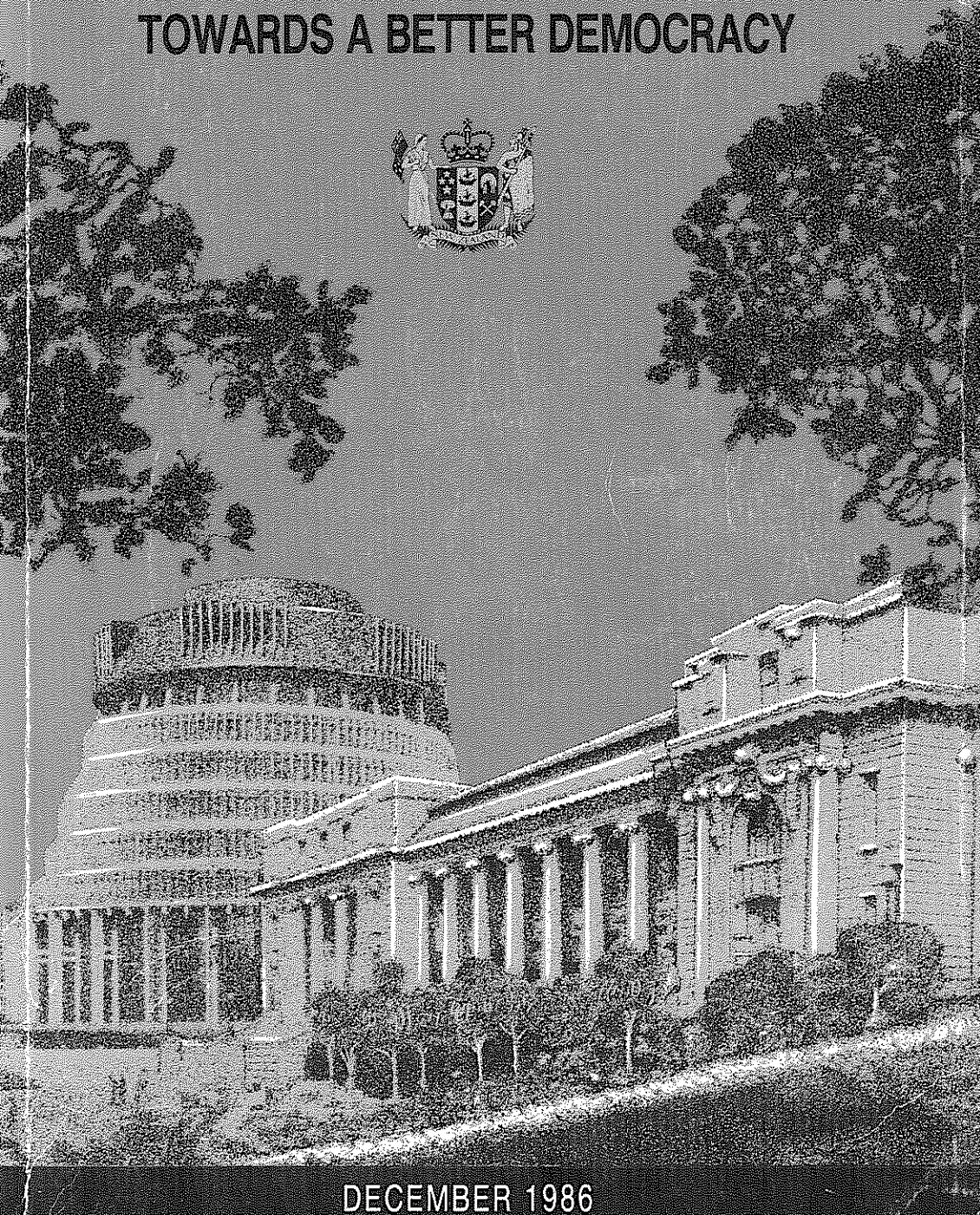


# REPORT OF THE ROYAL COMMISSION ON THE ELECTORAL SYSTEM

TOWARDS A BETTER DEMOCRACY



DECEMBER 1986



Report of the  
Royal Commission  
on the Electoral System

“Towards a Better Democracy”

December 1986

**THE ROYAL COMMISSION ON THE ELECTORAL SYSTEM****Chairman**

The Honourable Mr Justice John Hamilton Wallace

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*Letter of Transmittal*

To His Excellency The Most Reverend Sir Paul Alfred Reeves, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Principal Companion of the Queen's Service Order, Governor-General and Commander-in-Chief in and over New Zealand.

MAY IT PLEASE YOUR EXCELLENCY

Your Excellency's predecessor by Warrant dated 18 February 1985 appointed us to be a Royal Commission on the Electoral System and to report under the stated terms of reference.

We were originally required to present our report by 31 October 1986 but this date was extended by Your Excellency to 19 December 1986.

We now humbly submit our report for Your Excellency's consideration.

We have the honour to be  
Your Excellency's most obedient servants  
J.H. WALLACE, Chairman  
J.H. DARWIN, Member  
K.J. KEITH, Member  
R.G. MULGAN, Member  
W. WERETA, Member

Dated at Wellington this 11th day of December 1986.

*Royal Commission on the Electoral System*

ELIZABETH THE SECOND, by the Grace of God Queen of New Zealand and Her Other Realms and Territories, Head of the Commonwealth, Defender of the Faith:

To Our Trusty and Well-beloved The Honourable JOHN HAMILTON WALLACE, of Auckland, a Judge of the High Court of New Zealand, JOHN HADDRICK DARWIN, of Wellington, former Government Statistician, KENNETH JAMES KEITH, of Wellington, University Professor, RICHARD GRANT MULGAN, of Dunedin, University Professor, and WHETUMARAMA WERETA, of Wellington, Research Officer:

GREETING:

KNOW YE that We, reposing trust and confidence in your integrity, knowledge, and ability, do hereby nominate, constitute, and appoint you, the said THE HONOURABLE JOHN HAMILTON WALLACE, JOHN HADDRICK DARWIN, KENNETH JAMES KEITH, RICHARD GRANT MULGAN, and WHETUMARAMA WERETA to be a Commission to receive representations upon, inquire into, investigate, and report upon the following matters:

1. Whether any changes to the law and practice governing the conduct of Parliamentary elections are necessary or desirable:
2. Whether the existing system of Parliamentary representation (whereby in respect of each electoral district the candidate with the highest number of votes is elected as the Member of Parliament for that district) should continue or whether all or a specified number or proportion of Members of Parliament should be elected under an alternative system or alternative systems, such as proportional representation or preferential voting:
3. Whether the number of Members of Parliament should be increased, and, if so, how many additional Members of Parliament there should be:
4. Whether the existing formulae and procedures for determining the number and boundaries of electoral districts should be changed, and, in particular,—
  - (a) Whether the redistribution of electoral districts should be based on total population or adult population:
  - (b) Whether the allowance of five percent by which the population of an electoral district may vary from the quota should be changed:
  - (c) Whether the membership and functions of the Representation Commission and the time limits and procedures governing its functions should be changed:
  - (d) The feasibility of some form of appeal from decisions of the Representation Commission:
5. The nature and basis of Maori representation in Parliament:
6. The term of Parliament:

7. To what extent referenda should be used to determine controversial issues, the appropriateness of provisions governing the conduct of referenda, and whether referenda should be legislatively binding:
8. Whether the present limits on election expenses are appropriate and whether any limits on such expenses should be extended to political parties and to the amount of individual or total donations candidates or parties receive and whether such expenses should be defrayed wholly or in part by State grants and the conditions, if any, which should apply to such grants:
9. Any other question relating to the electoral system which you may see fit to inquire into, investigate, and report upon:

And We hereby appoint you the said THE HONOURABLE JOHN HAMILTON WALLACE to be the Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry or investigation under these presents in such manner and at such time and place as you think expedient, with power to adjourn from time to time and place to place as you think fit, and so that these presents shall continue in force and any such inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, save to His Excellency the Governor-General, in pursuance of these presents or by His Excellency's direction, the contents of any report so made or to be made by you, or any evidence or information obtained by you in the exercise of the powers hereby conferred on you, except such evidence or information as is received in the course of a sitting open to the public:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one or any two of the members hereby appointed so long as the Chairman or a member deputed by the Chairman to act in his stead, and at least two other members, are present and concur in the exercise of the powers:

And We do further ordain that you have liberty to report your proceedings and findings under this Our Commission from time to time if you shall judge it expedient to do so:

And, using all due diligence, you are required to report to His Excellency the Governor-General in writing under your hands, not later than the 31st day of October 1986, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof:

And, lastly, it is hereby declared that these presents are issued under the authority of the Letters Patent of Her Majesty Queen Elizabeth the Second constituting the office of Governor-General of New Zealand, dated the 28th day of October 1983<sup>1</sup>, and under the authority of and

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<sup>1</sup>S.R. 1983/225

subject to the provisions of the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council of New Zealand.

In witness whereof We have caused this Our Commission to be issued and the Seal of New Zealand to be hereunto affixed at Wellington this 18th day of February 1985.

Witness The Honourable Sir David Stuart Beattie, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Principal Companion of the Queen's Service Order, one of Her Majesty's Counsel learned in the law, Governor-General and Commander-in-Chief in and over New Zealand.

[L.S.]

DAVID BEATTIE, Governor-General.

By His Excellency's Command—

DAVID LANGE, Prime Minister.

Approved in Council—

P. G. MILLEN, Clerk of the Executive Council.

*Extending the Time Within Which the Royal Commission on the Electoral System May Report*

ELIZABETH THE SECOND, by the Grace of God Queen of New Zealand and Her Other Realms and Territories, Head of the Commonwealth, Defender of the Faith:

To Our Trusty and Well-beloved THE HONOURABLE JOHN HAMILTON WALLACE, of Auckland, a Judge of the High Court of New Zealand, JOHN HADDRICK DARWIN, of Wellington, former Government Statistician, KENNETH JAMES KEITH, of Wellington, University Professor, RICHARD GRANT MULGAN, of Dunedin, University Professor, and WHETUMARAMA WERETA, of Wellington, Research Officer:

GREETING:

WHEREAS by Our Warrant dated the 18th day of February 1985<sup>2</sup> We nominated, constituted, and appointed you, the said The Honourable JOHN HAMILTON WALLACE, JOHN HADDRICK DARWIN, KENNETH JAMES KEITH, RICHARD GRANT MULGAN, and WHETUMARAMA WERETA to be a Commission to inquire into and report on certain matters relating to the electoral system:

<sup>2</sup>Gazette, 1985, p587

And whereas by Our said Warrant you were required to report to His Excellency the Governor-General, not later than the 31st day of October 1986, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof:

And whereas it is expedient that the time for so reporting should be extended as hereinafter provided:

Now, therefore, We do hereby extend until the 19th day of December 1986, the time within which you are so required to report, without prejudice to the liberty conferred on you by Our said Warrant to report your proceedings and findings from time to time if you shall judge it expedient to do so:

And we do hereby confirm Our said Warrant and the Commission thereby constituted save as modified by these presents:

And, lastly, it is hereby declared that these presents are issued under the authority of the Letters Patent of Her Majesty Queen Elizabeth the Second constituting the office of Governor-General of New Zealand, dated the 28th day of October 1983<sup>3</sup>, and under the authority of and subject to the provisions of the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council of New Zealand.

In witness whereof We have caused these presents to be issued and the Seal of New Zealand to be hereunto affixed at Wellington this 20th day of October 1986.

Witness The Most Reverend Sir Paul Alfred Reeves, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Principal Companion of the Queen's Service Order, Governor-General and Commander-in-Chief in and over New Zealand.

[L.s.]

PAUL REEVES, Governor-General.

By His Excellency's Command—

DAVID LANGE, Prime Minister.

Approved in Council—

P. G. MILLEN, Clerk of the Executive Council.

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<sup>3</sup>S.R.1983/225