

22 August 2023

Grace Haden

By email to: fyi-request-23674-957777dc@requests.fyi.org.nz

Dear Grace

OFFICIAL INFORMATION ACT REQUEST 2023/30

On Wednesday 2 August 2023 you made a request under the Official Information Act 1982 (the OIA) for the following information:

Please provide by OIA all documents which consider the right to privacy of a persons choice of ethnicity much in the same way people are give the right to choose their gender or what they identify as

And Can a person of non maori descent but who identifies as maori be on the maori role . what consideration has been given to the right of a person to be simply considered to be a New Zealander and not state their ehnicity or ancestry.

Your request is made in the context of the information collected by the Electoral Commission when a person applies to register as an elector, which includes the applicant being asked to confirm if they are, or are not, of Māori descent.

Under [section 83\(2\)](#) of the Electoral Act 1993 (the Act) an application for registration as an elector must state:

- (a) The person's name
- (b) The person's date of birth
- (c) The place of residence in respect of which registration is claimed
- (d) The person's postal address if different from the address in (c)
- (e) The person's occupation, if any
- (f) The honorific (if any) by which the person wishes to be addressed
- (g) Whether or not the person is a Māori

Under the Act, a person of Māori descent can choose to be registered as an elector in a Māori electoral district, or in a general electoral district. Only a person who is of Māori descent can be on the Māori electoral roll.

A person who is not of Māori descent is not required to state their ethnicity; only that they are not of Māori descent.

Anyone who is not of Māori descent is enrolled to vote in a general electoral district.

For the purposes of registering as an elector, **Māori** means a person of the Māori race of New Zealand and includes any descendant of such a person (see [section 3](#) of the Act). This includes Chatham Island Māori, but not Cook Island Māori.

The rules in the Act do not allow a person to self-identify as Māori for the purposes of enrolling to vote.

Section 83(4) of the Act provides that if a person does not say whether or not they are of Māori descent in their application to register as an elector, the Act applies as if the person had specified that they are not of Māori descent.

Parliament is responsible for deciding the rules that apply for enrolling and voting in the Act, including the information that is collected when a person enrolls to vote, as explained above.

You may wish to contact the policy agency responsible for the administration of the Act (the Ministry of Justice), to enquire if there was any consideration given to a person's choice to disclose whether they are of Māori descent or not, or to be considered to be a New Zealander and not have to disclose their Māori ethnicity, as part of the policy that underpins the legislative requirements.

In the interests of transparency, we release responses to Official Information Act requests every three months. We will publish this response with your personal details redacted.

You have the right under section 28(3) of the Act to make a complaint to the Ombudsman if you are not satisfied with the response to your request. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Yours sincerely



Ross McPherson
Director
Enrolment