

7 December 2020

Daymond David Goulder-Horobin

'fyi-request-14129-99dc4da3@requests.fyi.org.nz'

Dear Daymond

OFFICIAL INFORMATION ACT REQUEST 2020/54

Thank you for your request of 16 November 2020 under the Official Information Act 1982 (the Act) regarding a vote of no confidence. Specifically, you have asked for:

- 1. Has anybody seen the votes concerning the ballot on the vote of 'No Confidence'?*
- 2. In the General Election of 2020, of how many of the votes cast were votes of no confidence?*

The Electoral Commission is required to administer elections in accordance with the Electoral Act 1993.

The form of the ballot paper for parliamentary elections is prescribed in section 150 and form 11 of the Electoral Act.

There is currently no formal way to register a vote of 'no confidence' in a general election.

If a voter is issued a ballot paper, any party votes that do not clearly indicate the party for which the voter desired to vote and any electorate votes that do not clearly indicate the candidate for whom the voter desired to vote, are recorded as informal.

A party or electorate vote could be informal either because of a deliberate act (for example, the voter leaving the ballot paper blank, or crossing through all the options) or due to inadvertence.

Section 179 of the Electoral Act sets out how the official results are to be reported.

The Electoral Commission must declare the total number of:

- valid votes received by each of the parties listed on the party vote part of the ballot paper
- valid votes received by each constituency candidate
- informal party votes
- informal electorate votes.

Detailed Official Results for the 2020 General Election are available [here](#), including the candidate and party informal votes by electorate.

Legislative change would be required to allow a voter to register a vote of 'no confidence' and for votes of 'no confidence' to be counted and reported on separately.

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 requests.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kristina Temel', written in a cursive style.

Kristina Temel
Manager Legal & Policy
Electoral Commission