

27 November 2024

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2024/65A

On Thursday 8 October 2024 you made a request under the Official Information Act 1982 (the OIA) for the following information, condensed into specific questions:

Regarding OIA 2024/45:

- *Clarification around what the standard nomenclature for this method of overseas voting.*
- *Confirm whether there was also no advice that discussed the security of this digital/online voting method in passing, or as part of broader advice on the security of our elections.*
- *Further clarify on the existence (or non-existence) of materials sought on that front.*
- *Specific clarity as to the type and extent of the information within the “information security certification and accreditation reviews” mentioned in paragraph 6.... and whether or not partial redaction was considered for this response.*
- *Ask that you reconsider your refusal as a whole.*

Please find answers to your questions below. We are continuing to also work on the other information requested and will respond on that as soon as we can.

Clarification around what the standard nomenclature for this method of overseas voting.

In the electoral legislation, this is referred to as the electronic issue of special voting papers (Electoral Regulations 1996, [regulation 45A](#), [regulation 57](#)), marking or signing special voting papers electronically (Electoral Regulations 1996, [regulation 19A](#)), and the return and receipt of special votes electronically (Electoral Regulations 1996, [regulation 47B](#), [regulation 48B](#), and [regulation 59](#)). The Electoral Commission systems utilised to provide this service are the Download Voting Paper System (DVP) and the Upload Voting Paper System (UVP).

Confirm whether there was also no advice that discussed the security of this digital/online voting method in passing, or as part of broader advice on the security of our elections, and further clarify the existence (or non-existence) of materials sought on that front.

As part of the preparation for the 2023 General Election the Commission engaged Deloitte New Zealand to undertake an assessment into the Commission’s Cyber, Privacy and Resilience readiness.

The scope of this assessment included the UVP and DVP systems. The assessment has been included in this response. No other material has been sought on this front.

Some contact details, such as phone numbers, email addresses and some names have been withheld under section 9(2)(a) of the OIA which relates to the privacy of natural persons. Parts of the document are withheld under sections 6(a), 6(c) and 9(2)(k) of the Act where they may compromise security arrangements at elections, making this information available would be likely to prejudice the maintenance of the law, and withholding this information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.

In each case where redactions have been made under sections 9(2)(a) and 9(2)(k), consideration has been given to and I am satisfied that the reasons for withholding of the information are not outweighed by other considerations which render it desirable in the public interest to make that information available.

Specific clarity as to the type and extent of the information within the “information security certification and accreditation reviews” mentioned in paragraph 6... and whether or not partial redaction was considered for this response.

Certification and Accreditation is a fundamental governance and assurance process, designed to provide the Board, Chief Executive and senior executives confidence that information and its associated technology are well-managed, that risks are properly identified and mitigated, and that governance responsibilities can demonstrably be met. The process is described in the New Zealand Information Security Manual (NZISM) - [ISM Document | New Zealand Information Security Manual](#).

Information that supports the certification and accreditation of systems as part of this process includes security risk assessments, control validation, and assessments and accreditation memorandum.

We did not consider partial redaction to be appropriate for these reviews. Please see our reasoning below.

Ask that you reconsider your refusal as a whole.

We have reviewed our response to your previous request and maintain that the refusal was warranted. We were not able to share the results or outcomes of the requested reviews as disclosure of this information would prejudice the Electoral Commission’s ability to prevent and detect cyber security threats and may also result in exposure of the information to those who may use this information for improper gain, and this gain or advantage could damage trust and confidence in the electoral system. We refused this part of your request under section 6(c) of the Act on the ground that making this information available would be likely to prejudice the maintenance of the law, and under section 9(2)(k) of the Act on the ground that withholding this information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage, and I am satisfied

that the reasons for withholding of the information are not outweighed by other considerations which render it desirable in the public interest to make that information available.

We have reconsidered your request in OIA 45 in the context of the new information requested in this request. Where appropriate, we have included relevant information in this response and further responses to this request.

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



Karl Le Quesne
Chief Electoral Officer