

26 October 2023

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2023/64

On Tuesday 10 October you made a request under the Official Information Act 1982 (the OIA) for the following information:

I'm making an official information request about when and why the decision was made to not require I.d to vote. And any documents relative to this decision. Also any documents relating to security concerns around thus decision.

I'm making an official information request for what the process is if multiple votes by the same person are cast at different polling stations. are they both removed or are they kept. Is there a process for checking for multiple votes from the same person. Also is there a process in which or a place a person can go to see the record of there votes in previous elections.

I'm an official information request about the process of your answering official Information requests. Why is it that due particularly must be added to the request as no other government agency has this necessary in theirs. Have you been answering requests that do not use that specific terminology and if you haven't do you notify people that this is the reason why. Also what is the average waiting time for a reply to an official information request currently?'

Responses to each of your questions are set out below:

1. *I'm making an official information request about when and why the decision was made to not require I.d to vote. And any documents relative to this decision. Also any documents relating to security concerns around thus decision.*

There is no requirement under the Act that require voters to produce or provide any identification in order to vote. Voters are required to verbally confirm their name in accordance with section 167(2) of the Act before an ordinary vote can be issued and the voter marked off the electoral roll.

The Commission does not hold any documents regarding this.

2. *I'm making an official information request for what the process is if multiple votes by the same person are cast at different polling stations. are they both removed or are they kept. Is there a process for checking for multiple votes from the same person.*

Voting more than once is an offence under section 215 the Electoral Act.

A voter is marked off a roll when they vote. If a different individual were to vote in that person's name, the original voter's name is again marked off the roll.

At the conclusion of voting, all of the rolls for the electorate are electronically scanned and consolidated into a "master roll". Anyone who has been marked off the roll more than once is identified as a "dual vote" on the master roll, and this is fully investigated. If the investigation, for example, finds one vote was legitimately cast, that vote is allowed and the second "imposter" vote is disallowed, and the case may be referred to the police. If an investigation finds that a person has unlawfully cast more than one vote, all of their votes are extracted and are disallowed.

3. *Also is there a process in which or a place a person can go to see the record of there votes in previous elections.*

No record is kept of an individual's votes in previous elections. Elections in New Zealand are conducted by 'secret ballot' and due to the secrecy of the ballot there is no way to keep a record of an individual's votes.

Further, ballot papers from a general election are destroyed in the presence of the Clerk of the House of Representatives and an Electoral Commissioner. This occurs 6 months after an election, in accordance with section 189 of the Electoral Act 1993.

While the record of votes themselves is not held, there is a record of who voted that is available for inspection. Following an election, scrutiny of the rolls is undertaken to create a complete record of people who voted and to identify dual votes. The end result is a master roll for each district (including the main roll and the supplementary rolls) and a list of people who voted whose names were not on the roll. The absence of a mark indicates that an enrolled elector has not voted. Once the master roll has been completed and the official results have been declared, the master roll and list for each district is held at the Office of the Electoral Commission for the district under section 187(3) of the Electoral Act 1993 (the Act). The Act stipulates that the master roll it is to be available for inspection by a registered elector of that district without charge and is only to be kept until the next election. After the election, a person can inspect the master roll and can take notes but is not permitted to copy or scan it (section 187(5) of the Act).

4. *Why is it that due particularly must be added to the request as no other government agency has this necessary in theirs.*

Under section 12(2) of the Official Information Act 1982, all official information requests to any agency must be specified with due particularity. This means that the agency must be reasonably able to identify what information is being requested. Under the Act, due particularity is a requirement for all requests to ministers and central government agencies that are subject to the Official Information Act.

5. *Have you been answering requests that do not use that specific terminology and if you haven't do you notify people that this is the reason why.*

As explained above, the requirement of due particularity means that the agency must be reasonably able to identify what information is being requested. Requestors do not need to use that specific terminology in their requests. If there is any uncertainty about the scope of a request, following [Ombudsman Guidance](#), we will seek a clarification or amendment of the request.

6. *Also what is the average waiting time for a reply to an official information request currently?*

The average timeframe for answering requests so far in 2023 at the Electoral Commission is 12 working days.

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
Electoral Commission