

## 2023 BROADCASTING ALLOCATION - VARIATION

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1. The Electoral Commission (the Commission) released its 2023 Broadcasting Allocation decision on 12 May 2023 and released a variation decision on 1 August 2023. These decisions should be read alongside this variation decision.
2. 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.
3. 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. For this year's general election, this meant eligible parties must be registered as at 8 September 2023.
  4. The following parties (together referred to as the "ineligible parties") were given an allocation in the Commission's Broadcasting Allocation Decision of 12 May 2023 but have either been deregistered or have failed to be registered by 8 September 2023:
    - Heartland New Zealand Party
    - Protect & Prosper New Zealand
  5. As the ineligible parties are not 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.
  6. Animal Justice Party Aotearoa New Zealand has become a registered political party since the Commission's initial allocation decision and remains an eligible party.

7. There are now thirteen parties continuing to be eligible for an allocation. A total of \$134,322 of the amount previously allocated to the now ineligible parties is therefore available for reallocation.
8. At this stage of the electoral cycle, six 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.
9. Having given due consideration to all the criteria, the Commission has decided to allocate the remaining funds proportionately to all of the eligible parties based on the adjusted percentages that each party received as a result of the Variation of Allocation of 1 August 2023.
10. The following table sets out the revised allocations to those parties who remain eligible for the broadcasting allocation for the 2023 General Election. Parties are reminded that the amounts allocated by the Commission include GST.

## Variation of Broadcasting Allocation Decision for the 2023 General Election

	Political Party	Original Allocation 12 May (incl GST)	First variation 1 August (incl GST)	Second variation 8 September (incl GST)
Parties eligible for share of broadcasting allocation	New Zealand Labour Party	\$1,243,724	\$1,249,944	\$1,291,992
	The New Zealand National Party	\$1,036,438	\$1,048,875	\$1,084,061
	ACT New Zealand	\$352,389	\$356,535	\$368,548
	The Greens, The Green Party of Aotearoa/New Zealand	\$352,389	\$356,535	\$368,548
	Te Pāti Māori	\$198,996	\$201,069	\$207,930
	New Zealand First Party	\$165,830	\$167,903	\$173,483
	New Conservatives	\$132,664	\$134,737	\$139,450
	The Opportunities Party (TOP)	\$132,664	\$134,737	\$139,450
	Freedoms New Zealand	\$66,332	\$92,036	\$95,042
	Aotearoa Legalise Cannabis Party	\$66,332	\$67,161	\$69,310
	DemocracyNZ	\$66,332	\$67,161	\$69,310
	NewZeal	\$66,332	\$67,161	\$69,310
	Animal Justice Party Aotearoa New Zealand	\$66,332	\$67,161	\$69,310
Parties <u>not</u> eligible for allocation	Heartland New Zealand Party*	\$66,332	\$67,161	\$0
	NZ Outdoors & Freedom Party**	\$66,332	\$0	\$0
	Protect & Prosper New Zealand*	\$66,332	\$67,161	\$0
	Vision New Zealand**	\$0	\$0	\$0
	<b>TOTAL allocated</b>	<b>\$4,145,750</b>	<b>\$4,145,337</b>	<b>\$4,145,744</b>
	<b>TOTAL available</b>	<b>\$4,145,750</b>	<b>\$4,145,750</b>	<b>\$4,145,750</b>

\* These parties are not eligible for an allocation as they were not registered as at the date of dissolution of Parliament, 8 September 2023.

\*\* A component party of Freedoms New Zealand which in accordance with section 79(3) of the Broadcasting Act 1989 is not entitled to a separate allocation.

Dated: 8 September 2023

Signed for and on behalf of the Commission:

Jane Meares  
Acting Chair  
Pou Kaiāwhā  
Kaitiaki Take Kōwhiri

Karl Le Quesne  
Chief Electoral  
Pou Kaiāwhā  
Kaitiaki Take Kōwhiri