

13 December 2024

By email to: [REDACTED]

Dear [REDACTED]

### OFFICIAL INFORMATION ACT REQUEST 2024/71

On 29 November 2024, you made a further request under the Official Information Act 1982 (the Act) for the following information:

*I am making a request under the Official Information Act 1982 for access to sample ballots from the 2023 New Zealand General Election.*

*To clarify my request:*

- 1. I am not seeking scanned copies of official unused ballots or materials that are required to be destroyed under Section 187 of the Electoral Act 1993.*
- 2. Section 196A of the Electoral Act 1993 prohibits unauthorized possession of actual ballot papers. My request does not involve physical possession of a ballot paper but rather access to a digital sample used to produce the ballots for the 2023 General Election and is only for transparency purposes in the spirit of the official information act.*
- 3. I am requesting access to the digital templates or files used to print the ballots for each general and Māori electorate, or samples that are as close as possible, with the understanding that these are the design representations of the ballots and not physical unused ballots.*
- 4. In a publicly available document hosted on the Canadian Parliament's website, the New Zealand Electoral Commission included a sample ballot from the 2014 Wellington Central electorate. This sample ballot, available on page 26 here, seems to be part of an international presentation on New Zealand's electoral processes.*

*The ballot shown in this context served an educational and illustrative purpose and includes the watermark "SAMPLE", aligning with my request for digital templates or representative samples of ballots from the 2023 General Election.*

*If concerns exist, I am happy for the Electoral Commission to apply a watermark or annotation indicating these are sample ballots and not official voting papers.*

The ballot paper is prescribed in Form 11 of Schedule 2 of the Electoral Act 1993. A copy of the prescribed form is publicly available [here](#).

The sample provided as an image within a PowerPoint presentation to a select committee was not intended for publication and although it is on the website, we do not consider that providing digital files of every electorate ballot paper is permitted.

Your request is declined under sections 18(c)(i), 6(a), 6(c) and 9(2)(k) of the Act on the grounds that making available of the information requested would be contrary to the provisions of a specified enactment, and/or 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.

With respect to section 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.

As explained in the previous response OIA 2024/68, the Electoral Act contains a number of provisions restricting access to ballot papers except for the purposes of voting. Under section 196A of the Electoral Act 1993 it is unlawful for a person without authority under the Electoral Act to obtain possession of any ballot paper and section 187 of the Electoral Act requires all unused ballot papers to be destroyed.

The spirit and purpose of the provisions is about maintaining the integrity of elections and preventing imitation ballots and in that regard, there is no difference between providing or being in possession of a blank ballot or obtaining digital templates or files used to print the ballots.

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](http://www.ombudsman.parliament.nz) or by phoning 0800 802 602.

Yours sincerely



Kristina Temel  
Manager, Legal, Regulation and Policy