



By-election candidates

Reasons for having by-elections

By-elections in New Zealand occur to fill electorate seats made vacant in Parliament by the resignation or death of a sitting electorate member.

This does not apply to list members. If a list member's seat becomes vacant, the next available person on their party's list fills the position. Filling a list vacancy in this way enables a party's representation in Parliament to remain proportionate to its share of the party vote.

New Zealand's experience

New Zealand's electoral rules do not prevent either list members or electorate members standing as candidates in a by-election. While it has always been the case that a sitting electorate member can stand in a by-election this has never happened.

Under MMP a sitting member (list or electorate) can stand in a by-election without first resigning their seat.

There is no statutory obligation on a list member to resign their list seat first, or even if they win the by-election. However, if successful in a by-election, not resigning would prevent their party from gaining an additional member in the House from the party's list.

If the sitting list member is unsuccessful in the by-election, they remain a list member of Parliament.

List members now frequently contest by-elections. In the 2008-2011 Parliament, four by-elections were held (Mt Albert, Botany, Mana and Te Tai Tokerau). In three of these, sitting list members contested the electorate.

In the Mt Albert by-election in 2009, three sitting list members (John Boscawen, Melissa Lee, and Russel Norman) stood as candidates. In the Botany by-election in early 2011, no sitting list member contested the seat. In the remaining two by-elections during the 2008-2011 Parliament, only one sitting list member stood as a candidate in each by-election (Hekia Parata in Mana, and Kelvin Davis in Te Tai Tokerau).

No sitting list member was successful in winning an electorate seat in any of these by-elections.

