



2020 Broadcasting Allocation Variation

1. The Commission released its Broadcasting Allocation Decision on 29 May 2020.
2. On 17 August the Prime Minister announced that the election date would move from 19 September to 17 October 2020. This change had an impact on the broadcasting allocation timetable as it resulted in the deferment of the date of dissolution of Parliament and writ day.
3. Section 80 of the Broadcasting Act 1989 (the Act) gives the Commission power to vary its original allocation of money to political parties for the broadcasting of election programmes and election advertising. Section 80 reads:

80 Electoral Commission may vary allocation

- (1) The Electoral Commission may vary a decision made under section 79 if a party to which an amount of money is allocated —
 - (a) does not accept that allocation; or
 - (b) ceases to be registered; or
 - (c) fails to submit a list of candidates for election under section 127 of the Electoral Act 1993; or
 - (d) fails to comply with any conditions imposed by the Electoral Commission under section 79(1)(b).
 - (2) The Electoral Commission may also vary a decision made under section 79 if there has been a significant change in the relationship between a party that has received an allocation of money and any other party.
 - (3) The Electoral Commission may vary a decision made under section 79 without affording any party the opportunity to —
 - (a) meet with the Electoral Commission; or
 - (b) comment on the proposed variation.
 - (4) In varying a decision made under section 79, the Electoral Commission must have regard to —
 - (a) the views of parties received in the course of consultations undertaken in accordance with section 77; and
 - (b) the matters specified in sections 78 and 79(3).
 - (5) If an allocation of money made to a party has been spent (in whole or in part), the Electoral Commission must not vary that allocation unless —
 - (a) the registration of the party is cancelled under section 70 of the Electoral Act 1993; or
 - (b) the party secretary has failed to submit a list of candidates for election under section 127 of the Electoral Act 1993.
4. Parties must have been registered by the dissolution or expiry of Parliament to continue to be eligible for an allocation of broadcasting money in accordance with Part 6 of the Act. Section 78(1)(b) of the Act only permits making allocations to political parties that are registered parties at the time of dissolution or expiry of Parliament.¹ For this year's election, this meant parties must have been registered by 6 September 2020.

¹ MANA Movement is a registered party. However, MANA Movement is not eligible to receive an allocation because it did not give the required notice under section 78(1)(a). MANA Movement has also indicated that it will not be submitting a party list.

5. The following parties (together referred to as the “ineligible parties”) were given an allocation in the Electoral Commission’s Broadcasting Allocation Decision of 29 May 2020 but have failed to be registered by 6 September 2020:
 - Direct Democracy New Zealand
 - Future Party
 - Internet Party
 - Oytcho-Visha
6. As the ineligible parties have not been registered as political parties by the dissolution of Parliament, they are no longer eligible to receive an allocation of money for the broadcasting of election programmes.
7. The Advance New Zealand Party and ONE Party have become registered political parties since the Commission's initial allocation decision.²
8. The number of parties continuing to be eligible for an allocation has therefore dropped from 19 to 15 and the total of \$165,837, the amount previously allocated to the now ineligible parties and the amount unallocated in the original decision, is therefore available for reallocation.
9. At this stage of the electoral cycle, five weeks before election day, in fairness to all those receiving an allocation, the Commission considers its power to vary the allocation includes the ability to maintain or increase, but not reduce, any allocation. Some of the parties have notified the Commission that they have already spent some of their allocation.
10. The Commission has reconsidered all of the statutory criteria under section 78(2). Although there have been recent changes in the public opinion polls, these results do not affect the Commission’s overall decision which considers all of the statutory criteria and takes average poll data for the period from 2017 to 2020 as indicators of support under section 78(2)(e).
11. The Commission has also considered whether there have been any significant changes in the relationships between parties. The Advance New Zealand Party has notified the Commission of its four component parties – Direct Democracy New Zealand, New Zealand Peoples Party, NZ Public Party and Reset NZ.
12. Having given due consideration to each of the criteria, the Commission has determined that the ONE Party now be placed into Category 6 on the basis that it can no longer be differentiated from the other parties in that category. As a first step in this variation, an additional \$10,364 of the \$165,837 available for redistribution has been allocated to the ONE Party to put them into this category, being the difference between the ONE Party's initial allocation and the allocation given to parties in Category 6. This then leaves \$155,473 available for redistribution between all parties.
13. In light of all of the statutory criteria, the Commission has decided to allocate the remaining funds of \$155,473 proportionately to all of the eligible parties based on the adjusted percentages that each party received in its Broadcasting Allocation Decision of 29 May 2020.
14. The Commission may consider a further variation of money to the then eligible political parties after midday on 17 September 2020 which is the deadline for the submission of party lists for the 2020 General Election.
15. The following table sets out the revised allocations to those parties that are eligible for the broadcasting allocation for the 2020 General Election. Parties are reminded that the amounts allocated by the Commission include GST.

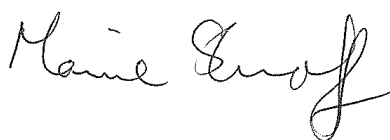
2 Heartland New Zealand Party and New Zealand TEA Party have also become registered political parties since the Commission's broadcasting allocation decision of 29 May 2020 but are not eligible to receive an allocation because they did not give the required notice under section 78(1)(a).

Variation of Broadcasting Allocation Decision for the 2020 General Election

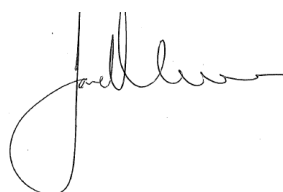
	Political Party	Original Allocation (inclusive of GST)	Varied Allocation (inclusive of GST)
Parties eligible for share of broadcasting allocation	The New Zealand National Party	\$1,285,182	\$1,335,255
	New Zealand Labour Party	\$1,202,267	\$1,249,111
	The Greens, The Green Party of Aotearoa/New Zealand	\$310,931	\$323,046
	New Zealand First Party	\$310,931	\$323,046
	ACT New Zealand	\$145,101	\$150,755
	Māori Party	\$145,101	\$150,755
	The Opportunities Party (TOP)	\$145,101	\$150,755
	Advance New Zealand Party	\$62,186	\$64,609
	Aotearoa Legalise Cannabis Party	\$62,186	\$64,609
	New Conservative	\$62,186	\$64,609
	New Zealand Democratic Party for Social Credit	\$51,821	\$53,840
	NZ Outdoors Party	\$51,821	\$53,840
	Sustainable New Zealand Party	\$51,821	\$53,840
	Vision New Zealand	\$51,821	\$53,840
	ONE Party	\$41,457	\$53,840
Parties not eligible for allocation	Direct Democracy New Zealand	\$41,457	
	Future Party	\$41,457	
	Internet Party	\$41,457	
	Oytcho-Visha	\$41,457	
	TOTAL ALLOCATED	\$4,145,741	\$4,145,750
	TOTAL AVAILABLE	\$4,145,750	\$4,145,750 incl GST

Dated 9 September 2020

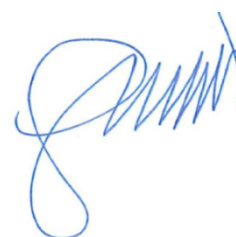
Signed for and on behalf of the Commission:



Marie Shroff CVO CNZM
Chair



Jane Meares
Deputy Chair



Alicia Wright
Chief Electoral Officer