

2026 BROADCASTING ALLOCATION

The following table sets out the allocation of money to eligible political parties for the broadcasting of election programmes and election advertising for the 2026 General Election:

Political Party	Allocation (inclusive of GST)
The New Zealand National Party	\$1,079,514
New Zealand Labour Party	\$913,435
The Green Party of Aotearoa New Zealand	\$394,438
ACT New Zealand	\$332,158
New Zealand First Party	\$290,639
Te Pāti Māori	\$228,359
Opportunity Party	\$114,179
New Zealand Loyal*	\$83,040
Animal Justice Party Aotearoa New Zealand	\$78,887
Aotearoa Legalise Cannabis Party	\$78,887
Change New Zealand*	\$78,887
Conservative Party NZ	\$78,887
Free Palestine*	\$78,887
NZ Outdoors & Freedom Party	\$78,887
People's Party New Zealand Incorporated*	\$78,887
Vision New Zealand	\$78,887
Women's Rights Party	\$78,887
Total allocated	\$4,145,745 incl. GST
Total available	\$4,145,750 incl. GST

*These parties are unregistered at the date of this decision.

Introduction

1. The Electoral Commission Te Kaitiaki Take Kōwhiri ('the Commission') is an independent Crown entity which supports people to trust, value, understand and participate in Aotearoa New Zealand's democracy. The Electoral Act 1993 sets out our statutory objectives, namely: to administer the electoral system impartially, efficiently, effectively and in a way that facilitates participation in parliamentary democracy; promotes understanding of the electoral system and associated matters; and maintains confidence in the administration of the electoral system.¹
2. One of the Commission's statutory functions is to carry out duties in relation to electoral broadcasting. These are prescribed in Part 6 of the Broadcasting Act 1989 ('the Act').² Under Part 6, the Commission is required to allocate money appropriated by Parliament to enable registered political parties to broadcast election programmes and publish election advertising, free of charge, during the election period for a general election ('the broadcasting allocation').
3. The Electoral Act 1993 provides that the members of the Electoral Commission constitute the Board for the purposes of the Crown Entities Act 2004.³ Under section 25 of the Crown Entities Act, the Board is the governing body of the Commission, with the authority, in the entity's name, to exercise the powers and perform the functions of the entity. As the decision-makers for the Commission, the Board has statutory authority to make this decision.
4. On 21 January 2026, the Prime Minister announced that the 2026 General Election would be held on Saturday 7 November.
5. Seven days later, on 28 January 2026 the Commission began the allocation process. It did so by publishing a notice in the *Gazette* inviting parties to provide notice of their eligibility. In order to give eligible parties as much time as practicable to plan and use the allocation, timeframes for written submissions and oral hearings were set with a view to issuing the allocation decision by 8 May 2026.
6. This decision records the reasons for the Commission's broadcasting allocation determinations for the 2026 General Election.

Amount of public money appropriated

7. On 25 September 2024, in accordance with section 74 of the Act, the Minister of Justice notified the Commission that the amount of money appropriated by Parliament for political party broadcasting election programmes and election advertising for the 2026 General Election was \$3,605,000 plus GST (\$4,145,750 incl. GST).
8. This is the amount appropriated pursuant to section 74. What this means is there has been no increase in the funding amount since 2017, that is, for the last four elections (including this year's

¹ Section 4C, Electoral Act 1993.

² Unless otherwise stated, references in this decision to sections or Parts are to sections or Parts of the Broadcasting Act 1989.

³ Section 4D, Electoral Act 1993.

election). Later in this decision we discuss how this plateau in funding should be reflected in setting the appropriate allocations, especially in respect to the smaller parties.

Eligibility

9. Section 78(1) of the Act specifies that a party is only eligible to receive an allocation if the party:
 - (a) has provided a notice, by the date required by the Commission, that the party considers it will be qualified for an allocation; and
 - (b) was registered on the Register of Political Parties at the time of the dissolution or expiry of Parliament.
10. On 28 January 2026, the Commission, by notice in the *Gazette*, invited parties to give written notice if they considered themselves eligible for an allocation of broadcasting money by 25 February 2026. Eighteen parties gave notice which complied with the requirements. This consisted of fourteen registered parties and four parties which are currently unregistered. One previously registered party, NewZeal, requested cancellation of their registration in March 2026 and subsequently withdrew its notice of eligibility. This left a balance of seventeen parties eligible for an allocation.
11. Any party, including unregistered parties, may give notice of eligibility in anticipation that they will be registered by the date of the dissolution of Parliament (1 October 2026). However, in accordance with section 64 of the Electoral Act, a party which intends to apply for registration must be registered before the start of the regulated period for the election. This commences on 7 August 2026. Unregistered parties which are not registered by this date will not be eligible for an allocation. In that event the amount allocated to them in this decision will be available for reallocation.
12. Because only registered parties are eligible, a condition of this initial allocation is that only registered parties may enter into contractual commitments to use any of the money allocated to them by this decision.

How recipients may use the allocation

13. Section 74 of the Act sets out how eligible parties may use their allocation to buy advertising time on television and radio, buy advertising on the internet, and pay for the production costs of television, radio and internet advertising.
14. Eligible parties are permitted to use their allocation to buy advertising time on television and radio. Parties may only advertise on television and radio during the election period prescribed in the Act (4 October 2026 – 6 November 2026) and are prohibited from television and radio advertising at any other time.⁴ The Act prohibits parties from using their own money to buy time to broadcast television and radio advertising.
15. The allocation may be used to buy advertising on the internet before the election period, provided it is published both before and during the election period, or for placement costs during the

⁴ Section 70, Broadcasting Act 1989.

election period. Parties must use their own funds for advertisements on the internet if they are only published before the election period.⁵

16. Parties may use the allocation to pay for all or part of the production costs of television and radio programmes. The allocation may also be used for all or part of the production costs of internet advertising that is published during the election period, or both before and during the election period. A party may also use its own funds (within their election expenditure limit) for production costs for all advertising.⁶

Consultation

17. In accordance with section 77 of the Act, the Commission ensured that all eligible parties were given the opportunity to make written and oral submissions as to how the criteria in section 78(2) should be applied, the amount of funding they should receive, their reasons, and any other relevant matters they might reasonably seek to raise. The Commission circulated an optional template to guide and assist parties with their written and oral submissions. Most applicants adopted that framework with some modifications.
18. Of the seventeen eligible parties, fourteen made written submissions. Thirteen of those requested to make oral submissions. Hearings were held by the Commission on 13 and 14 April 2026, with parties also being offered the opportunity to appear remotely by video conference. The Commission ensured that it had read all written submissions in advance of the hearings so that at the hearings themselves, submitters were invited to speak to and/or supplement their written submissions with time allocated for questions.
19. The Commission acknowledges with gratitude the assistance given to it by the parties' helpful written and oral submissions, all of which have been carefully considered.

New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission [2023] NZHC 1823

20. Before turning to consider the statutory criteria set out in s 78(2) of the Act it is necessary to discuss the High Court's helpful guidance *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission*.⁷
21. In 2023, the Electoral Commission's broadcasting allocation decision was challenged by way of judicial review. The applicants were the NZ Outdoors & Freedom Party, Vision NZ, Freedoms New Zealand, and Aotearoa Legalise Cannabis Party. They argued that the Commission had unfairly and/or wrongly applied the statutory criteria, contravening both the New Zealand Bill of Rights Act 1990 (NZBORA) and the International Covenant on Civil and Political Rights (ICCPR).⁸ While the application was ultimately unsuccessful, the High Court's consideration of the statutory criteria and the manner in which the Commission had applied them is of considerable assistance

⁵ Section 74(1)(d) and (e) of the Act.

⁶ Section 74(1)(d) and (e) of the Act.

⁷ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823.

⁸ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [6].

in terms of guidance. The High Court largely adopted the reasoning of the Commission and endorsed the Commission's approach to the allocation decision-making process. Relevant parts of the judgment will be referenced throughout this decision.

Allocation criteria

22. Section 78(2) of the Act sets out the criteria to which the Commission must have regard when determining the allocation.

The mandatory criteria are:

- (a) the number of persons who voted at the preceding general election for a party and its candidates; and
- (b) the number of persons who voted at any by-election held since the preceding general election for any candidate for the party; and
- (c) the number of members of Parliament who were members of that party immediately before the dissolution or expiration of Parliament; and
- (d) any relationships that exist between a party and any other party; and
- (e) any other indications of public support for a party, such as the results of public opinion polls and the number of persons who are members of the party; and
- (f) the need to provide a fair opportunity for each party to convey its policies to the public by the broadcasting of election programmes on television.

23. It is notable that there is no statutory guidance on how these mandatory criteria are to be applied. They do not appear to be listed in hierarchical priority. There is no guide on relative weighting. While the legislative intention may have been to avoid fettering the Commission's discretion in determining the allocation, the lack of guidance on how the criteria ought to be applied does add a degree of complexity and difficulty to the Commission's task. The High Court in *Outdoors & Freedom Party* commented on this when it said, “the principal reason that applying the allocation criteria is difficult is because there is an almost irreconcilable tension between them.”⁹

24. That tension may be seen in several of the statutory criteria. For example, several of the criteria require an assessment of past performance by acknowledging parties' previous electoral success, whereas another requires the Commission to have regard to the need to “provide a fair opportunity for each political party ... to convey its policies to the public.” How to reconcile the inherent tension is no easy task.

25. What this means is that in exercising its judgement, the Commission cannot apply some simple mathematical formula. What the Commission must do is to exercise its own judgement when considering each of the criteria in the context of the overarching legislative intent. This analysis engages an evaluative approach.

26. Relatedly, in considering the requirement for fairness in exercising its discretion, the Commission acknowledges the importance of the statutory context which prohibits parties from using their own funds to buy broadcast advertising time and the tension between fundamental rights that

⁹ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [3].

are engaged around election broadcasting. The allocation regime is designed to mitigate the economic unfairness which would otherwise arise between well-resourced and affluent parties and those of lesser means. On this topic the High Court noted in *Outdoors & Freedom Party*:¹⁰

As a result of a legislative decision that access to television programming and advertising should not be dictated by the wealth of a party or its donors, such access is limited by the amount of funding a party receives under pt 6.

27. As Professor Andrew Geddis has said, an inherent 'status quo' bias arises from the allocation criteria, where established political parties receive a large share of the allocation, reinforcing their positions and detracting from smaller parties' ability to advertise.¹¹
28. The Commission has considered and taken into account the electoral rights contained in article 25 of the International Covenant on Civil and Political Rights (ICCPR) as confirmed in section 12 of the New Zealand Bill of Rights Act 1990 (NZBORA) and the rights affirmed in sections 13 and 14 of the NZBORA, notably the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.
29. The Commission has also had regard to other judicial rulings confirming that every eligible party must be given an allocation to comply with the requirement to provide parties with a fair opportunity to convey their policies to the public.¹² As was touched on earlier and will be developed more fully later, this principle carries some weight as advertising and inflation costs increase against the backdrop of no increase in the appropriation since 2017.
30. Some parties' submissions questioned the inherent "status quo bias" within the existing broadcasting statutory scheme and the broadcasting allocation criteria. However, these matters are outside the scope of what the Commission may lawfully consider as part of the allocation process for the 2026 election. On this point, the Court in *Outdoors & Freedom Party* said:¹³

...there can be no doubt that the s 78(2) allocation criteria have always favoured the established political parties.

...a number of fundamental rights are at stake, those rights themselves have complexities and can pull in different directions. Parliament has struck a clear and deliberate balance between them in the form of Pt 6 and it is almost certainly for Parliament to recalibrate the balance as and when it sees fit.

Analysis and application of evidence to the criteria

31. The Commission now turns to consider the evidence and other materials received in respect of each of the statutory criteria in the same order as they are listed in the Act.

¹⁰ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [1].

¹¹ Andrew Geddis *Electoral Law in New Zealand: Practice and Policy* (2nd ed, LexisNexis, Wellington, 2014), at 205.

¹² Section 78(2)(f), Broadcasting Act 1989. In *Alliance Party v The Electoral Commission and Others* [CA639/2008], the Court of Appeal declared that every party must be given an allocation of time. Although time is no longer being allocated, the criteria remain the same and in previous allocations the Commission has treated the criteria as also applying to allocations of money. In *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [105], Judge Ellis confirmed the finding in the Alliance case "...that "fairness" under section 78(2)(f) requires the allocation of funding to each party (subject to...s 79(3)...) that is sufficient to purchase at least *some* television advertising."

¹³ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [84] and [128].

The number of persons who voted at the preceding general election for a party and its candidates (s 78(2)(a))

32. The following table sets out the percentages of total votes cast for eligible parties and their electorate candidates. These are sourced from the Official Results for the 2023 General Election, noting that not all parties now eligible for the allocation contested the 2023 General Election.¹⁴

2023 General Election results for eligible parties ¹⁵		
Parties	% of total party votes	% of total candidate votes
The New Zealand National Party	38.08	43.47
New Zealand Labour Party	26.92	31.21
The Green Party of Aotearoa New Zealand	11.61	8.26
ACT New Zealand	8.64	5.45
New Zealand First Party	6.09	2.80
Te Pāti Māori	3.08	3.89
Opportunity Party ¹⁶	2.22	1.02
New Zealand Loyal ¹⁷	1.21	1.18
Aotearoa Legalise Cannabis Party	0.46	0.46
Freedoms NZ umbrella	Freedoms NZ*	N/A
	NZ Outdoors & Freedom Party ¹⁸	0.11
	Rock the Vote NZ*	0.02
	Vision New Zealand ¹⁹	0.38
Animal Justice Party Aotearoa New Zealand	0.18	0.21
Conservative Party NZ ²⁰	0.16	0.12
Women's Rights Party	0.09	N/A

* These parties are not eligible for an allocation.

¹⁴ The party and candidate vote tables do not include all parties and candidates who contested the 2023 General Election.

¹⁵ [Summary of Overall Results](#).

¹⁶ Formerly The Opportunities Party.

¹⁷ A party named New Zealand Loyal contested the 2023 General Election and has since deregistered, but the party is seeking re-registration at the 2026 General Election and is eligible for an allocation provided they are registered before the statutory deadline. The Commission considered and determined that there is sufficient evidence of continuity to enable the 2023 General Election results for New Zealand Loyal to be used to determine the appropriate allocation to the currently unregistered party.

¹⁸ The NZ Outdoors & Freedom Party and Vision New Zealand have applied independently for an allocation, but they contested the 2023 General Election under the Freedoms NZ umbrella. The Commission has had regard to the votes they received under the umbrella arrangement in 2023.

¹⁹ See footnote 18 above.

²⁰ Formerly New Conservatives.

The number of persons who voted at any by-election held since the preceding general election for any candidate for the party (s 78(2)(b))

33. Since the 2023 General Election, there have been two by-elections. These were held in Port Waikato in November 2023 and Tāmaki Makaurau in September 2025. The Commission has considered the following percentages of candidate votes by parties who contested these by-elections.²¹

2023 Port Waikato By-Election results for eligible parties ²²		
Parties	Votes	% of total
The New Zealand National Party	14,296	76.65
New Zealand First Party	2,864	15.35
Animal Justice Party Aotearoa New Zealand	297	1.59
New Zealand Loyal	237	1.27
Women’s Rights Party	188	1.01
Vision New Zealand	48	0.26

2025 Tāmaki Makaurau By-Election results for eligible parties ²³		
Parties	Votes	% of total
Te Pāti Māori	6,948	65.43
New Zealand Labour Party	3,429	32.29
Vision New Zealand	175	1.65
New Zealand Loyal ²⁴	26	0.24

34. The Commission notes that by-elections may not necessarily indicate a party’s nationwide support. This is because by-elections are a candidate contest within a single electorate. There is no party vote. In the case of both by-elections, not all parties who are eligible for a 2026 allocation contested the seat. Turnout was much lower than at the General Election.

35. In *Outdoors & Freedom Party* the Court endorsed this approach when it observed:²⁵

²¹ The by-election candidate votes tables only include the votes of candidates for eligible parties, not all candidates who contested the by-elections.

²² [E9 Statistics - Electorate Details](#).

²³ [E9 Statistics - Electorate Details](#).

²⁴ A party named New Zealand Loyal contested the 2023 General Election and the 2023 Port Waikato By-Election and has since deregistered, but the party is seeking re-registration at the 2026 General Election and is eligible for an allocation provided they are registered before the statutory deadline.

²⁵ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [95].

Moreover, giving the results of a single by-election “too much” weight risks unfairness to other parties who might have greater support nationwide but who, for whatever reason, chose not to contest that particular seat.

The number of members of Parliament who were members of a party immediately before the dissolution or expiration of Parliament (s 78(2)(c))

36. The Commission has taken into account the number of members of Parliament (‘MPs’) each eligible party with MPs will have at the time of the dissolution of Parliament, and the percentage those numbers represent of the total MPs in Parliament. Obviously, the exact number cannot be known until Parliament actually dissolves:²⁶

Number and Percentage of Members of Parliament		
Parties	Number of MPs	Number of MPs as a percentage
The New Zealand National Party	48 ²⁷	39.7%
New Zealand Labour Party	34	28.1%
The Green Party of Aotearoa New Zealand	15	12.4%
ACT New Zealand	11	9.1%
New Zealand First Party	8	6.6%
Te Pāti Māori	5 ²⁸	4.1%

Any relationships that exist between a party and any other party (s 78(2)(d))

37. Under section 76, parties’ notices of qualification must provide details of any relationships that may exist between the party and any other party in New Zealand that the Commission may need to take into account in allocating money to political parties. Section 78(2)(d) requires the Commission to have regard to any relationships that exist between political parties.
38. Some parties noted that they are currently in coalition agreements, but are each contesting the election independently of these arrangements.
39. No other parties notified the Commission that they had any relationships with any other parties that the Commission might need to consider in allocating money.
40. If circumstances change, the Commission will consider varying its overall allocations in accordance with section 76A.

²⁶ The number of MPs for each party reflects changes during the parliamentary term including: the changes resulting from the Port Waikato and Tāmaki Makaurau By-Elections; the Speaker informing the House that under Standing Order 35(5) from 10 November 2025 the MPs Mariameno Kapa-Kingi and Tākuta Ferris are regarded as independent members for parliamentary purposes ([Hansard - New Zealand Parliament - Tuesday, 11 November 2025](#)); and the Speaker informing the House that under Standing Order 36(1)(c) from 10 March 2026 MP Mariameno Kapa-Kingi is a member of Te Pāti Māori for parliamentary purposes ([Hansard - New Zealand Parliament - Tuesday, 10 March 2026](#)).

²⁷ The National Party has 49 MPs at the time of this decision but will have 48 at the dissolution of Parliament due to the upcoming resignation of Hon Judith Collins in May 2026.

²⁸ See footnote 26 above.

Any other indications of public support for a party such as the results of public opinion polls and the number of persons who are members of the party (s 78(2)(e))

41. Under this provision, the Commission must consider indications of public support for a party. The Act provides examples such as public opinion poll results and party membership numbers. That is not a finite nor exclusive list. The Commission is entitled to take into account other relevant indicators of public support. These include other modes of communication such as social media following.
42. Unlike some of the other criteria, this criterion does not specify the period at which support is to be measured. The Commission has had regard to the results of opinion polls conducted by 1News-Verian, Roy Morgan, RNZ-Reid Research, and The Post-Freshwater Strategy including current polling as well as poll results since the 2023 General Election to demonstrate indications of public support rather than other polls commissioned by political parties and other promoters. Polls have been averaged in order to account for volatility and consistency in results. The Commission notes that not all polls seek data for every party, and some count smaller parties as 'others', meaning percentages for smaller parties are not always available. Some parties provided their own analysis of these public opinion polls or provided their own opinion poll data. The Commission has considered these.

Averages of Opinion Poll Results for Each Party (as a percentage)²⁹

Opinion Poll (and date range of polls)	The New Zealand National Party	New Zealand Labour Party	The Green Party of Aotearoa New Zealand	ACT New Zealand	New Zealand First Party	Te Pāti Māori	Opportunity Party	New Zealand Loyal	Aotearoa Legalise Cannabis Party	NZ Outdoors & Freedom Party	Conservative Party NZ	Vision New Zealand	Women's Rights Party	Animal Justice Party Aotearoa New Zealand	'Others'
1News-Verian (Feb 2024 – April 2026)	35.4	31.3	11.0	8.1	7.2	3.4	1.6	0.5 ³⁰	0.3	0.3	0.3	0.2	0.2	0.2	0
Roy Morgan (Dec 2023 – Mar 2026)	33.3	27.3	13.4	9.8	7.5	4.2	-	-	-	-	-	-	-	-	4.5
RNZ-Reid Research (Mar 2025 – Mar 2026)	31.8	34.1	10.4	7.6	9.1	4.2	1.9	-	-	-	0.4	-	-	-	0.6

²⁹ Only the eligible parties who had results in these opinion polls are listed.

³⁰ New Zealand Loyal was only included in three polls by 1News-Verian before its deregistration in July 2024.

The Post-Freshwater Strategy (Dec 2024 – Feb 2026)	31.2	35	10	7.8	9	2.8	-	-	-	-	-	-	-	-	2.4
Average	32.93	31.93	11.2	8.33	8.2	3.65	1.75	0.5	0.3	0.3	0.35	0.2	0.2	0.2	1.88

43. The Commission sought information from eligible parties on their membership numbers. Not all parties provided this information. As a result, it was impossible to make a direct comparison between parties. Nevertheless, where this information was provided, the Commission considered it.
44. Parties discussed the different channels they use to engage with electors, indicating measures of support. These include support at local body elections, social media, email lists, public meetings, share of media mentions, and volunteers.
45. The Commission acknowledges the increased use of social media by parties on a variety of platforms to increase their profile, communicate with the public, and engage with their supporters. The Commission received evidence of the number of followers that each party claims it has on differing social media platforms such as Facebook, TikTok, Instagram, X (formerly Twitter) and YouTube, and email lists as provided by some parties. Some parties provided information about engagement on social media, including views, comments, impressions, and reach. People may ‘follow’ a party or sign up to receive emails for a variety of reasons. In a similar vein, social media posts may receive various levels of engagement for a variety of reasons. Accordingly, although these numbers indicate a measure of engagement, they are not always a straightforward or reliable measure of support. Follower numbers and engagement levels may also reflect the social media platforms that a party chooses to utilise, the emphasis they place on this form of engagement and the demographics of a party.
46. There are some obvious limitations in terms of weighting some of this information. For example, not all parties participate in local body elections, social media engagement may be indicative of interest but not necessarily support and media mentions are more likely to favour the major parties.
47. On this point the Court in *Outdoors & Freedom Party* aptly observed:³¹
- ...there is no necessary or direct relationship between the number of followers a party or person has and active support for that party or person, although it may be indicative of interest. As well, social media engagement varies demographically and so, in some cases, may not be a good proxy for support.
- As for poll results, it must necessarily be accepted that they are only as telling as the questions that are asked by the pollsters. ... -by and large- the major polls are not concerned with the smaller parties. So

³¹ *New Zealand Outdoors & Freedom Party & Ors v The Electoral Commission* [2023] NZHC 1823 at [97]-[99].

just as it would be wrong to regard membership numbers or social media presence as determinative in one direction, so too would it be wrong to regard poll results in that way. ...

In the end, there is a range of factors to be considered ... under s 78(2)(b) and (e). ... none of those factors could properly be seen as conclusive evidence of public support; they are, at best indicative.

The need to provide a fair opportunity for each party to convey its policies to the public by the broadcasting of election programmes on television (s 78(2)(f))

48. The Commission has already commented on the tension between this criterion and some of the preceding criteria. In *Outdoors & Freedom Party* the Court, quoting Professor Andrew Geddis, observed:³²

...the 'fairness' rational[e] for regulating access is undermined by the fact that the allocation formula contained in [what was then] s 75(2) of the Broadcasting Act 1989 closely links the amount of access granted to each political party to the past level of public support it has enjoyed.

49. Notwithstanding, the Commission is mandated to provide a 'fair opportunity' to each party to convey its policies to the public. The allocation in effect creates a cap on the broadcasting time that a party can access, because, as previously noted, the Act prevents parties from using their own funds to purchase broadcasting time on television and radio.

50. Section 78(2)(f) therefore sits slightly uncomfortably within the broader context of the section. Thus, a balance must be struck by the Commission in its allocation decision to give effect to this criterion.

51. The Commission notes that this criterion only references a party's opportunity to convey its policies on television, although this is not the only medium for which the allocation may be used. In reaching its decision, the Commission has considered the cost of advertising on television but acknowledges that a party is free to use the allocation for radio and advertising on the internet.

52. The overall size of the fund available for allocation is also an important factor. This topic has been signalled earlier in this decision. Some detail is helpful. In 2017, Parliament increased the size of the monetary allocation from \$3,283,250 to \$4,145,750 (including GST) and removed free time for opening and closing addresses. As noted, the 2026 election is the fourth where the same allocation funding has been set. This is despite the fact that advertising costs have materially increased. The Commission notes that television advertising costs particularly have escalated significantly over the last nine years. But that medium is not alone. Radio and internet advertising has also increased considerably. Mindful of the restraint that the Act places on parties being able to access broadcasting other than using their allocation, in category nine, the Commission has allocated amounts to smaller parties that are, proportionally, slightly larger than in previous allocation decisions. This approach is consistent with the Commission's past practice where the amount allocated to smaller parties has steadily increased to reflect increasing costs. The wording of s 78(2)(f) makes it plain that the Commission must ensure that all parties, including smaller and newer parties, are afforded a meaningful opportunity to convey their policies to the public in accordance with the fairness criterion and freedom of expression. To give a purposive effect to the legislation, it is necessary to be proportionally more generous to smaller parties. To adopt a

³² Andrew Geddis "Reforming New Zealand's Election Broadcasting Regime" (2003) 14 PLR 164 at 178-179.

metaphor used by one of the parties, the size of the pie is finite, and it must be divided fairly and consistent with the law. By making allocations which proportionately tend to favour the smaller parties the Commission considers it is giving effect to the legislative intent. In the Commission's view, if the allocation regime is to be sustained future appropriations must reflect the realities of the advertising market and in particular the escalating costs of advertising.

53. Some parties highlighted the objective of the MMP electoral system to deliver a more representative Parliament, and the relative difficulty they face in getting opportunities to communicate their policies. Some expressed frustration at mainstream media as a whole. Smaller parties noted that parties in Parliament have access to administrative support and more media coverage by virtue of having one or more MPs.
54. Parties raised the rise of mis- and disinformation as a concern, noting that there is an increased need for parties to inform the public of correct information leading to increased costs.
55. Parties have also continued to highlight the importance of communicating with electors in te reo Māori as an official language of New Zealand, as well as other languages. Parties raised the importance of communicating across geographically large electorates, and to the consideration of parties running candidates in all or many electorates. The Commission regards those matters as relevant to the allocation in considering how to ensure that all parties have a fair opportunity to communicate to all voters.

Approach

56. In the exercise of its discretion, the Commission considers it appropriate to consistently apply the approach taken in previous allocation decisions of placing parties in categories for the determination of the allocation of broadcasting money. To do otherwise would be to depart from the consistent line of non-binding authority which the Commission has adopted in the past. That would be to create unfairness. Absent notice of an intention to approach the appropriation criteria analysis differently, parties are entitled to expect a degree of consistency of approach by the Commission. Indeed, many of the submissions the Commission received were crafted to reflect that approach. As the broadcasting allocation requires the distribution of a finite amount of money, the Commission considers it appropriate to consider what percentage of the total each party should be allocated. Parties' submissions generally supported the Commission's consistency in approach and practice of placing eligible parties into categories.
57. In determining in which category to place a party, the Commission has given due consideration to each and all of the criteria as well as the written and oral submissions of each party. The Commission has carefully taken into account each criterion and the evidence relevant to its assessment in respect of each applicant party. As earlier noted, inevitably that process requires an evaluative assessment rather than a prescriptive or mathematical formulaic approach.
58. The categories were developed from the bottom upwards, starting with the smallest percentage of the allocation. This was set with a mind to ensuring that smaller parties receive enough funds to reflect rising broadcasting costs. The Commission's methodology in making the allocation decision can be seen by way of example in the categories.
59. The Commission has placed parties into nine categories.

Allocation

60. Having done so, the Commission has decided that the requirements of section 78(2) will be best met by making the following allocations of money to each of the parties in each category (amounts are inclusive of GST):

Category	Political Party	Allocation (%)	Allocation (\$)
Category 1	The New Zealand National Party	26%	\$1,079,514
Category 2	New Zealand Labour Party	22%	\$913,435
Category 3	The Green Party of Aotearoa New Zealand	9.5%	\$394,438
Category 4	ACT New Zealand	8%	\$332,158
Category 5	New Zealand First Party	7%	\$290,639
Category 6	Te Pāti Māori	5.5%	\$228,359
Category 7	Opportunity Party	2.75%	\$114,179
Category 8	New Zealand Loyal*	2%	\$83,040
Category 9	Animal Justice Party Aotearoa New Zealand Aotearoa Legalise Cannabis Party Change New Zealand* Conservative Party NZ Free Palestine* NZ Outdoors & Freedom Party People's Party New Zealand Incorporated* Vision New Zealand Women's Rights Party	1.9%	\$78,887

*These parties are unregistered at the date of this decision.

Conditions

61. The Commission is empowered by section 79(1)(b) to include in its decision conditions concerning the manner in which any political party is to spend its allocation.

62. The Commission makes the following condition:

- Only registered parties may enter contractual commitments to use money that has been allocated to them in this decision. This ensures that parties that have applied for the allocation before they are registered cannot use any of the allocation until they are fully eligible for an allocation.

Other matters

Variation to the allocation

63. Under section 80 of the Act, the Commission may vary the allocations made without further consultation in specified circumstances. These circumstances include:

- a party not accepting an allocation;
- a party ceasing to be registered. Parties currently registered must retain their registration to continue to be eligible. To be eligible for an allocation, a currently unregistered party must be registered before the start of the regulated period on 7 August, and a currently registered party must continue to be registered on 1 October 2026;
- a party failing to submit a list of candidates by noon 8 October;
- a party failing to comply with the conditions imposed in this decision; or
- a significant change in the relationship between a party that has received an allocation and any other party.

Bars to variation of allocation

64. Section 80(5) prohibits the Commission from varying an allocation if a party has wholly or partly spent its allocation, unless the registration of the party is cancelled or the party secretary has failed to submit a list of candidates.

Further information

65. Further information regarding the use of the allocation is available at www.elections.nz, and further details about the rules and the processes for payment of invoices will be provided to eligible parties.

Dated 7 May 2026

Signed for and on behalf of the Commission:



Hon Simon Moore KC
Chair
Pou Kaiāwhā
Te Kaitiaki Take Kōwhiri



Jane Meares
Deputy Chair
Pou Kaiāwhā
Te Kaitiaki Take Kōwhiri



Karl Le Quesne
Chief Electoral Officer
Pou Kaiāwhā
Te Kaitiaki Take Kōwhiri