same costs had there been no deferral of the census (as this would have triggered a boundary review in 2028/29 anyway). These costs are routine expenses met by the Crown for the purpose of meeting a regular statutory requirement. The Electoral Commission has previously estimated the whole-of-life cost for Boundary Review 2025 at \$1.9 million. The preferred option in relation to Issue 2 would result in some additional upfront administrative and workload costs, particularly for Stats NZ.
Benefits (Core information)
Enabling a 'transitional' boundary review is most likely to achieve the policy objective of ensuring public and political expectations of a boundary review ahead of 2029 being met. This ensures that the boundary review system remains robust and continues to operate with a high social license.
Balance of benefits and costs (Core information)
Yes, the benefits of ensuring predictable and certain boundary reviews ahead of the 2029 General Election outweigh the financial and administrative costs to implementation.

Implementation, Limitations and Constraints on Analysis

Implementation

How will the proposal be implemented, who will implement it, and what are the risks?

The Representation Commission, Stats NZ, the Electoral Commission and Land Information New Zealand (LINZ) will be primarily responsible for implementing the proposals set out in this RIS. Stats NZ have noted that the proposal to introduce a statutory deadline for boundary reviews could result in a compression of their administrative timeframes to produce data necessary for boundary reviews in future.

Limitations and Constraints on Analysis

Time constraints have limited public consultation

The pace of policy development has meant that we have been unable to undertake public consultation ahead of in-principle policy decisions. More time would have allowed for consultation with experts and affected groups, particularly Māori. This could have helped to ensure that policy implications were thoroughly considered and any unintended consequences were addressed.

Members of the public will have an opportunity to engage on the content of any proposed legislation at select committee.

Constrained scope of options considered

The Minister has expressed a preference for tying boundary reviews to every second General Election/Parliamentary term. This, in conjunction with limited time, has meant that only a limited scope of options has been considered.

Use of forecasts and estimates

The Ministry has attempted to develop a scenario analysis of what future boundary reviews could look like, and particularly for a 'transitional' boundary review ahead of the 2029 General Election. This scenario analysis is included in this RIS to give a sense of the scale of issues engaged, but it is necessarily based on many assumptions and data projections through to 2029. In this context, and given the highly-caveated nature of this scenario analysis, the projections presented in this RIS should be treated as highly uncertain and not determinative of any future outcome. The outcome of any future boundary reviews are based on a wide variety of factors, many of which our scenario analysis is unable to take into account. This scenario analysis should be considered with a moderate, but not certain, degree of confidence, albeit reasonably indicative of what is possible and what may be anticipated by stakeholders.

Ongoing use of census data

We have assumed that, in all scenarios for Issue 1, the census data produced by Stats NZ will continue to be used to calculate the electorate populations. To the extent to which there are concerns about the quality of data under the census modernisation program, this could undermine trust in the boundary review process. This issue is out of scope of the current analysis.

I have read the Regulatory Impact Statement and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager's signature:



Kathy Brightwell
General Manager, Civil and Constitutional
9 October 2025

Quality Assurance Statement

Reviewing Agency: Ministry of Justice

QA rating: Partially meets

Panel Comment:

The Ministry of Justice has reviewed the Regulatory Impact Statement (RIS) *Census modernisation and its impact on the Electoral Act 1993* prepared by the Ministry of Justice and associated supporting material on 7 October 2025. The RIS Quality Assurance panel considers that the information and analysis summarised in the RIS partially meets the quality assurance criteria. The RIS clearly identifies the problem, objectives, and analyses the main options and their costs and benefits. Limitations and constraints are outlined, including a constraint of a lack of public consultation. While information from previous reviews and inquiries on boundary reviews is drawn upon, the panel did not consider this to be an effective proxy for consultation given the constitutional significance of electoral law and the need to ensure equality of representation. The panel considers the RIS is otherwise robust and can be relied on by Ministers to support their decision-making.

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo/counterfactual expected to develop?

1. A core principle of representative democracy is that all members of a society have an equal right to take part in selecting those who will make the laws for them. One of the ways New Zealand's electoral system achieves these rights is through the regular and independent reviews of the country's electoral boundaries (the 'boundary review process') and granting New Zealanders the right to vote in free and fair elections via secret ballot. This system is oriented towards maximising the equality of representation between electors.
2. The boundary review process is set out in the Electoral Act 1993, and is heavily dependent on the current five-yearly census approach provided for in the Data and Statistics Act 2022 (the **Statistics Act**). The Electoral Act provides for very little flexibility in this regard: it requires that boundary reviews can take place *only* after each periodical census and on *no other occasion*⁴ and the calculation of both the general and Māori electoral populations are predicated on census data and census dates.⁵
3. The proposals in this RIS relate to Cabinet's May 2025 decisions to modernise the census (the **census modernisation**), including to:
 - use an administrative data-first approach, supplemented by survey data;
 - release data progressively in stages, with the first release of census data published in 2030 and annually thereafter; and
 - amend the Statistics Act to defer the census due in 2028 to 2030, to allow time for cross-government action to improve administrative data.
4. The underlying purpose of the census modernisation is to deliver key statistics faster, more frequently, and with increasing accuracy. This follows earlier Cabinet advice that the current full field enumeration (survey-first) approach to the census is not sustainable and is unable to deliver data to the public at the required frequencies. It is not feasible to achieve the response rates required to maintain census data quality at reasonable cost.

Brief history of the boundary review system

5. The boundary review process in New Zealand is informed by a distinctive constitutional and electoral history. Since 1887, boundary reviews have been undertaken by an independent statutory body, known as the Representation Commission (the **Commission**). The Commission has a critical role in the basic operation of New Zealand's democracy in ensuring people in New Zealand are represented equally and that electors have access to elected representatives. The Commission's independence also provides an important constitutional barrier to partisan and Executive influence in setting electoral boundaries (i.e. 'gerrymandering').
6. Prior to the establishment of New Zealand's first Representation Commission in 1887, members of Parliament divided New Zealand into electoral districts by passing a series of Representation Acts.⁶ Such a process was primed for 'deeply vested' interests and partisan infighting⁷ to which members themselves were attuned. For example, former Premier, Sir Robert Stout, when speaking to the House in 1887 said:

"I know that on various occasions... districts have been so altered and cut about that the wishes of the inhabitants have been quite ignored and in one or two instances it

⁴ See section 35(2) of the Electoral Act 1993.

⁵ See sections 3(1), 29, 35, 45, and 79 of the Electoral Act 1993.

⁶ Andrew Geddis. (2023). *Electoral Law in Aotearoa New Zealand*. pp. 91-99; Report of the Royal Commission on the Electoral System 1986. pp 131-152

⁷ Geddis at [92-93].

was charged... that the district had been altered in certain directions so that the interests of certain persons should be served.”⁸

7. The former system of passing successive representation acts was also known for being a “time-consuming chore”⁹ in the eyes of many Parliamentarians. In response, Parliament established the first Representation Commission, tasked with independently carrying out boundary reviews using a prescribed process.
8. The independence of the Representation Commission and its function was quickly accepted by the public and over time, it has developed into a system guided by the following principles:
 - The process should be free of direct political intervention and binding on Parliament;
 - Non-partisan and politically neutral membership;
 - Equality of representation; and
 - Revision of boundaries should be at regular intervals.¹⁰
9. The importance of these principles was reinforced over decades and is evident in the fact that the basic philosophy and procedures of the Representation Commission remain largely unchanged. The 1986 Royal Commission’s report notes that “the independence of the boundary adjustment process from political interference, coupled with the tightly-timed and meticulous nature of the process itself, have earned the confidence of the public over the last 100 years.”¹¹ It is also reflected in the fact that, from 1956, provisions in New Zealand statute related to the boundary review process and the procedure of the Representation Commission have been entrenched. This means that provisions related to the boundary review process can only be amended with a 75 percent majority or a binding national referendum.
10. In an Mixed Member Proportional environment, many of the settings that existed in 1956 remain in place including the Commission’s membership, the 5 percent quota allowance,¹² and the reliance on a five-yearly census.

The boundary review process and the census

11. The Representation Commission must follow a prescribed process for undertaking each boundary review, as set out in the Electoral Act. Most of this process is premised on the availability of relevant census dates and data. Section 35 of the Electoral Act provides that a boundary review is triggered only after each periodical census and *on no other occasion* [emphasis added].¹³
12. The census is also instrumental in the definitions of New Zealand’s two categories of electors. Section 3(1) of the Electoral Act provides that both the **General electoral population** and the **Māori electoral population** are predicated on the “total ordinarily resident population as shown in the last periodical census.”
13. The Electoral Act also prescribes a formula the Commission must use for determining electoral districts. This formula broadly involves the following inputs:
 - Dividing the General electoral population (GEP) of the South Island by 16¹⁴ to obtain the quotient for the South Island;
 - Dividing the GEP of the North Island by the quota for the South Island to obtain the number of general electoral districts for the North Island;

⁸ Report of the Royal Commission on the Electoral System 1986 at [133].

⁹ Ibid at [134]

¹⁰ Ibid at [134].

¹¹ Ibid at [134].

¹² The Electoral Act provides that the Representation Commission must ensure that the population of each electoral district must be within 5 percent of a population quota.

¹³ See Section 35(2)(c) of the Electoral Act 1993.

¹⁴ The Act provides that the number of electoral districts for the South Island is 16.

- Dividing the GEP of the North Island by the number of electoral districts for that island to calculate its quota;¹⁵
- The Commission has a statutory duty to ensure that the GEP in each electoral district is within 5 percent of the allowed population quota.

14. A prescribed formula is also used for the calculation of Māori electoral districts:

- Dividing the Māori electoral population¹⁶ by the South Island quota to determine the number of Māori electoral districts (to the nearest whole number).
- As with the GEP, the Electoral Act provides that all electorates must be within a 5 percent quota allowance.

15. The Electoral Act also prescribes set administrative processes and deadlines that the Representation Commission must follow. These processes also have a direct relationship to each periodical census. For example, in addition to triggering the boundary review process overall (see paragraph 11) and marking the end of each appointed members terms of office, the Electoral Act provides:

- **As soon as possible after each periodical census**, the Surveyor-General must call the first meeting of the Commission for the purpose of nominating a Chairperson;¹⁷
- For the purpose of calculating the MEP and the GEP, the Electoral Commission must provide the Government Statistician with electoral information used for that purpose (which includes the total number of people registered as electors of Māori electoral districts and the total number of Māori people on the general roll), as on **counting day**. In this context, counting day means **on census day** or, if a census takes place in the same year as a general election, 1 April the following year;¹⁸
- When the Government Statistician has this information and the **results of the census**, they must report the results and their calculation of the MEP and GEP to the Surveyor-General and the rest of the Commission;¹⁹
- The Surveyor-General is then required to prepare maps showing the distribution of the population and the provisional boundaries for the electoral districts and then call a second meeting of the Commission.²⁰

16. The Electoral Act also provides for additional requirements. For example, the Commission must complete the boundary division process within six months following the second meeting of the Commission. The Commission must also provide an opportunity for objections and counter-objections to be lodged and must publish these objections and counter-objections.

17. The five-yearly census has historically provided for an automatic trigger with a highly independent data source. The Statistics Act currently provides that a census must be taken once every five years and, as a result, boundary reviews are automatically triggered, and matters related to New Zealanders' representation are routinely adjusted, on a five-yearly basis.²¹

¹⁵ See section 35(3)(a) to (d) of the Electoral Act 1993.

¹⁶ The Māori electoral population is calculated by dividing the number of electors on the Māori roll by the total number of Māori people on both the General and Māori rolls and applying the proportion to the total number of 'ordinarily resident' Māori persons on census day.

¹⁷ See section 35(4) of the Electoral Act 1993.

¹⁸ Section 79 of the Electoral Act 1993.

¹⁹ Section 35(6) of the Electoral Act 1993.

²⁰ See sections 35(7) and 45(4) of the Electoral Act 1993.

²¹ Another rationale for using census data for the purpose of calculating the electoral populations is census data provides for a level granularity of the usual resident population down to an individual mesh block/household level. This ensures that the basic principle in New Zealand electoral law that everyone is **represented**, irrespective of their enrolment status or eligibility, is met.

How is the status quo expected to develop if no action is taken?

18. Cabinet has agreed to modernise the census including to:
 - use an administrative data-first approach, supplemented by survey data;
 - release data progressively in stages, with a complete set of census data published in 2030 and annually thereafter; and
 - amend the Data and Statistics Act 2022 to defer the census due in 2028 to 2030, to allow time for cross-government action to improve administrative data.
19. For more information on the census modernisation work, see Stats NZ's Regulatory Impact Statement, *Modernising the census*.²²
20. These decisions mean that the next 'census', within the meaning of the Electoral Act, will take place in 2030 and annually thereafter. This will mean the boundary review process will legally be triggered on an annual basis. This scenario would result in a boundary review process that is no longer fit-for-purpose and unable to deliver on its intended outcomes. It is likely to result in significant confusion for key stakeholders, including the public, political parties/candidates, and the Representation Commission.

What is the policy problem or opportunity?

21. We have identified two policy problems/opportunities:
 - **Issue 1:** The Government Statistician's decision to shift towards an annual publication of census data raises questions about what 'periodical census' means in the Electoral Act, and therefore how frequently boundary reviews will be legally triggered. It seems highly likely that, under the proposed approach, boundary reviews will be legally triggered on an annual basis; and
 - **Issue 2:** It is highly unlikely that a boundary review would be completed ahead of the 2029 General Election (due to the time needed to produce census results – noted above). In any case, Cabinet has decided to defer the next census from 2028 to 2030, which negates any possibility of a boundary review being conducted ahead of the General Election in 2029. It is possible that there is both a public and political expectation that a boundary review occurs ahead of the 2029 General Election.

Issue 1: Boundary reviews from 2030

22. The status quo/counterfactual would result in an unsustainable, ineffective, and costly boundary review system, from 2030, which would be legally ambiguous and no longer fit-for-purpose.
23. The shift towards an annual publication of census data presents an opportunity to consider what policy settings for boundary reviews are optimal. For example, while based on long-standing practice, tying boundary reviews to every five-yearly census is not without its challenges. The purpose of using the census as a trigger for the boundary review process has been because:
 - historically, the census was the primary dataset used to inform measures of the total ordinarily resident population; and
 - census processes are largely automatic and independent.
24. The timing of the census in this context has provided a conveniently available, regular, and independent source of data that can be used for electoral purposes.
25. However, disconnection between New Zealand's three-year term of Parliament and the five-yearly nature of the census has meant that the trigger for boundary reviews is not logically connected to the electoral cycles to which they relate. As a result, theoretically, 66 percent of our boundary reviews apply to two electoral cycles and 33 percent apply only to one electoral cycle. This disconnect between five-yearly censuses and three-year Parliamentary terms means that

²² <https://www.stats.govt.nz/corporate/cabinet-papers-modernising-the-census-by-taking-an-administrative-data-first-approach/>

the quality of New Zealand’s electoral representation in any given Parliamentary term is dependent on the timing of the census, which is in itself not inherently tied to the electoral system. As one illustrative example, the 2011 Christchurch Earthquake meant that the 2011 census was no longer feasible and Parliament subsequently passed legislation to defer the next census until 2013. This consequentially delayed the trigger of the boundary review expected to commence in 2011; although that boundary review was still able to be completed ahead of the 2014 General Election.

26. In feedback on this RIS, the Electoral Commission has noted that since 1975 around 50 percent of New Zealand’s boundary reviews have applied to two electoral cycles. Table 1 below, shows examples of the timing of each boundary review since 1998 and the electoral cycles to which they relate.

Table 1: Boundary reviews, date of relevant census, and corresponding electoral cycles for each boundary review since 1998

Boundary Review	Date of census used for Review	Corresponding Electoral cycle(s)
Boundary Review 1998	March 1996	1999-2002
Boundary Review 2002	March 2001	2002-2005; 2005-2008
Boundary Review 2007	March 2006	2008-2011; 2011-2014
Boundary Review 2014	March 2013 ²³	2014-2017; 2017-2020
Boundary Review 2020	March 2018	2020-2023; 2023-2026
Boundary Review 2025	March 2023	2026-2029

27. The frequency of boundary reviews is tied to the equality of representation between electoral districts. Representation Commission data shows that the more time that elapses between boundary reviews, the less representative some electoral districts are. For example, as part of Boundary Review 2025 (which fixed the electoral boundaries ahead of the 2026 General Election), the Representation Commission factored in population projections for 2026 and 2029 in its assessment of what proportion of electoral districts would be outside the allowable quota by those years. Based on census data from the 2023 census and population projections through to 2029, the Commission’s assessment shows that, by 2026, 14 of New Zealand’s 71 electoral districts (approx. 19 percent) will be outside the allowable 5 percent population quota. By 2029, 19 electoral districts (approx. 27 percent) will be outside the allowable quota.
28. Given the variation of population increases/decreases being more pronounced in some electoral districts, it follows that, for some districts, the disparities in the equality of representation will be more prevalent than for others. For example, the Commission’s 2029 population projections show that the Upper Harbour district could be 14.3 percent outside quota and Port Waikato could be 11.6 percent outside quota.
29. Regular boundary reviews are also of particular interest to Māori because the calculation of the Māori electoral population directly influences the number of reserved Māori seats there are in Parliament.

Issue 2: Boundary Review 2028 and the 2029 General Election

30. The Minister of Statistics has publicly indicated that, even if a census were taken in 2028, it is highly unlikely that population data could be prepared in time to allow for a boundary review to be completed ahead of the 2029 General Election. This is largely due to the time needed to produce and quality assure necessary data, which has increased under a combined approach – which involves combining the traditional enumeration model with admin data (like that taken in Census 2018 and Census 2023). Stats NZ has advised that the underlying issues that have driven

²³ Following the 2011 Christchurch Earthquake, the 2011 census was postponed until 2013. Had a census been held in 2011, it would have been expected to apply to the 2014-2017 Parliamentary term, with another census expected in 2016, ahead of the 2017 General Election.

this increase could be addressed by census modernisation and are part of the reason that the census modernisation has been proposed.

31. Cabinet has decided to defer the next census from 2028 until 2030. Given boundary reviews are triggered by the 'periodical census', this would mean that the next boundary review can only be triggered some time in 2030, and boundary reviews would likely be re-fixed ahead of the 2032 General Election.
32. Under the status quo/counterfactual, the boundaries fixed in 2025 would apply to both the 2026 and 2029 General Elections. As indicated above, this is not unusual – for example the Electoral Commission has advised that, since 1975, around half of New Zealand boundary reviews have applied to more than one electoral cycle. However, there is a small risk that the disconnection between New Zealand's three-year term of Parliament and five-yearly census could present some challenges to the equality of representation and perceptions of electoral legitimacy for the 2029 General Election. There is also a risk that this could result in equity issues for Māori in particular.

Scenario planning and analysis

33. In the preparation of advice to the Minister of Justice, we undertook a provisional scenario analysis of what a deferment of the next boundary review could mean for the equality of representation between electoral districts. Our scenarios are necessarily based on a number of assumptions and a high degree of uncertainty, but have been included here to illustrate the scale of issues under consideration.
34. By virtue of its connection to the calculation of the Māori electoral population, and therefore the number of Māori electorate seats in the House of Representatives, the boundary review process has implications for representation for Māori.
35. The number of Māori electorate seats is determined by dividing the Māori electoral population by the quota for the general electoral districts in the South Island, with the quotient being the number of electoral districts (and therefore seats in the House), rounded to the nearest whole number. Since 2002, the nearest whole number has been seven, meaning there has not been an increase in the number of Māori seats in Parliament since 2002. However, notwithstanding 2014 where it decreased slightly, since 2002, the unrounded number of Māori electoral districts has been slowly trending upwards (see Table 2).

Table 2: Unrounded number of Māori electorates and the number of Māori seats in Parliament resulting from the calculation of the Māori electoral population in each boundary review since 2002

Year	Unrounded number	Number of seats
2002	6.84	7
2007	7.25	7
2014	7.05	7
2019/20	7.23	7
2025	7.43	7

36. The below scenario analysis has a highly significant assumption of no changes to both the New Zealand and South Island total population projections through to 2028.²⁴ With this assumption in mind, the two factors which would affect calculations for the number of Māori electorates in 2028 are:
 - changes in the Māori descent population from projections; and,
 - changes in the proportion of Māori choosing the Māori electoral roll.
37. Table 3 shows what the number of Māori electorates at the 2029 General Election could be. This is based on a hypothetical review in 2028, the assumed changes in the Māori descent population from projections, and the proportion of Māori choosing the Māori electoral roll in 2029.

²⁴ Projected populations are taken from Stats NZ September 2025 Subnational population projections: 2023(base), through to 2028.

38. Assuming that there was no change in either the Māori descent population at the 2028 Census from projections,²⁵ and no change in the proportion of Māori choosing the Māori electoral roll in 2029 from the proportion in 2024 (51.6%), it is possible that the unrounded number of Māori electorates based on a 2028 Census could be 7.57. This would result in an increase in the number of Māori electorates to 8 for the 2029 General Election. The number of North Island seats could increase to 49.

Table 3: Scenario analysis showing percentage change in Māori descent population and percentage point change in proportion of Māori on the Māori electoral roll and its possible impact on the number of Māori electorates

Percent change in Māori population	Percentage point change in Proportion of Māori on Māori electoral roll	Number electorates unrounded	– Number electorates – final
-1%	-1%	7.33	7
	-1%	7.41	7
-1%		7.49	7
		7.57	8
1%	1%	7.81	8
2%	2%	8.05	8
3%	3%	8.30	8

39. The number of Māori electorates remaining at 7 at the 2029 General Election would most likely require a small reduction in the Māori descent population from projections, and/or the proportion of Māori choosing the Māori electoral roll in 2029. A 1 percent decrease in the Māori descent population from projections²⁶ and no change in the proportion of Māori choosing the Māori electoral roll could still result in the number of Māori electorates increasing to 8 or staying at 7 at the 2029 General Election.²⁷ The number of North Island seats could increase to 49 or remain at 48.

40. If there was no change in the Māori descent population from projections, and a 1 percentage point reduction in the proportion of Māori choosing the Māori electoral roll (to 50.6%)^{28,29}, the number of Māori electorates would be more likely to remain at 7 at the 2029 General Election. The number of North Island seats could increase to 49.

41. We note, for completeness, that Electoral Commission statistics show that the number of electors registered on the Māori roll, as at 1 July 2025, was 297,594, which is a 2.5% increase from the 290,300 electors at the 2023 General Election.³⁰

²⁵ The projected Māori descent population in 2028 is calculated as the Māori descent population in 2023 * Māori ethnic group projected population in 2028 / Māori ethnic group estimated population in 2023.

²⁶ As the base assumption is that both the New Zealand and South Island total population projections would not change, both the New Zealand and South Island populations not of Māori descent would be assumed to increase under this scenario.

²⁷ Note that the Māori ethnic group population was underestimated by 6 to 7% at the 2013 Census.

²⁸ The assumption applied here is that there would be a 1 percentage point reduction in the proportion of Māori choosing the Māori electoral roll in each of the North and South Islands, as well as the Chatham Islands.

²⁹ Note that the proportion of those of Māori descent choosing the Māori electoral roll at the 2018 Māori electoral option was 52.8% - 1.2 percentage points higher than the proportion in 2024.

³⁰ <https://elections.nz/stats-and-research/enrolment-statistics/enrolment-by-general-electorate/maori-enrolment/>

42. The above table and descriptions are neither forecasts nor projections; they merely outline what is possible. They do not attempt to make predictions as there is inherent uncertainty in any exercise to forecast or project how population changes could affect future boundary reviews, as there are multiple drivers that contribute to whether the number of electorates will change. For instance, in its 2025 report back on electoral boundaries, the Representation Commission noted that while there was strong population growth in the Māori electorates since the last boundary review, relatively strong growth in the South Island population meant the number of Māori electorates remained at 7. These and other countervailing trends could continue or intensify, and it is not possible to know what would happen in a future boundary review.
43. While noting the inherent uncertainty of this scenario analysis, it is nonetheless possible that the status quo/counterfactual could result in rights to fair and equal representation not being fully realised.

What objectives are sought in relation to the policy problem?

44. The objectives in relation to the policy problem are to ensure that boundary reviews occur on a regular, timely, and predictable basis and that boundary reviews can draw on independent and up-to-date sources for calculating the general electoral and Māori electoral populations. An overarching aim is to ensure that New Zealand's democratic system, particularly those that relate to some fundamental issues of representation, are trusted and operate with a strong social license.

What consultation has been undertaken?

45. Time constraints have meant that no public consultation has been undertaken on the policy proposals discussed in this RIS. However, given the entrenched/reserved nature of the provisions in the Electoral Act related to the boundary review process and the constitutional significance of boundary review processes overall, the Minister of Justice intends to consult with parliamentary party leaders represented in the House of Representatives on all options considered in this paper, with the intention of seeking cross-party support. The public will have an opportunity to engage with this issue when any draft legislation reaches select committee.
46. New Zealand's boundary review process has been the subject of some public consultation and public inquiries since at least as far back as 1986. For example, boundary reviews and the operations of the Commission have featured in the following reports:
- the 1986 Royal Commission of Inquiry into the Electoral System
 - the 2014 Justice and Electoral Committee's report into the 2014 General Election; and
 - the Independent Electoral Review's 2023 report, *Our recommendations for a fairer, clearer and more accessible electoral system*.
47. We have used the consultations carried out in development of the above-mentioned resources as proxies, where relevant. As such, in absence of proper policy consultation, some views of the public are reflected in our discussion of policy options below.

High-level stakeholder views on options discussed

48. The proposals related to Issue 1 are primarily about the timing of future boundary reviews in New Zealand. This issue has been discussed previously in different reports, but not extensively. For example:
- **The Independent Electoral Review Panel** considered the timing of boundary reviews in its report. Specifically, it considered tying boundary reviews to every second electoral cycle as compared to retaining the five-yearly status quo. On balance, the Panel did not recommend tying boundary reviews to every second electoral cycle, and instead recommended retaining a five-yearly cycle. The Panel's recommendation was based on its view that a five-yearly review strikes an optimal balance between population growth, stability, and accuracy. The Panel was also concerned about the prospect of New Zealand shifting to a four-year term of Parliament – tying boundary reviews to every second electoral cycle in this context would

mean boundary reviews would take place approximately every 8 years, which in the Panel's view, would be too infrequent to provide for equality of representation between electoral districts.³¹

- In its report following its Inquiry into the 2014 General Election, **the Justice and Electoral Select Committee** recommended that the Government consider decoupling the boundary review process from the census, in light of possible future changes to the census. The Committee did not form a particular view on what an optimal timing of boundary reviews should be, nor did it make any recommendations on that issue.

49. The proposals related to Issue 2 are primarily about whether a boundary review takes place ahead of the 2029 General Election and what source of alternative data may be available for that purpose.

50. Although the use of 'alternative' population data for a boundary review would mark a departure from the status quo, the prospect of decoupling census data from the boundary review process has featured prominently when the boundary review process has previously been considered. For example, the **1986 Royal Commission on the Electoral System** recommended exploring options for alternatives to the census to be used.³²

51. Likewise, the Independent Electoral Review Panel noted increasing public concern about the inaccuracies in the census, particularly in relation to the 2013 and 2018 censuses, as drivers for its recommendation to remove the requirement that the boundary review process is based on census data. However, this recommendation was contingent on any new system operating with a high social license developed through extensive public consultation, and that there were appropriate safeguards around Māori data governance, robustness, independent review, and transparent calculation of the electoral populations.³³

52. We consulted with the following agencies on an earlier draft of this RIS and the policy proposals in the Minister's Cabinet paper, *Census Modernisation and the Electoral Act 1993: Report back to Cabinet and policy approvals*: Crown Law Office, Department of Internal Affairs, the Electoral Commission, Land Information New Zealand, Ministry for Regulation, Public Service Commission, Stats NZ, Te Puni Kōkiri, and Treasury. The Department of Prime Minister and Cabinet (Policy Advisory Group) and Parliamentary Counsel Office were informed.

53. The proposals have received a mixed response from agencies. Some agencies have raised concerns about the feasibility of the statutory deadline, as proposed under Option 1 for Issue 1. Agencies who raised this concern noted that some parts of the boundary review process are outside of the Representation Commission's control, meaning the setting of a statutory deadline could impose an unreasonable expectation on the Representation Commission. For example, the first meeting of the Representation Commission, called pursuant to section 35(4) of the Electoral Act is contingent on the House nominating its preferred representatives on the Commission and those members having been formally appointed by Order in Council.³⁴ The Ministry will continue to work with partner agencies on these concerns as we work towards preparing draft legislation.

³¹ For completeness, we note that at the time of developing this RIS, the *Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill*, a proposal to conduct a referendum on a four-year term of Parliament, was progressing through the House. If a four-year term of Parliament referendum was successful, the frequency of boundary reviews will likely need to be reconsidered in future, because this would effectively tie boundary reviews to 8-yearly cycles.

³² Report of the Royal Commission on the Electoral System 1986 at [142-144]

³³ [Independent Electoral Review Panel at \[430\]](#)

³⁴ See sections 28(2) and 28(3) of the Electoral Act 1993.

54. In relation to Issue 2, agencies raised concerns about using ‘alternative’ population data sources for the purpose of any ‘transitional’ boundary review and consequential risks to the perceived legitimacy of any election in 2029. We note that this is a risk with both options presented in relation to Issue 2:
- Not undertaking a transitional boundary review presents a risk of public and political perception that the boundary review has been delayed for partisan purposes, despite there being a clear expectation that a new division would take place; and
 - Undertaking a transitional boundary review, using alternative source of population data, presents a risk of public and political perception that the boundaries have been recalculated using inaccurate population data, and that therefore the electoral districts are not representative. There is a risk of this perception even if the outcome of such a review does not result in any changes in the number of electoral districts and therefore seats in the House.
55. As outlined in this RIS, the Ministry’s preferred option is to conduct a ‘transitional’ boundary review using an alternative source of population data, provided that appropriate quality controls around the source of population data are in place.

Section 2: Assessing options to address the policy problems

What criteria will be used to compare options to the status quo/counterfactual?

56. The criteria used for assessing policy options for the proposals in this RIS were derived primarily from the stated objectives mentioned at paragraph 44 and the historical context that informs the boundary review system. To that end, we used the following criteria:

- **Neutrality and Bipartisanship:** The boundary review process is bipartisan (i.e. politically neutral) and independent (i.e. free of undue political/Executive influence). Boundary reviews operate with a strong social license, should have high levels of public and political confidence and should be transparent and accessible.
- **Consistency:** New Zealanders should have clarity about, and consistency with, their electoral rights. In a boundary review context, this means having clarity about when boundary reviews will be undertaken and what electoral cycles they apply to. The boundary review process should be logically tied to the electoral process.
- **The Treaty of Waitangi/te Tiriti o Waitangi:** The option takes into account the articles and principles of the Treaty of Waitangi/te Tiriti o Waitangi and that Māori and the Crown have an interest in the health of the electoral system. The boundary review system is oriented around principles of information and good governance (article 1), support for tino rangatiratanga and Māori self-determination (article 2), and guarantees rights to equality of citizenship (article 3).
- **Ease of Implementation:** Options should be easy to implement and easy to understand – for the public and for stakeholders responsible for implementation.
- **Cost:** Options should be cost-effective and enduring.

What scope will options be considered within?

Issue 1: Policy options for boundary review settings from 2030 onwards

57. The boundary review process, including its formal trigger and the process the Commission must follow, is set out in the Electoral Act and, as a result, non-regulatory options were out of scope.

58. Following a meeting between the Minister and the Minister of Statistics, and given our time constraints for preparing policy options, the Minister of Justice directed a process to consult with party leaders across the House on the following policy options:

- Option 1: Decoupling the timing of the boundary review process from the census and tying the trigger for boundary reviews to every second general election; and
- Option 2: Amending the Electoral Act to retain a five-yearly boundary review that would still be triggered by every fifth annual census, starting from Census 2030.

59. Given the nature of this commissioning, some alternative options around the timing of boundary reviews from 2030 onwards are out of scope.³⁵ These include:

- Tying boundary reviews to fixed yearly intervals: this would involve amending the Electoral Act to require boundary reviews to be undertaken at fixed intervals (i.e. every four or six years). This option would not explicitly tie boundary reviews to New Zealand's electoral cycles and the data used would be dependent on the best or most recent available population data at the time;

³⁵ We note that further changes to the boundary review system will likely need to proceed with a strong social license developed through a robust process of stakeholder engagement. The scope of the proposals in this RIS is therefore constrained to only what constitutes a *necessary* or *desirable* amendment to the Electoral Act in light of the census modernisation.

- Providing for a variable trigger for boundary reviews: this would be an administratively complex option that would tie boundary reviews to specific conditions being met. Some example conditions include:
 - i. when the most recent population data and any resulting calculation of the electoral populations shows that a certain proportion of electorates (i.e. 25%) are outside the allowable quota;
 - ii. the result of any calculation of either the Māori or general electoral population shows that either an increase or decrease in the number of electoral districts is necessary; or
 - iii. when none of the above conditions are met for a fixed period (i.e. 8 years).

Issue 2: Policy options for any boundary reviews ahead of the 2029 General Election

60. In relation to Issue 2, the options are:

- Option 1: The status quo/counterfactual (Minister’s preferred): no ‘transitional’ boundary review is held ahead of the 2029 General Election – the boundaries will remain fixed until the next boundary review is triggered by the census in 2030.
- Option 2: ‘Transitional’ boundary review (Ministry’s preferred): the Electoral Act is amended to allow the Representation Commission to perform a ‘transitional’ boundary review, drawing on an alternative source of population data, which would enable the electoral districts to be re-fixed ahead of the 2029 General Election.

61. There is an alternative option to a ‘transitional’ boundary review that was ultimately ruled out of scope:

- amending the Electoral Act to require the Government Statistician to perform the calculations of the electoral populations before determining if continuing with a full boundary review is necessary. This option would have been administratively difficult to implement and would have resulted in significant uncertainty about the timing of future boundary reviews.

What options are being considered?

Issue 1: Policy options for boundary review settings from 2030 onwards

62. The Minister of Justice plans to consult with the party leaders represented in the House on two options:

- Option 1: decoupling the timing of the boundary review process from the timing of a periodical census and instead tying the boundary review ‘trigger’ to every second general election; and
- Option 2: amending the Electoral Act to retain a five-yearly boundary review that would still be triggered by every fifth annual census, starting from Census 2030.

63. Given that there will still be regularly available census data showing the total ordinarily resident population, under either option the calculations of the general and Māori electoral populations will continue to be based on census data.

Status quo/counterfactual

64. The census modernisation will result in an annual publication of census data, from 2030. Without amending the Electoral Act to account for this change, this could result in circumstances where boundaries are re-fixed more than once during an electoral cycle.

65. This would result in a boundary review system that is not fit-for-purpose and costly, which in turn could result in a loss of trust in the regulatory system. The Ministry does not consider the status quo/counterfactual option as legally or practically sustainable in this context.

Option 1 – Tying the timing of the census to every second General Election

66. Under this option, the Electoral Act would provide that boundary reviews can take place only after every second General Election, beginning with the 56th Parliamentary term. Under this option, the Electoral Act would set a statutory deadline for boundary reviews to be completed no later than a fixed number of months prior to the date on which Parliament is set to expire.³⁶ Option 1 has two associated sub-options, related to the timing of any fixed date:
- Sub-option 1A: Boundary reviews must be completed no less than 12 months prior to the date on which Parliament is due to expire;
 - Sub-option 1B: Boundary reviews must be completed no less than 15 months prior to the date on which Parliament is due to expire.
67. Sub-options 1A and 1B are relatively similar. Sub-option 1A is more likely to use more recent population data but provides less time for stakeholders, like political parties and the Electoral Commission, to prepare for the next election under new boundaries. Sub-option 1B would mean boundary reviews would be completed slightly earlier in an electoral cycle giving more time for stakeholders, such as political parties and the Electoral Commission, to prepare for the next election under new boundaries. However, sub-option 1B is less likely to use timely census data and therefore may need to rely on population data from the year before to allow all necessary processes to be completed in time. We have assessed these sub-options in the table on page 20.
68. To allow sufficient time for the Representation Commission to undertake the boundary review, and recognising that our proposals set a new deadline for completion of the boundary review (as opposed to a ‘triggering’ event), under this option (Option 1), the first meeting called for the purpose of electing a Chair of the Representation Commission must be held no later than two years before the date on which Parliament is due to expire.
69. The Government Statistician and the Surveyor-General will use the most recent (annual) census data that can be made available in time to allow the Representation Commission to meet its statutory deadlines within each boundary review period.
70. As part of the census modernisation work, section 34 of the Statistics Act will be amended to require the Statistician, by notice in the Gazette, to specify a ‘reference date’ for each annual census publication. This reference date will specify the date population and dwellings data is about, which operates similarly to how ‘census day’ currently does.
71. Under Option 1, for the purpose of calculating the Māori electoral population, the definition of ‘census day’ in the Electoral Act will be amended to mean the same date as the ‘reference date’ specified for the purpose of section 34 of the Statistics Act (as amended by the Minister of Statistics’ proposed legislation). This date (if the Statistics Bill is enacted) will default to 30 June in each financial year, unless otherwise specified in the Gazette, and will therefore be known in advance. If, for any reason, the reference date specified above is a date that falls before the immediately preceding General Election, then ‘counting day’ will automatically default to a separate electoral or post-election date that would ensure the most recent Māori enrolment data is used to calculate the MEP.³⁷

Option 2 – retaining a five-yearly boundary review still predicated on a ‘periodical census’

72. Under Option 2, the settings that exist under the status quo would be retained to the extent possible, while amending the Electoral Act to align with the changes proposed to the Statistics Act.

³⁶ This date is set pursuant to section 17(1) of the Constitution Act 1986 which provides that the term of Parliament is 3 years from the day fixed for the return of the writ issued for the last preceding general election. The Governor-General must, in every writ for a general election, appoint the latest day for the return of the writ.

³⁷ For drafting purposes, this date will either be ‘polling day’ for the immediately preceding General Election or a post-election date where the Māori electoral roll information is the most up-to-date.

73. Option 2 would result in the following settings:

- Trigger: given the shift to an annual publication of census data, the trigger for the boundary review process will be tied to every fifth-yearly publication of census of population and dwellings within the meaning of the Statistics Act; and
- Counting day: for the purpose of calculating the Māori electoral population, 'counting day' will be the 'reference date' specified for the purpose of section 34 of the Statistics Act (see paragraph 68 above). This date will default to 30 June in each financial year, unless otherwise specified in the Gazette, and will therefore be known in advance. As is currently the case, if every fifth publication of census data occurs in an election year then 'counting day' will default to 1 April of the immediately following year.

How do the options compare to the status quo/counterfactual?

74. Our assessment of the options in relation to Issue 1 - options for boundary review settings from 2030 onwards - is contained on page 20. Sub-options have been assessed in relation to each other and have only been assessed below if either sub-option would result in substantially different regulatory outcomes. Otherwise, sub-options have been given a generally neutral assessment.

	Status quo/counterfactual: Boundary reviews tied to every 'periodical' (annual) census and therefore triggered annually	Option One – Tying the timing of the census to every second General Election	Option Two - retaining a five-yearly boundary review still predicated on a 'periodical census'
Neutrality and Bipartisanship	<p>0</p> <p>Could result in a near-perpetual state of re-fixing electoral boundaries, making the system unpredictable. Results in significant confusion among key stakeholders. Boundary review system is no longer fit-for-purpose, resulting in significant loss of public and political trust. Significant ambiguity in how the process should be run.</p> <p>Relies on an independent data source (census data).</p>	<p>++</p> <p>Frequency of boundary reviews regular and predictable.</p> <p>Retains bipartisan and politically neutral approach. Relies on an independent source of data.</p> <p>Relies on a generally well-understood and trusted process.</p> <p>Boundary reviews triggered slightly less frequently.</p> <p><u>Sub-option A (compared to sub-option B):</u> ++ More likely to have timely population data available in time for the boundary review. - Less time for stakeholders to prepare for the next election.</p> <p><u>Sub-option B (compared to sub-option A):</u> -- Less likely to have timely population data available in time for the boundary review. + More time for stakeholders to prepare for the next election.</p>	<p>+++</p> <p>Boundary reviews triggered less frequently than status quo/counterfactual, but slightly more frequently than option one.</p> <p>Retains bipartisan and politically neutral approach. Relies on an independent source of data.</p> <p>Relies on a generally well-understood and trusted process.</p> <p>Electoral cycles to which boundary reviews relate are less predictable and more dependent on the census cycle.</p>
Consistency	<p>0</p> <p>Boundary reviews would be routinely and consistently triggered, but also results in significant confusion about what data relates to the next electoral cycle. Depending on timing of future elections, census data will be released multiple times in an electoral cycle, resulting in confusion for stakeholders and the public.</p>	<p>++</p> <p>Clear trigger for each boundary review and clarity about which electoral cycles they relate to (every second electoral cycle).</p> <p>Clear connection between the boundary review trigger and the electoral cycle.</p>	<p>+</p> <p>Clear trigger for each boundary review (every fifth census), but less clarity than status quo/counterfactual about what electoral cycles they relate to (boundary reviews mostly cover two electoral cycles, but occasionally cover only one).</p> <p>Connection between the trigger for the boundary review and electoral cycles is less clear.</p>
The Treaty of Waitangi/te Tiriti o Waitangi	<p>0</p> <p>While reviews of Māori electoral districts may be triggered annually, there will be significant confusion about the status of each boundary review at any given time. Significant confusion about what 'counting day' is, particularly in election years. Policy settings determining basic principles of Māori representation in New Zealand's Parliamentary system (i.e. the calculation of the Māori electoral population) no longer fit-for-purpose.</p>	<p>+</p> <p>Matters related to Māori representation routinely adjusted, but slightly less frequently than the status quo/counterfactual.</p> <p><u>Sub-option A (compared to sub-option B):</u> ++ More likely to have timely Māori population data available in time for the boundary review. - Less time for stakeholders (including Māori) to prepare for the next election.</p> <p><u>Sub-option B (compared to sub-option A):</u> -- Less likely to have timely Māori population data available in time for the boundary review. + More time for stakeholders (including Māori) to prepare for the next election.</p>	<p>+</p> <p>Matters related to Māori representation routinely adjusted.</p>
Ease of implementation	<p>0</p> <p>Representation Commission required to undertake boundary reviews on continuously updated data. Core agencies (LINZ, Electoral Commission, Stats NZ, and the Ministry) required to provide secretariat support and administrative functions under the Electoral Act. Results in significant legal and practical ambiguity.</p>	<p>++</p> <p>Relies on a trusted overall process and sets clearer timeframes for the Representation Commission about when boundary reviews need to be completed.</p> <p>Provides some flexibility around which census data can be used for each boundary review.</p> <p>May result in some tight administrative timeframes for preparation of census data in order to meet statutory deadline.</p>	<p>++</p> <p>Relies on a trusted overall process, but with less clarity for the Representation Commission about when boundary reviews need to be completed.</p> <p>Mandates the specific census data that needs to be used for each boundary review.</p>
Cost	<p>0</p> <p>Ambiguous financial costs – although expected to result in significant increases (as boundary reviews may be legally triggered on an annual basis). Significant administrative costs in servicing the Representation Commission and key stakeholders to meet statutorily defined functions.</p>	<p>++</p> <p>Slightly reduced costs over time. However, significantly better than the status quo/counterfactual, which could result in commencing separate boundary reviews annually.</p>	<p>+</p> <p>Similar costs to the current system. However, significantly better than the status quo/counterfactual, which could result in commencing separate boundary reviews annually.</p>
Overall assessment	<p>0</p>	<p>++</p> <p>Sub-option A ++</p> <p>Sub-option B +</p>	<p>+</p>

Key for qualitative analysis
 ++ much better than the status quo/counterfactual
 + better than the status quo/counterfactual
 0 about the same as the status quo/counterfactual
 - worse than the status quo/counterfactual
 -- much worse than the status quo/counterfactual

Issue 1: What options are likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

75. The Ministry of Justice does not consider the status quo/counterfactual to be sustainable or viable in light of the census modernisation. This is because the status quo/counterfactual would make the operation of the boundary review process both practically and legally ambiguous, which is highly likely – in our view – to undermine public and political trust in the system.

76. We note that Options 1 and 2 are qualitatively very similar and will generally deliver the same outcome: a regular boundary review process, using systems and processes that are generally understood and trusted. Our assessment has resulted in a slight preference for Option 1, tying boundary reviews to every second election cycle. While Option 2 results in boundary reviews being triggered slightly more frequently, there is currently no strict requirement stating when boundary reviews must be completed.³⁸ There is a trade-off between more frequent triggers for each boundary review and setting a clear connection between boundary reviews and the electoral cycles to which they relate. We discuss some of the trade-offs between Options 1 and 2 below.

77. As noted in the assessment table above, between sub-options 1A and 1B, the Ministry's slightly preferred option is sub-option 1A. This is because sub-option 1A is more likely than sub-option 1B, but not guaranteed, to draw on more timely population data for each boundary review.

Option 2 would result in a more frequent trigger for boundary reviews...

78. Options 1 and 2 would both result in boundary reviews that are regular, retain long-held principles of political neutrality and independence from the Executive, while relying on independently produced census data. Both Options 1 and 2 will result in the continuation of a well-established and generally trusted boundary review system that operates with a relatively high social license.

79. The key distinction between Options 1 and 2 is related to the frequency with which boundary reviews are triggered. As Option 2 ties boundary reviews to every fifth annual census publication, boundary reviews would be triggered once every five years (with the exception of election years, where they will be triggered every six years), as they currently are. Option 1, on the other hand, ties the trigger of each boundary review to every second General Election. Given New Zealand's three-year Parliamentary term, and assuming no early elections, this would mean boundary reviews being triggered and completed approximately every six years.

... but has a less clear connection to electoral cycles

80. We see benefit in providing for clarity in the law around how frequently boundary reviews must be completed. For example, providing for clearer connections between boundary reviews and the electoral cycles to which they relate will mean more consistency and predictability over time. Option 1 is the most likely to deliver on this outcome.

³⁸ The Representation Commission must complete a boundary division within six months of the second meeting of the Commission called pursuant to section 35(7). Notwithstanding this statutory deadline, there is no set requirement for when in an electoral cycle this meeting must be called.

Option 2 appears to be slightly more consistent with the Treaty of Waitangi/te Tiriti o Waitangi

81. Both Options 1 and 2 deliver regular boundary reviews of the Māori electorates and, to this extent, both are capable of ensuring routine adjustments of how the Māori electoral population are represented. Therefore, under Options 1 and 2, the underlying purpose of the Māori Electoral Option, which is to ensure equal representation between the general electoral population and the Māori electoral population, is retained.

82. To the extent that Option 2 results in slightly more regular boundary reviews, we consider it slightly more Treaty/Tiriti-consistent than Option 1. However, with Option 2, as discussed above, the completion of boundary reviews and which electoral cycles they apply to, is slightly less predictable than Option 1.

Option 1 is slightly easier to implement, and would result in lower overall administrative and financial costs

83. In terms of ease of implementation and costs, we consider both Options 1 and 2 are substantially better than the status quo/counterfactual. The six-yearly, rather than five-yearly, trigger for boundary reviews under Option 1 will result in slightly reduced financial costs over time. In addition, both options rely on a trusted overall process. Both options will also mean amending entrenched provisions in the Electoral Act and will therefore require a 75 percent majority in the House.

84. The key difference between Options 1 and 2 in terms of cost and implementation is that Option 2 provides slightly less clarity to the Representation Commission about when key steps in the process can be completed by. In contrast, Option 1 provides relevant actors, such as the Government Statistician, the Surveyor-General, the Electoral Commission and Parliament, with significantly more lead-in time to prepare, conduct, and complete a boundary review.

Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option in the RIS?

85. In relation to Issue 1, yes, the preferred option in the Cabinet paper is the same as the preferred option in the RIS.

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Electoral populations – general electoral population and Māori electoral population	The preferred option in the Cabinet paper will ensure that fundamental electoral rights are retained and there is a logical connection between boundary reviews and their 'triggers'. There may be some reduction in equality of representation as a result of slightly less frequent boundary reviews.	Medium	Medium
Stats NZ	Preparation of data in time for the Representation Commission to meet statutory deadlines could be quite tight. This depends on the timing of general elections – the regularity of which are predictable and generally known in advance.	Medium	Medium
Electoral Commission	The Electoral Commission's functions in relation to boundary reviews will be largely retained.	Low	High

Representation Commission – including Surveyor-General, Government Statistician	Statutory deadlines may mean tight timeframes and result in some increased workloads in boundary review periods. However, existing processes, provided statutory deadlines can be met, remain largely in place.	Medium	High
Others	Boundary reviews are directly related to everyone’s right to vote and representation. Political parties and candidates may need to prepare for less frequent boundary reviews.	Low	Medium
Total monetised costs	Unknown. The Electoral Commission estimated the whole-of-life cost for Boundary Review 2025 was \$1.9 million.	Low	High
Non-monetised costs		Medium	Medium
Additional benefits of the preferred option compared to taking no action			
Electoral populations – general electoral population and Māori electoral population	The main benefits for electors is that important settings related to rights to representation are retained and are logically connected to electoral cycles.	High	High
Stats NZ	Boundary reviews undertaken less frequently.	Medium	Medium
Electoral Commission	Change is likely to marginally decrease frequency of boundary reviews.	Medium	High
Representation Commission – including Surveyor-General, Government Statistician	Representation Commission will have certainty around their obligations and timeframes.	High	High
Others	Political parties/candidates have greater clarity about the life-cycle of electoral districts.	Low	Medium
Total monetised benefits	Unknown.		
Non-monetised benefits		Medium - High	Medium - High

Issue 2: Options for any boundary reviews ahead of the 2029 General Election

86. We identified two main options, including the status quo/counterfactual:

- **Option 1 Status quo/counter-factual:** the boundaries will remain fixed until the next boundary review is triggered under the settings described in paragraphs 62-73 above, subject to Cabinet agreement and cross-party support.
- **Option 2: ‘Transitional’ boundary review** - the Electoral Act is amended to allow the Representation Commission to perform a ‘transitional’ boundary review, drawing on an alternative source of population data, which would enable the electoral districts to be re-fixed ahead of the 2029 General Election.

Option 1 – Status quo/counter-factual

87. Under the status quo/counterfactual, a boundary review cannot commence in 2028 and cannot be held ahead of the 2029 General Election. This would mean that the next boundary review can only be triggered some time in 2030 after the next census, and boundary reviews would likely be re-fixed ahead of the 2032 General Election.

88. Under the status quo/counterfactual, the boundaries fixed in 2025 would apply to both the 2026 and 2029 General Elections. Our discussion in Section 1 of this RIS notes that this is not unusual but it could have implications for the quality of representation.

Option 2 – Enabling a ‘transitional’ boundary review ahead of the 2029 General Election

The ‘transitional’ boundary review will be completed before the 2029 General Election

89. Under Option 2, the Electoral Act would be amended to allow for a one-off ‘transitional’ boundary review to take place ahead of the 2029 General Election. The transitional boundary review would be triggered at a date after the 2026 General Election and the review itself would need to be completed ahead of the 2029 General Election.

The electoral populations will be calculated by drawing on alternative population data at the discretion of the Government Statistician

90. The calculation of New Zealand’s electoral populations is predicated on the availability of census data on the total ordinarily resident population. Because census data will not be available in 2028 for this calculation, a ‘transitional’ boundary review will draw on an alternative source of data for this purpose. Stats NZ officials have advised that there are two main data sources that can be drawn on for this purpose that will be available at the time required for a review to be completed by the 2029 General Election:

- 2027 annual population estimates: these are official estimates of the usually resident population, which are derived from census data by adjusting for census undercount, residents temporarily overseas, and births, deaths, and migration between the last census and the date of the estimate; and
- 2027 administrative counts of the usually resident population: these relate to population data already held related to population counts.

91. Rather than specifically requiring the use of either population estimates or administrative counts, under Option 2, the Government Statistician would have discretion to decide and certify which of the two data sources identified above would be used for the ‘transitional’ boundary review, based on what data would be the most accurate and up-to-date data for electoral purposes, at the time it is needed for the ‘transitional’ boundary review.³⁹

Setting a counting day for the Māori electoral population

92. In addition to providing a specific date as a trigger, an alternative ‘counting day’ for the purpose of calculating the Māori electoral population will be inserted in the Electoral Act. For the purpose of Option 2, ‘counting day’ will be the same as the ‘reference date’ for whichever datasets the Government Statistician determines is best suited for a ‘transitional’ boundary review. This would be a specified date in 2027. This date is the closest equivalent to the current approach where ‘counting day’ and ‘census day’ are generally the same date.

³⁹ This is similar to the approach taken in the Local Electoral Act 2001, where the Government Statistician can issue a certificate of the total ordinarily resident population as assessed by the Statistician at a set date.

	Option One (status quo/counterfactual) – No ‘boundary review ahead of 2029 General Election	Option Two – ‘Transitional’ boundary review ahead of the 2029 General Election
Neutrality and bipartisanship	<p>0</p> <p>More likely to result in less representative boundaries at the 2029 General Election and a higher proportion of districts outside the allowable quota.</p> <p>May undermine the perceived independence and bipartisan nature of the boundary review process.</p>	<p>+</p> <p>Provides for more representative boundaries at the 2029 General Election and provides certainty about the operation of democratic processes. Mitigates some potential concerns around partisan/Executive influence in electoral processes.</p> <p>There is a risk that alternative data used is perceived as being less fit for electoral use. There may also be concerns about limitations and gaps in data.</p>
Consistency	<p>0</p> <p>Provides for clarity about when the next boundary review is expected to take place (i.e. ahead of the 2032 General Election), but may not meet stakeholder expectations about a potential boundary review ahead of the 2029 General Election.</p>	<p>++</p> <p>Provides certainty and predictability about the status of any boundary review ahead of 2029. Provides sufficient time for stakeholders and the public to prepare for an election.</p>
The Treaty of Waitangi/te Tiriti o Waitangi	<p>0</p> <p>Does not allow for the recalculation of the Māori electoral population ahead of 2029. This could mean that the number of Māori districts at the 2029 General Election are technically unrepresentative and unequal.</p> <p>Not recalculating the Māori electoral option when it is expected may constitute a breach of the Crown’s obligation to be adequately informed about Māori rights and interests. Some may consider this to be a breach of the Treaty of Waitangi/te Tiriti o Waitangi.</p>	<p>+</p> <p>Allows for recalculation of Māori electoral population and ensures that any changes to the number of Māori districts are reflected and in force ahead of the 2029 General Election.</p> <p>There is a risk that alternative data used is perceived as being less fit for electoral use. There may also be concerns about limitations and gaps in data.</p>
Ease of implementation	<p>0</p> <p>Other than the changes proposed under Issue 1, above, no changes to statute or existing processes needed.</p>	<p>--</p> <p>Involves implementation of an unprecedented ‘transitional’ boundary review, using novel settings. Likely to involve some tight deadlines, particularly for Stats NZ, the Surveyor-General and the Representation Commission in 2027-2029 in order to ensure the boundary review is completed in time.</p>
Cost	<p>0</p> <p>No additional costs. As a Boundary review is expected to commence in 2028 anyway, may result in a slight reduction in administrative and financial costs.</p>	<p>-</p> <p>Higher administrative and financial costs than the counterfactual. However, a boundary review is already expected in 2028. The Ministry does not expect the financial costs for a ‘transitional’ boundary review to be substantially higher than what is already expected under the status quo/counterfactual.</p>
Overall assessment	<p>0</p>	<p>+</p>

Key for qualitative analysis
++ much better than other option
+ better than other option
0 about the same as other option
- worse than other option
-- much worse than other option

Issue 2: What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

93. Option 2 is more likely to address the problem, objectives, and deliver the highest net benefits, and, in particular, in-line with the consistency criteria, this Option would be more likely to align with expectations of when the next boundary review would be held. It is therefore the Ministry's preferred Option.

Providing for a 'transitional' boundary is more likely to promote trust in New Zealand's democratic arrangements...

94. The Ministry of Justice's view is that opting for the status quo/counterfactual could undermine the public's trust in our democratic institutions and processes. Our position is informed by the following factors:

- **Equality of representation:** The status quo/counterfactual in this case would mean that the electoral districts fixed for the 2029 General Election will be based on data produced as at March 2023. This has implications for the representative nature of New Zealand's electoral districts, which in the Ministry's view, extend beyond what is intended in the Electoral Act.
- **Political independence:** While acknowledging the precedented nature of deferring past censuses (and as a result, past boundary reviews – but not the electoral cycles to which they apply) a decision **not** to undertake a boundary review ahead of the 2029 General Election (irrespective of whether the necessary data would have been available) could be seen as undue Executive influence on the operation of the electoral system.

95. However, given that census data will not be available for this review, stakeholders may raise concerns about the quality of any alternative data that needs to be used for this purpose. A public and political perception of any electoral data being lower quality than what can be provided in a traditional census model could undermine public trust in the democratic process and may raise concerns about electoral legitimacy.

... as it provides for a consistent and predictable outcome

96. Option 2 ensures consistency with existing boundary review cycles and provides for a predictable date or time-period where a boundary review must happen. Political parties and the public can consequently prepare for the 2029 General Election with certainty that boundaries will be refixed ahead of the election expected to be held in that year. This option could mitigate, to some extent, the possibility of going into the 2029 General Election with unrepresentative electoral districts.

There is a broader Treaty of Waitangi/Tiriti o Waitangi interest in undertaking a 'transitional' boundary review

97. The status quo/counterfactual is less likely than Option 2 to deliver outcomes that are consistent with the articles and principles of the Treaty/te Tiriti.

98. Option 2 is more aligned with the Treaty/te Tiriti, as it allows for the Māori electoral population to be recalculated ahead of the 2029 General Election. This would provide certainty that Māori electoral rights, as guaranteed under article 3 of the Treaty/te Tiriti and as intended in the Electoral Act, are realised to the best extent possible under current circumstances. Even if a calculation ahead of 2029 does not result in a change to the number of Māori districts, there is a broader public and Treaty/Tiriti interest, particularly under article 1, for the Crown to make an informed decision on electoral matters. In this context, the Ministry's view is that the Crown should endeavour to realise full voting rights

as provided for in constitutional and administrative law to the best extent possible. Option 2 is most likely to achieve this outcome.

Not doing a 'transitional' boundary review ahead of the 2029 General Election would result in a lower administrative burden and lower financial costs

99. A 'transitional' boundary review is not a strict replication of the existing boundary review process as it will rely on the preparation and use of alternative sources of data for an electoral purpose. The preparation of this data would involve a robust process of collation and quality assurance to ensure data is fit-for-purpose. The use of this approach has no precedent in a national electoral context, and, for this reason, significant communications work will be needed to build trust from key stakeholders.
100. The status quo/counterfactual would not require the Crown to resource a boundary review in 2028. [REDACTED]
[REDACTED] 9(2)(g)(i) [REDACTED]
[REDACTED]
[REDACTED]
101. Option 2 would result in more administrative work than the status quo/counterfactual. Option 2 would mean Stats NZ, the Representation Commission, the Electoral Commission and Land Information New Zealand (LINZ) would need to proceed with a boundary review in 2028. This includes providing secretariat support to the Representation Commission, preparation of necessary population data, and preparation of boundary maps. The House of Representatives would also need to appoint its political members, likely in a short timeframe.
102. Some of these agencies, such as the Electoral Commission, are prepared for the possibility of needing to do a boundary review in 2028, anyway, and for these agencies, we do not believe the administrative burden will be prohibitive. However, we note that the bulk of the additional administrative burden would be borne by Stats NZ who would need to prepare any alternative data used for a 'transitional' review, likely on a very condensed timeframe. Such preparation of data would need to be undertaken while Stats NZ operationalises other aspects of the census modernisation work programme. The census modernisation is already a significant reform of New Zealand's data and statistics system.
103. We consider that these administrative concerns can be addressed by setting clear expectations in advance and with careful planning. We also note that providing for equal democratic representation is one of the basic principles in any functioning democracy. The threshold for administrative costs counterbalancing principles of representation would be extremely high in this context.
104. Option 2 will attract some costs for the Crown. The Electoral Commission has previously estimated the whole-of-life costs for the 2025 Boundary Review at approximately \$1.9 million. Meeting this cost is already expected for 2028 on the basis that the Representation is currently expected to at least commence a boundary review in that year, or the year following.

Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option in the RIS?

105. In relation to Issue 2, the preferred option in the Cabinet paper is not the same as the preferred option in the RIS. The Ministry's preferred option for Issue 2 is to enable a 'transitional' boundary review in 2028.

106. However, given the precedented nature of conducting boundary reviews for more than one electoral cycle (as noted in Section 1 of this RIS), and the highly uncertain nature of the data presented in our scenario analysis, we note that our preference for Option 2 is slight.

What are the marginal costs and benefits of the Minister's preferred option?

107. We have analysed the costs and benefits of the Minister's preferred option below.

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the Minister's preferred option			
Electoral populations – general electoral population and Māori electoral population	Opportunity cost – the electoral boundaries will not be re-fixed ahead of the 2029 General Election. This presents some risks of public and political perception that the 2029 General Election is run on unrepresentative or unbalanced electoral boundaries.	Medium	High
Stats NZ	There would not be any additional costs for Stats NZ.	Low	High
Electoral Commission	There would not be any additional costs for the Electoral Commission.	Low	High
Representation Commission – including Surveyor-General, Government Statistician	There would not be any additional costs for the Representation Commission.	Low	High
█	9(2)(g)(i) █	█	█
Others	Political parties and candidates would not need to undertake additional work for candidate selection as the boundaries from the previous election would remain fixed.	Low	Medium
Total monetised costs	Unknown		
Non-monetised costs		Medium	Medium
Additional benefits of the Minister's preferred option			
Electoral populations – general electoral population and Māori electoral population	The boundaries for the 2029 General Election will be clear well in advance of that election.	Medium	High
Stats NZ	Stats NZ will not need to prepare population data necessary for a boundary review to commence in 2028, ahead of the 2029 General Election.	Medium	High

Electoral Commission	The Electoral Commission will not need to prepare electoral data for a boundary review to commence in 2028, ahead of the 2029 General Election. The Commission also will not need to provide secretariat support for the Representation Commission.	Medium	High
Representation Commission – including Surveyor-General, Government Statistician	The Representation Commission will not need to run a boundary review ahead of the 2029 General Election.	Medium	High
Others	Political parties/candidates have greater clarity about the life-cycle of electoral districts. The House of Representatives would not need to appoint political members of the Representation Commission.	Low	Medium
Total monetised benefits	Unknown		
Non-monetised benefits		Medium	High

What are the marginal costs and benefits of the Ministry's preferred option?

108. We have analysed the costs and benefits of the Ministry's preferred option below.

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the Ministry's preferred option compared to taking no action			
Electoral populations – general electoral population and Māori electoral population	There may be some public confusion about how the 'transitional' boundary review works, and therefore some confusion about rights to representation overall.	Low	Medium
Stats NZ	Stats NZ would need to prepare an alternative source of data for a 'transitional' boundary review. This is likely to result in an increase in administrative tasks, in addition to the implementation of the census modernisation.	Medium	Medium
Electoral Commission	The Electoral Commission's functions in relation to boundary reviews will be largely retained. There may be a slight increase in workload as a result of more condensed boundary review timeframes.	Low	High
Representation Commission – including Surveyor-General, Government Statistician	Representation Commission would need to undertake a boundary review process on slightly more condensed timeframes and with an 'alternative' dataset.	Medium	High

Others	Political parties/candidates may need to undertake additional work for candidate selection as a result of any changes to electoral boundaries.	Low	Medium
Total monetised costs	Unknown. The Electoral Commission estimated the whole-of-life cost for Boundary Review 2025 was \$1.9 million.	Low	High
Non-monetised costs		Medium	Medium
Additional benefits of the Ministry's preferred option compared to taking no action			
Electoral populations – general electoral population and Māori electoral population	The main benefit for electors is that important settings related to rights to representation are retained.	Medium	Medium
Stats NZ	Stats NZ will have certainty around obligations and timeframes.	Medium	Medium
Electoral Commission	The Electoral Commission will have certainty around obligations and timeframes.	Medium	Medium
Representation Commission – including Surveyor-General, Government Statistician	Representation Commission will have certainty around their obligations and timeframes.	Medium	Medium
Others	Political parties/candidates have greater clarity about the life-cycle of electoral districts.	Low	Medium
Total monetised benefits	Unknown.	Low	High
Non-monetised benefits		Medium	Medium

Section 3: Delivering an option

How will the proposal be implemented?

109. The Minister of Justice has signalled his intention to consult with the leaders of all political parties represented in the House of Representatives on some policy proposals. Following the outcome of this cross-party consultation, the decisions in this paper may be progressed with an Electoral Amendment Bill. We have been working closely with a number of core agencies on policy proposals, including Stats NZ, the Electoral Commission, and LINZ. All agencies have so far advised that proposals are practical and relatively easy to implement.
110. Because entrenched provisions in the Electoral Act 1993 are engaged with these proposals, any bill will likely need to pass with a 75 percent majority in the House.
111. The Representation Commission, Stats NZ, LINZ, and the Electoral Commission will be responsible for operationalising the decisions taken at Cabinet. If decisions are agreed to, they will be implemented as follows:
- Issue 1: The first boundary review under the new settings will very likely commence in 2030 and the boundaries for the 2032 General Election will be fixed ahead of that election. This will mean the House will need to make its appointments of representatives for both the Government and the Opposition sometime in 2030/31, and the Surveyor-General will need to call the first meeting of the Representation Commission for 2031. Following this, with the exception of the statutory deadline, the process the Representation Commission currently follows will be largely retained.
 - Issue 2: If a 'transitional' boundary review is agreed, it will need to commence in 2028 for boundaries to be re-fixed ahead of the 2029 General Election. To do this, the political members of the Representation Commission will need to be appointed in 2027 or 2028 with the first meeting of the Commission called for early-mid 2028. The Government Statistician will need to certify an alternative source of population data for boundary review purposes, and the Electoral Commission will need to provide Māori electoral population data as at a date specified in the Electoral Act. Other than the certification of alternative population data and some condensed timeframes, the Representation Commission will likely follow procedures and processes already set out in the Electoral Act, including the formulae for calculating the electoral populations.

How will the proposal be monitored, evaluated, and reviewed?

112. The Representation Commission has a statutory duty to consider a range of factors when fixing electoral boundaries. These include giving due consideration to:
- existing boundaries;
 - communities of interest – and particularly hapu and iwi Māori in relation to the Māori electoral districts;
 - facilities and communications;
 - topographical features; and
 - any projected variation in electoral populations within each electoral district.
113. These functions under the Electoral Act will continue, as will the Commission's duty to undertake a transparent and accessible objections and counter-objections process.

114. Both the Electoral Commission and the Justice Select Committee conduct a triennial review after each General Election which can include boundary review process within their scope.⁴⁰ In relation to select committee proceedings, the public and other stakeholders have an opportunity to make public submissions at this stage. The Government's response to the Committee's recommendations is also tabled in the House. Amendments to the Electoral Act are regularly used to improve and modernise aspects of the administration of the system between elections.

⁴⁰ For example, the Justice and Electoral Committee made recommendations related to boundary reviews as part of its inquiry into the 2014 General Election.