

6 June 2018

AJ Stephen

By email to: fyi-request-7797-dd01bef5@requests.fyi.org.nz

Dear AJ Stephen,

OFFICIAL INFORMATION ACT REQUEST 2018/08

Thank you for your request under the Official Information Act 1982 of 10 May 2018 asking, with respect to enrolments since 1 January 2008 to the present day:

- (1) Whether the Electoral Commission proactively cross references new and current enrolments with citizenship and residency data held by the Department of Internal Affairs, in line with the requirements of s263B of the Electoral Act 1993.
- (2) If the answer to the above is no, what steps does the Commission take to ensure the integrity of the voting system is only open to those who are eligible to vote?
- (3) If the answer to question 1 is yes, how many enrolments have been deemed ineligible due to not meeting the requirements to enrol to vote?
- (4) If the section (s 263B) referred to in question 1 is incorrect, please outline what section of the Electoral Act is utilised by the Commission to cross reference enrolment information with eligibility to vote using information held by the Department of Internal Affairs?
- (5) What other measures are taken by the Commission to ensure that new and current enrollees remain eligible to vote, which does not include the regular system of sending letters to last known addresses of enrolled voters?

Answers to each of your questions are set out below:

- (1) The Electoral Commission undertakes datamatching with other government agencies under sections 263A and 263B of the Electoral Act 1993 (the Act) to ensure the accuracy of the electoral roll.

Section 263A of the Act provides for immigration datamatching to identify anyone who has enrolled or applied to enrol but is not qualified to enrol and vote because they are:

- in New Zealand unlawfully; or
- in New Zealand lawfully but only by virtue of being the holder of a temporary permit.

Section 263B of the Act provides for the Commission to request, from time to time, specified information from the databases of the Ministry of Social Development (students and beneficiaries), New Zealand Transport Agency (motor vehicle registrations and driver licences), and the Department of Internal Affairs (new citizens and passports) for the purposes of identifying people who may be qualified to apply to register as an elector but who have not yet

registered or who need to update their enrolment details. These people are then sent a letter encouraging them to enrol or update their enrolment details.

(2) N/A.

(3) From 2008 to 16 May 2018, 11,310 electors/applicants have been identified as ineligible following immigration datamatching under section 263A of the Act.

(4) As outlined, the provision for identifying ineligible electors through datamatching is section 263A, not section 263B of the Act.

(5) Other measures undertaken to ensure new and current enrollees remain eligible include:

- a. Prisoner list supplied by Corrections – of persons who have been sentenced to a term of imprisonment and disqualified from registering to vote (sections 80 and 81 of the Act),
- b. Daily notifications from the Registrar-General of Births, Deaths, Marriage, and Relationships of the registration of the death of any person over 17 years old (section 92 of the Act), and
- c. The objection procedures provided in Part 5 of the Act.

I trust this answers your request. You have the right under section 28(3) of the Act to complain to the Ombudsman if you are not satisfied with the response to your request.

Yours sincerely



Kristina Temel
Manager, Legal and Policy