The New Zealand system of government

Sovereignty

New Zealand is a constitutional monarchy with its own Sovereign. The Sovereign and the House of Representatives together make up the Parliament of New Zealand.

As a constitutional monarch, The Sovereign acts on the advice of New Zealand Government Ministers. The Sovereign is responsible for appointing a Governor-General for New Zealand, which is done on the advice of New Zealand’s Prime Minister. The Governor-General is the Sovereign’s personal representative in New Zealand, who usually serves for a term of five years.

The Sovereign – our Head of State

New citizens make their oath or affirmation of allegiance to the sovereign, who is the New Zealand head of State. The Constitution Act 1986 is the law that establishes who will be New Zealand’s head of State. In the law this person is not called ‘King’ or ‘Queen’ but the ‘Sovereign’.

The law says the Sovereign is the head of State of New Zealand, and shall be known by the royal style and titles proclaimed from time to time. That’s where ‘King’ and Queen’ come from. They are royal titles. The law also says that the Governor-General appointed by the Sovereign is the Sovereign’s representative in New Zealand.

The Sovereign, under New Zealand law, is the same person who, on the death or abdication of the previous sovereign, becomes King or Queen under a law of the United Kingdom called “The Act of Settlement”. When the law of succession changed in the United Kingdom, agreement was obtained from other countries with the same Sovereign as head of State, including New Zealand. New Zealand’s Royal Succession Act 2013 means that male and female children of the sovereign succeed according to age, without regard to sex. It also removed an old provision prohibiting succession by anyone who married someone of the Roman Catholic faith.

New Zealand law also deals with the problem that arises when the sovereign cannot act as usual and is replaced with a ‘Regent’. That Regent becomes New Zealand’s head of State.

So although the New Zealand head of State is the same person as the head of State of other countries, the role is established by New Zealand law, and the Sovereign is the Sovereign of New Zealand.

Despite the previous preference for male heirs, now abolished, New Zealand has for most of its history had a Queen as head of State. Queen Victoria ruled in New Zealand from 1840 until her death in 1901. Queen Elizabeth II began her reign in 1952. Between their reigns there were four kings: Edward VII, George V, Edward VIII and George VI.

Parliament and government

New Zealand law is made by Parliament. Since the abolition of the Legislative Council in 1951, Parliament has had only one house. There is no ‘senate’ or ‘upper house’.

New Zealand is a unitary state. It has no provinces, or states. It therefore has no ‘federal’ government, since it is not a federation. There were provinces in New Zealand until 1876. Anniversaries associated with these provinces are still celebrated as holidays, but the provinces themselves have long gone.

The group of people known as “the government” in everyday language are selected from the party or parties in Parliament able to form a majority. The people selected in this way usually become “Ministers” and may sit in Cabinet – the key decision-making body of government.

Judges of our various courts are appointed as a result of government decision, but once appointed are independent, and cannot be directed by Ministers, or removed by them. Courts (including judges) are independent.

Members of Parliament (MPs) must be citizens and are elected by registered electors. People living permanently and legally in New Zealand must register as electors. But they are not required to vote.

People have two votes under our Mixed Member Proportional (MMP) system. Using one, people can vote for their local
electorate MP. Using the other, they can vote for the party they want to lead the government. When the votes are counted, parties who do not have at least the same proportion of electorate MPs as they have party votes get extra “Party List MPs” until representation is in proportion to the votes cast. If a party gets less than five per cent of the party vote, it does not get any representation unless one of its candidates wins an electorate seat. Then it gets a proportional number of list MPs. The party vote therefore determines the makeup of Parliament, and is often described as the ‘more important’ vote for this reason.

People of Māori descent can choose if they want to vote alongside everyone else in General Electorates or in Māori electorates. The number of Māori electorates depends on the number of people who enrol as voters on the Māori electoral roll (the list of electors). There’s an opportunity to change from one roll to the other every five years. Voters in Māori electorates vote for party lists in the same way as everyone else, and like everyone else have another vote for their electorate Member of Parliament. Any qualified person, of any descent, can stand in a Māori electorate.

There are two voting systems used in local government. Local government does not use the MMP system used for parliamentary elections.

Instead the main local system is “First Past the Post”, under which the person with the most votes wins, even if they don’t win a majority of the votes.

For all District Health Boards, and some Councils, the system of “Single Transferable Vote” is used. Voters rank their candidates in order of preference, and votes are transferred from candidates with the least support to those with greater support until one candidate has a majority.

These are simplified explanations, and there is a lot of information available online describing each system in detail at elections.org.nz.

There are many opportunities for citizens (at the highest levels) and for residents (at other levels) to get involved in communities as elected representatives. As we say: give it a go!

Local government

Local government – city, district and regional councils – exist because Parliament has passed laws setting them up. Their activities are based mainly around infrastructure and services to people in their areas. Mayors and councillors are often very active in their communities and have an important leadership role. In other countries, local government is often responsible for things like police, social welfare, and education. In New Zealand these are central government responsibilities. In health and education, central government works with District Health Boards, School Boards of Trustees and bodies such as University Councils to achieve results for New Zealanders.