

13 June 2023

██████████
By email to: ██████████

Dear ██████████

OFFICIAL INFORMATION ACT REQUEST 2023/17

On Friday 26 May 2023 you made a request under the Official Information Act 1982 (the OIA) for the following information:

I am referring to a document I was given by the library headed "Election processing on polling day until the announcement of the results. My original questions were:

- 1. What happens to votes which are given to parties which fail to reach the 5% threshold? and*
- 2. How are the results of the counting of ballot papers turned into seats in parliament?*

In the document I am referring to there is the statement "The Electoral Commission collates the reports from each polling place. What is involved in this "collating"

Another statement I question is about votes for parties who fail to make the 5% or have an electoral MP are disregarded for the purpose of calculating list seats, but are they disregarded all together or are they processed in some other calculation?

On the last page I read that the manually counted results are the entered into the "Election Management System" Are the voters permitted to know what this "System" involves.

Also I read that "We publish the preliminary and official results from each voting place so that people can add them up themselves." I like that idea, but where are they published so that I can see them, carefully consider them and so have confidence in the systems currently in place?

Responses to each of your questions are outlined below:

There are two counts performed after voting has ended; the first is a preliminary count on election night and then the official count.

When counting is complete the results are recorded manually and then entered into our Election Management System. The system adds up the totals to produce the overall results which are published online. The Election Management System was developed in New Zealand. CATALYST is contracted to the Commission to help maintain the Election Management System for our exclusive use.

On election night, the Electoral Commission publish the preliminary results for each party and electorate candidate. The preliminary results give an early idea of how parties and candidates are doing before the final count is complete. Full voting place results are included in the official results which are available [here](#).

During the preliminary count, all ordinary votes cast are counted and the preliminary results are released. During the official count, all ordinary votes are counted a second time and special votes

are checked and counted. During the official count, independent Justices of the Peace are present. Both the Returning Officer and a Justice of the Peace sign the certificates of results to declare that results are accurate.

All party votes are counted and recorded in the official results. The official results are a record of how many votes each party got and their share of the party vote, including the parties that didn't make it into Parliament. A threshold is the minimum level of support a political party needs to gain representation in Parliament. Only parties that receive at least 5% of the nationwide party vote (the 'party vote threshold') or win at least one electorate seat (the 'one electorate seat threshold'), are entitled to seats in Parliament.

The Electoral Commission excludes parties that are not eligible for Party List seats by deleting any party that has not won at least 5% of the total number of party votes and has not won at least one electorate seat (commonly termed the threshold).

The full explanation of the Sainte Lague Formula is available [here](#) and a summary of how MPs are elected is also available on the elections.nz website [here](#).

An explanation of how votes are counted and how results from each polling place are collated is available [here](#).

In the interests of transparency, we release responses to Official Information Act requests every 3 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



Kristina Temel
Manager, Legal and Policy