

## Schedule 2.1 — Provisions about creating, changing the boundaries of, and abolishing districts

[Section 2.1(2)]

### 8. Electors may demand poll on a recommended amalgamation

- (1) Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (*the districts*) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.
- (2) The notice to affected electors has to notify them of their right to request a poll about the recommendation under subclause (3).
- (3) If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board's recommendation be put to a poll accordingly.
- (4) This clause does not limit the Minister's power under clause 7 to require a recommendation to be put to a poll in any case.

*[Clause 8 amended by No. 64 of 1998 s. 52(3).]*

### 9. Procedure for holding poll

- (1) Where, under clause 7 or 8, the Minister requires that a recommendation be put to a poll —
  - (a) the Advisory Board is to —
    - (i) determine the question or questions to be answered by electors; and
    - (ii) prepare a summary of the case for each way of answering the question or questions;and
  - (b) any local government directed by the Minister to do so is to —
    - (i) in accordance with directions by the Minister, make the summary available to the electors before the poll is conducted; and
    - (ii) subject to subclause (2), declare\* the Electoral Commissioner, or a person approved by the Electoral Commissioner, to be responsible for the conduct of the poll under Part 4, and return the results to the Minister.

\* *Absolute majority required.*

- (2) Before making a declaration under subclause (1)(b)(ii), the local government is to obtain the written agreement of the Electoral Commissioner.

*[Clause 9 amended by No. 49 of 2004 s. 67(4) and (5).]*

### 10. Minister may accept or reject recommendation

- (1) Subject to subclause (2), the Minister may accept or reject a recommendation of the Advisory Board made under clause 3 or 6.
- (2) If at a poll held as required by clause 8 —
  - (a) at least 50% of the electors of one of the districts vote; and

(b) of those electors of that district who vote, a majority vote against the recommendation, the Minister is to reject the recommendation.

- (3) If the recommendation is that an order be made and it is accepted, the Minister can make an appropriate recommendation to the Governor under section 2.1.

**10A. Recommendations regarding names, wards and representation**

- (1) The Advisory Board may —
- (a) when it makes its recommendations under clause 3 or 6; or
  - (b) after the Minister has accepted its recommendations under clause 10,
- in a written report to the Minister, recommend the making of an order to do any of the things referred to in section 2.2(1), 2.3(1) or (2) or 2.18(1) or (3) that the Board considers appropriate.
- (2) In making its recommendations under subclause (1) the Advisory Board —
- (a) may consult with the public and interested parties to such extent as it considers appropriate; and
  - (b) is to take into account the matters referred to in clause 8(c) to (g) of Schedule 2.2 so far as they are applicable.

*[Clause 10A inserted by No. 64 of 1998 s. 52(4).]*