



NEW ZEALAND

POCKET ELECTORAL COMPENDIUM

2005

GENERAL ELECTORAL INFORMATION



ELECTORAL COMMISSION
Te Kaitiaki Take Kōwhiri

Published June 2006



2005 GENERAL ELECTION RESULTS

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Party	% party votes	MPs	Electorate MPs	List MPs
Labour	41.1	50	31	19
National	39.1	48	31	17
NZ First	5.7	7	0	7
Green Party	5.3	6	0	6
Māori Party	2.1	4	4	0
UNITED FUTURE	2.7	3	1	2
ACT	1.5	2	1	1
Progressive	1.2	1	1	0
Others	1.3	0	0	0
Total		121	69	52



»» THE NEW ZEALAND SYSTEM

New Zealand's democracy: overview

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NEW ZEALAND IS A DEMOCRATIC COUNTRY IN WHICH THE **MEMBERS OF PARLIAMENT (MPS)** ARE CHOSEN IN FREE AND FAIR ELECTIONS.

Citizens and permanent residents who are aged 18 years and over must enrol to vote. Voting is not compulsory. Turnout is high by international standards (although trending lower).

New Zealand has a single chamber of **parliament** which consists of the **House of Representatives**, which generally has 120 MPs, and the Governor-General (who does not personally attend the house). The word 'parliament' is generally used to refer just to the House of Representatives. There is no Senate or upper house.



Parliament is elected for a maximum three-year term using the **mixed member proportional (MMP) system**. MMP and parliament's standing orders recognise that activity is organised through political parties. Each parliamentary party holds a regular **caucus** meeting where decisions are made on how they will respond to votes.

The **government** (also called the **executive**) is responsible for the day to day running of the country. **Cabinet** is the main decision making body. Areas of responsibility are divided into **ministries** or **departments**, each of which has a **minister** and sometimes **associate ministers**. Most ministers are members of cabinet. The government is accountable to parliament. So ministers are answerable to parliament for their own actions and policies, and for those of the departments and state agencies for which they are responsible.



Much of parliament's scrutiny role is carried out by **select committees**. Each select committee is made up of MPs from government and opposition parties. Their role is to consider new legislation, to question ministers, ministries and crown entities and to hold reviews. Each select committee considers matters related to a particular set of issues. Select committees also call for public submissions.

New Zealand has an unwritten constitution and is a constitutional monarchy. The Queen of New Zealand, Queen Elizabeth II, is the Head of State. The Queen's representative in New Zealand is the **Governor-General** who has all the powers of the Queen in relation to New Zealand. The Governor-General is appointed for five years. The Queen and the Governor-General remain politically neutral.



The Governor-General plays an important constitutional role in the calling of elections, the life of parliament, and the formation of a government. The Governor-General may advise or warn the government or, in extreme circumstances, dismiss it and appoint a new government or call a general election. Apart from the nationally elected central government, New Zealand has other elected local government bodies. These include territorial local authorities (such as regional and city councils), district health boards, councils of public tertiary institutions, and school boards of trustees.



Dates of MMP elections

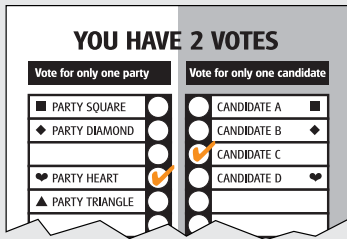
	1996	1999	2002	2005
Prime Minister announced election date	21 May	26 Sep	11 Jun	25 Jul
Election day (Saturday)	12 Oct	27 Nov	27 Jul	17 Sept
Publication of Gazette notice declaring list MPs elected	14 Nov	20 Dec	15 Aug	7 Oct
Opening of parliament	12 Dec	20 Dec	26 Aug	7 Nov
Number of parties in parliament	6	7	7	8
Largest party	National	Labour	Labour	Labour
Coalition partner (post-election)	NZ First	Alliance	Progressive coalition	Progressive
Minority or majority government	majority	minority	minority	minority
Prime Minister	Jim Bolger; Jenny Shipley	Helen Clark	Helen Clark	Helen Clark
Largest party not in government	Labour	National	National	National
Leader of Opposition	Helen Clark	Jenny Shipley; Bill English	Bill English; Don Brash	Don Brash

The last possible date of the next general election is 15 November 2008. >>

MIXED MEMBER – MPS ENTER PARLIAMENT IN TWO DIFFERENT WAYS, EITHER AS LIST MPS OR ELECTORATE MPS.

PROPORTIONAL – THE OVERALL RESULT IS DESIGNED TO BE PROPORTIONAL SO THAT EACH PARTY'S SHARE OF MPS IS THE SAME AS ITS SHARE OF PARTY VOTES.

Each voter has two votes - a party vote in the left hand column and an electorate vote in the right hand column.

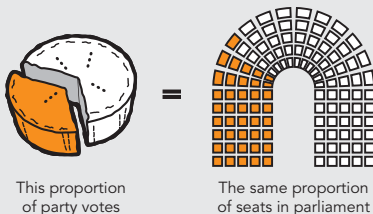


This is a simplification of the real ballot paper.

Your **party vote** helps decide how many seats (MPs) each party has in parliament. Every voter in every general electorate and every Māori electorate has the same selection of parties to choose from. A party will get seats in parliament based on its party vote if it wins:

- > 5 percent or more of all the party votes, or
- > one or more electorate seats.

This is called the **threshold**.



Parties crossing the threshold will get a share of MPs close to their share of party votes. The calculation is done using the **Sainte-Laguë** formula.

Party votes cast for parties that don't cross the threshold aren't included in the allocation process. A party vote cast for a party that does not cross threshold has no impact on the number of seats other parties will receive.

After the allocation based on party votes we know how many MPs each party has in parliament but not the people who will take those seats as MPs.

Your **electorate vote** helps decide who becomes your local MP. Each electorate has a different selection of candidates to choose from. Electorate candidates can include independents and candidates from parties not contesting the party vote. The candidate who gets the most votes wins the seat and becomes the **electorate MP**.

A party's share of seats in parliament is filled first by any electorate MPs. Remaining places are filled by the candidates on the **party list** that have not already been elected, in the order that they appear on the party list put forward by the party. MPs from the party list are **list MPs**.

Your electorate vote can't usually change a party's total share of seats. This can only happen when you are in an electorate where:

- > A party needs to win it to cross the threshold because it might get less than 5 percent of all party votes. In 2005 this applied to ACT in Epsom, United Future in Ohariu-Belmont and Progressive in Wigram.
- > Winning it will contribute to an **overhang**. An overhang occurs if a party wins more electorate seats than the total number of seats it would gain through its share of the party vote. In this case the party keeps all its electorate seats as they have been elected by those electorates. But because deducting the extra number of seats from parliament's 120 seat total would upset the proportional allocation and disadvantage the other parties, the extra number of seats are simply added to the total number in parliament. In 2005 the Māori party won four electorate seats while their proportional allocation from party votes was three, so the number of MPs in parliament increased to 121.
- > It is won by an independent or candidate from a party not after the party vote. If this happens then the number of seats allocated by the **Sainte-Laguë** formula is reduced from 120 by the number of electorates won in this way.

Electorates

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UNDER MMP SOME MPS ARE ELECTED TO REPRESENT A LOCAL AREA, CALLED AN ELECTORATE.

Each place in New Zealand is covered by one general electorate and one Māori electorate. There are 52 general electorates and seven Māori electorates.

Every five years, after a census and Māori Electoral Option, the **boundaries** around the electorates are reviewed and may be redrawn. This job is done by the **Representation Commission**. Boundaries are redrawn to ensure that every electorate contains the same number of people, regardless of geographic size. The electorate population can vary by 5 percent.

The target population size for an electorate is determined by dividing the general electoral population of the South Island by 16. When drawing boundaries the Representation Commission must by law take into account communities of interest including tribal affiliations for Māori electorates, communications facilities, topographical features like mountains and rivers and projected population changes.

After the 2006 census, boundaries will be reviewed ready for the 2008 general election. Proposed electorate names and boundaries are announced by the Representation Commission. This is followed by one-month public objection and two-week counter objection periods before final boundaries and names are set.

Candidates

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CANDIDATES ARE THE PEOPLE WHO WANT TO BE ELECTED. A CANDIDATE HAS TO BE A NEW ZEALAND CITIZEN, BE ENROLLED AND BE NOMINATED AS A CANDIDATE.

Electorate candidates are competing for the electorate vote. **List candidates** are nominated on the **party list**, which has candidates in the order the party wants to see the candidates elected to parliament. A person can be both an electorate candidate and a list candidate – sometimes called a **dual candidate**.

Candidate selection refers to the method used by each political party to choose their candidates. Each party makes its own rules. A registered political party must have democratic candidate selection rules. An **independent candidate** is not standing on behalf of a political party.

Each candidate pays a **deposit** of \$300. If the candidate received 5 percent or more of the votes cast for all candidates in their electorate then the deposit is refunded once they have filed their return of expenses and donations.

To nominate a party list the party pays a deposit of \$1,000. This deposit is returned if it wins 0.5 percent or more of all party votes or one electorate seat and has filed its return of election expenses.



Candidates continued...

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The order candidates appear on the ballot paper is alphabetical by the last name of each candidate. If the party that a candidate is representing is contesting the party vote as well then that party's name and logo will appear in the same row as the candidate; if not there will be a blank. So the order in which the parties appear will be different in each electorate, although everyone has the same choice of parties for the party vote. Parties that are contesting the party vote only and that don't have a candidate in that electorate are listed below the parties that have a candidate in that electorate.

Political parties

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IN ORDER TO CONTEST THE PARTY VOTE UNDER MMP A PARTY MUST BE REGISTERED WITH THE ELECTORAL COMMISSION. UNREGISTERED PARTIES MAY ONLY CONTEST ELECTORATE SEATS AT A GENERAL OR BY-ELECTION.

The main requirements for registration are having:

- > a name that is not likely to cause offence or confusion, which does not refer to a title or honour, or is too long to fit on the ballot paper
- > 500 or more current financial members eligible to enrol as electors
- > both a party secretary and an auditor.

A registered party is required to:

- > have rules providing for the democratic participation of members in candidate selection
- > make annual declarations of having at least 500 current financial members and the intent to contest elections
- > make party election expense declarations.

Parties must also make an annual report on the donations that they have received that are over \$10,000. If the same person makes several donations that together amount to over \$10,000 these must also be included in the return. Donations are money, or goods or services paid for by others. Anonymous donations must be recorded.

A party logo will be printed on the ballot paper for the electorate candidates and lists for all parties that have a logo registered with the Electoral Commission. The registered party logo is the only one that the Parliamentary Service permits for use on material produced for MPs using parliamentary funding. Registration does not give intellectual property rights beyond the right for the logo to appear on ballot papers.

The criteria for registration are that the logo is not indecent, offensive, misleading, or confusing, and does not refer to a title or honour or infringe intellectual property rights.

The full list of registered political parties and registered logos is on the Elections New Zealand website.



IT IS COMPULSORY TO BE ENROLLED IF YOU ARE ELIGIBLE. **ELECTORAL ROLLS**, LISTING ALL OF THE PEOPLE WHO ARE ENROLLED IN AN ELECTORATE, ARE PUBLISHED AND AVAILABLE IN LIBRARIES, POSTSHOPS AND AT THE OFFICE OF EACH REGISTRAR OF ELECTORS.

People who have grounds to fear for their safety may apply to enrol on an **unpublished roll**. The information on the electoral rolls is also used for local body elections.

You are eligible to enrol and vote if you meet all of these:

- > aged 18 years or older
- > have at any time lived in New Zealand for one year or more without leaving the country
- > are a New Zealand citizen or permanent resident.

You cannot enrol if any of these are true:

- > you are in prison for a term exceeding three years
- > you are in hospital under a compulsory order relating to mental health for three years
- > you have been found to have committed a corrupt electoral practice in the past three years
- > you are a New Zealand citizen who has not been in New Zealand within the past three years
- > you are a New Zealand permanent resident who has not been in New Zealand within the past 12 months.

To get an enrolment form request one on the elections website, pick one up at any PostShop, freecall **0800 ENROL NOW (0800 36 76 56)**, or text your name and address to 3676.

If you are of New Zealand Māori descent you can choose between being on the **Māori roll** or **general roll** at the time you first enrol and at the time of a Māori Electoral Option, which is usually held every five years after the census. People on the Māori electoral roll elect an electorate MP in a Māori electorate and people on the general roll elect an electorate MP in a general electorate. The party votes from all voters, on Māori and general rolls, are counted together for the party allocation under MMP.



ACTIVITIES DURING THE ELECTION CAMPAIGN ARE REGULATED THROUGH THE ELECTORAL ACT AND BROADCASTING ACT. ALL CAMPAIGN MATERIAL MUST INCLUDE AN AUTHORISATION STATEMENT.

Each electorate candidate can spend up to \$20,000 on the costs of advertising and publicity. The **spending limit** covers the three months before election day. A candidate may only run positive radio and TV advertising and may not share advertising with other candidates. They can run both positive and negative advertising in newspapers, hoardings and other forms of advertising. All electorate candidates are required to declare their election expenses in a return filed with the Chief Electoral Officer within 70 working days of polling. **Donations** of \$1,000 or more must be declared in the return form.

Each party that contests the party vote can spend up to \$1 million plus \$20,000 for each electorate candidate nominated by the party. In addition, registered parties can advertise on TV and radio with funds allocated to them by the Electoral Commission (**Broadcast Allocation**). Parties can't supplement this allocation with their own funds. Parties may run both positive and negative advertising on TV and radio.

Party advertising may be broadcast from writ day until midnight on the day before the election. On the first Friday and Saturday evening of the campaign TVOne and RadioNZ play the **opening address** from each party that has been given an allocation by the Electoral Commission. On the Friday before election day the **closing addresses** are played on the same channels.

The secretary of every registered party must provide a return to the Electoral Commission of party election expenses incurred in the three months immediately before election day. Expenses incurred outside this period may also need to be included if the party gained any benefit from them during the three month period. Donations are reported annually.

Details of the expenses and donations are publicly available on the Elections New Zealand website and in the Electoral Commission office.

Individuals or organisations who are not parties or candidates (often called **third parties**) may broadcast an advertisement which relates to an election, such as advocating for or against a policy, but it must not name or directly advocate for or against a party or candidate. Such advertisements must contain an authorisation statement.



THE PRIME MINISTER CHOOSES THE DATE FOR THE ELECTION, ALTHOUGH IT HAS TO BE LESS THAN THREE YEARS AFTER THE OFFICIAL RESULTS OF THE LAST ELECTION WERE RETURNED. THE GOVERNOR-GENERAL ANNOUNCES THE ELECTION AND THE KEY DATES.

Some of the important events between the announcement and swearing in of the new parliament are:

- > Dissolution of parliament – parliament stops its work and the government becomes a 'caretaker' government
- > Writ day – the official notice from the Governor-General to the Chief Electoral Officer to hold an election. No more than seven days after dissolution
- > Nomination day – when all candidates that want to contest the election have to register their nomination with the Chief Electoral Office. Between 20 and 27 days before election day
- > Advance voting starts two-and-a-half weeks before election day
- > Election day (polling day) and preliminary results announced. Has to be a Saturday
- > Official results announced. Usually two weeks after election day
- > Return of the writ – the Chief Electoral Officer tells the Clerk of the House the names of all elected electorate MPs. This must happen within 50 days of writ day
- > Allocation of list seats, usually 21 days after election day. The names of the elected list MPs are published in the Gazette by the Chief Electoral Officer
- > Parliament must meet within 42 days of the return of the writ.

TO CAST A VOTE IN A GENERAL ELECTION YOU HAVE TO BE ENROLLED. YOU CAN ENROL ANYTIME UP UNTIL THE DAY BEFORE ELECTION DAY.

You can vote at any polling place between 9.00am and 7.00pm on election day (also called polling day), which is always a Saturday. Polling places are located at various venues throughout each electorate, often in schools and churches. It is easier for you if you can vote at a polling place in your electorate. If you are going to be away from your electorate on election day you can vote in advance or cast a special declaration vote on election day in another electorate.

Everyone who is enrolled a month before election day (writ day) will receive an EasyVote information pack from the Chief Electoral Office in the mail. The pack contains an EasyVote card or letter to take with you to the polling place.



The EasyVote card is printed with your name, address and the name of your electorate. It also shows the line and page number where your name appears on the printed electoral roll. This makes it quicker and easier for the issuing officer at the polling place to find your name on the roll. You can vote without your EasyVote card but it may take longer. The EasyVote pack also has a list of the polling places in your electorate, details of where you can cast an advance vote, the party lists and an insert about how MMP works.

On election day take your EasyVote card to a polling place near home and present the card to the issuing officer. If you do not have your card with you, tell the issuing officer your full name and address. The issuing officer will then check that your name appears on the electoral roll for that electorate. When they find your name they will rule a line through it where it appears on the roll, say the page number and line number and give you a ballot paper.

When the issuing officer calls out the line and page number a scrutineer sitting behind them may make a record of it to report back to party officials. Scrutineers are allowed to observe the issue of votes in a polling place and may wear party rosettes or badges.

When you receive your ballot paper you will be directed to go behind a voting screen to cast your vote in secret. If you need help to read or mark the ballot paper you can nominate someone to assist you. This could be one of the staff in the polling place. The person who helps you must not communicate to other people about how you voted.

If you make a mistake when marking your ballot paper, take it to the issuing officer who will issue you with another paper. When you have finished marking the ballot paper fold it in half and put it in the ballot box that has the name of your electorate written on the front.

If you are not sure of any part of the process ask one of the staff members in the polling place for help.

If you are not in your electorate on election day or will have difficulty getting to a polling place then there are a number of alternatives:

- > vote before election day at an advance voting place
- > cast a special declaration vote at a polling place in a different electorate on election day, or
- > apply for a postal vote from your returning officer.

If you are going to be overseas on election day there are several options available to you including downloading special declaration vote papers from the elections website and faxing or posting the papers back, or voting at an overseas post.



Counting votes and declaring results

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AFTER THE POLLING PLACE CLOSES AT 7PM ON ELECTION DAY AND ALL VOTERS HAVE LEFT, THE MANAGER OF EVERY POLLING PLACE CARRIES OUT THE PRELIMINARY COUNT OF VOTES IN THE PRESENCE OF SCRUTINEERS AND POLLING PLACE OFFICIALS.

Advance votes are counted at the electorate headquarters. Special declaration votes are counted during the official count.

The result from each polling place is phoned in to the returning officer at electorate headquarters and it is then entered into the Chief Electoral Office's national election results system. Results from polling places are displayed in real time on www.electionresults.govt.nz and at the same time are fed to television and radio media.

The declaration of the official results is usually 14 days after election day. In this time a number of processes are completed:

- > All votes counted on election night are recounted and checked to ensure accuracy.
- > Special vote declaration forms are checked to see if the voter is enrolled. If they are enrolled then the voting paper is added to the papers to be counted in the official count. The declaration form and the voting paper are kept separate so that the secrecy of the ballot is protected.
- > Electoral rolls are closely examined - scrutinised - to identify voters who have voted more than once, and to compile a list of all people who have voted (the Master Roll). If someone voted more than once, all their ballot papers are removed from the count.

Once these processes have been finalised the official results are declared by the Chief Electoral Officer.

After the result of any recounts, the Chief Electoral Officer determines the number of list members elected to parliament for each party from the party lists.

Recounts

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AFTER THE DECLARATION OF THE OFFICIAL RESULTS ELECTORATE CANDIDATES CAN APPLY TO A DISTRICT COURT JUDGE FOR A RECOUNT OF THE ELECTORATE VOTE. PARTY SECRETARIES MAY APPLY FOR A RECOUNT OF THE PARTY VOTE.

The only way to challenge the election of an electorate candidate is by election petition, which may be brought by a voter or a candidate, and is heard by three High Court judges. The petition must be brought within 28 days of the Chief Electoral Officer declaring the official results. Only the party secretary of a party contesting the party vote can challenge the election of list candidates. To do this, they bring a petition to the Court of Appeal.

The Sainte-Laguë formula

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THE SAINTE-LAGUË FORMULA IS USED TO DECIDE THE TOTAL NUMBER OF MPS A PARTY HAS IN PARLIAMENT. ONLY PARTIES THAT HAVE CROSSED THE THRESHOLD ARE INCLUDED IN THE CALCULATION.

To complete the Sainte-Laguë calculation:

1. Create a table with the number of party votes received by each party at the top of each column.
2. Divide the number of votes by every odd number (1, 3, 5...) and list these answers (called quotients) down the column under each party. Keep going until the highest 120 quotients are identified (because there are 120 MPs in parliament).
3. Find the highest 120 quotients. The number of quotients each party has is the number of MPs it is allocated in parliament.

THE GOVERNMENT IS MADE UP OF THE PARTY OR PARTIES THAT CAN WIN IMPORTANT VOTES IN PARLIAMENT.

If the **government** has more than one party then it is a **coalition**. A **majority government** is made up of parties that between them have over half of all of the MPs while a **minority government** is made up of parties that together have less than half of the MPs. To stay in power a government must be able to win any **vote of confidence**. A vote of confidence is a vote in parliament on whether or not MPs have confidence in the government. Budget votes which 'supply' money for government purposes are confidence votes, which is why the term '**confidence and supply**' is often used to describe the kind of support that a minority government will seek from other parties.

IF THE SITTING MP RESIGNS, IS EXPELLED OR DIES THEIR SEAT BECOMES VACANT AND MUST BE FILLED.

For list seats the vacancy is filled by the next un-elected candidate in line on the party list for the previous general election who is willing to take up that seat.

If the vacancy is in an electorate seat, a vote called a **by-election** is held. An updated electoral roll is produced for the electorate. The electoral process for a by-election is similar to that for a general election, although only the electorate vote part of the MMP ballot paper is printed. If a general election is due in the next six months, or the prime minister says one will be held in the next six months, and 75 percent of MPs agree in either case, then the seat may be left vacant until the general election.



New Zealand has three permanent electoral agencies. Local body elections are run by the local bodies.

	Electoral Enrolment Centre	Chief Electoral Office	Electoral Commission
Responsible for	Electoral roll	Conducting general elections, by-elections and referendums	Education and information on electoral matters
	Māori Electoral Option	Supports the Representation Commission	Political party registration & statutory responsibilities
Organisation	Business unit of New Zealand Post	Division of Ministry of Justice	Independent Crown Entity
Postal Address	PO Box 190 Wellington	PO Box 3220 Wellington	PO Box 3050 Wellington
Phone number	+64 4 801 0700	+64 4 495 0030	+64 4 474 0670



» KEY DATES

NZ electoral law

18

- 1852 The New Zealand Constitution Act (UK) established a Legislative Council appointed by the Crown, and a House of Representatives elected every five years by males over the age of 21 who owned, leased or rented property of a certain value.
- 1853 First election for the House of Representatives; 37 MPs elected using first-past-the-post (FPP); Māori were effectively excluded because they owned their lands under communal title.
- 1867 Four Māori seats were created as a temporary measure for five years, with universal suffrage for Māori males aged over 21. Made permanent in 1876.
- 1881 First general election with universal male suffrage.
- 1890 Secret ballot compulsory for all elections except those in the four Māori electorates (Māori included 1937).
- 1893 Universal suffrage granted to women (including Māori) aged over 21.
- 1919 Women given the right to stand as candidates for parliament.



- 1924 Registration as an elector made compulsory for all eligible electors except Māori (Māori included 1956).
- 1950 Election day set as Saturday.
- 1951 Legislative Council abolished.
- 1974 Voting age reduced to 18.
- 1975 'Māori Electoral Option' introduced - Māori to choose which type of roll (general or Māori) they wish to be on until the next option.
- 1975 Right to vote extended to permanent residents of any nationality.
- 1986 Report of the Royal Commission on the Electoral System, recommending that a referendum be held on changing the voting system from FPP to MMP.
- 1990 Referendum on increasing the term of parliament from three years to four years - defeated.



- 1992 Indicative referendum supports changing the voting system; MMP preferred system.
- 1993 Binding referendum changes New Zealand's voting system from FPP to MMP; number of Māori electorate seats permitted to vary according to results of Māori Electoral Option.
- 1996 First general election held using MMP.
- 2001 Electoral Integrity Act passed, widely known as the party-hopping legislation. Expired in 2005; the legislation was reintroduced for consideration in 2006.





For more information: [**www.elections.org.nz**](http://www.elections.org.nz)

Find out about New Zealand's electoral system, including:

- > who can vote
- > who can be a candidate
- > how to vote
- > working out who wins.

