

24 March 2022

By email to: [REDACTED]

Dear [REDACTED]

### **OFFICIAL INFORMATION ACT REQUEST 2022/04**

Thank you for your Official Information Act request, received 4 March 2022 which requested:

*"I am after an official information act request for the following information around our election process.*

1. *During previous and upcoming elections how are votes counted?*
2. *During previous and upcoming elections is ANY software / technology / machinery used in the counting of votes cast by the public?*
3. *If any technology or voter counting software / technology is used to tally votes, What is the software/ technology / machinery that is used?*
4. *Who has access to the software/ technology / machinery?*
5. *Are any local or foreign companies used to service or connect remotely to the software technology / machinery?*
6. *If voter counting software / technology / machinery is used is it connected to the internet?*
7. *Who witnesses votes being counted?*
8. *What happens to ballots after the public cast them, are they transported off site to be counted?*
9. *Are ballots kept after they are counted?"*

#### **1. During previous and upcoming elections how are votes counted?**

During a General Election, all votes are counted by hand in New Zealand.

The Commission does two counts; the first is a preliminary count and then the official count. We confirm each special vote is valid between the preliminary and official counts. This means special votes are counted during the official count only.

**2. During previous and upcoming elections is ANY software / technology / machinery used in the counting of votes cast by the public?**

All votes are counted by hand in New Zealand. We do not use vote counting machines. No software, technology or machinery is used to count votes cast by the public.

**3. If any technology or voter counting software / technology is used to tally votes, what is the software/ technology / machinery that is used?**

N/A. See response to question 2 above.

**4. Who has access to the software/ technology / machinery?**

N/A. See response to question 2 above.

**5. Are any local or foreign companies used to service or connect remotely to the software technology / machinery?**

N/A. See response to question 2 above.

**6. If voter counting software / technology / machinery is used is it connected to the internet?**

N/A. See response to question 2 above.

**7. Who witnesses votes being counted?**

The Electoral Commission is an independent crown entity.

To ensure there is confidence in the result, many people are involved in elections to observe voting, the counting of votes and the recording of results. This includes Electoral Commission staff employed from the local community, scrutineers, and Justices of the Peace.

Candidates and parties can appoint scrutineers to observe every aspect of the voting process and the count. During the official count, independent Justices of the Peace are present. Both the Returning Officer and a Justice of the Peace sign the certificates of results to declare that results are accurate.

**8. What happens to ballots after the public cast them, are they transported off site to be counted?**

Ordinary votes cast on election day are counted at the voting place where they are cast.

Ordinary votes cast during advance voting are counted at electorate headquarters.

After they've been counted, the votes are sealed in an envelope and placed in a ballot box which is closed with a new tamper proof seal. Ballot boxes from voting places are transported to headquarters by electoral officials.

The official count, including the count of special votes, takes place at electorate headquarters.

**9. Are ballots kept after they are counted?**

Sections 187 and 189 of the Electoral Act 1993 set out what happens to the used ballot papers. After the official count, all used ballot papers must be sent to the Clerk of the House of Representatives and stored in sealed packs in a secure facility. They are kept locked away for six months, during which time they may only be opened by order of a court or the House of Representatives. Only at the end of the six months can they be destroyed under supervision from representatives of the Electoral Commission and the Office of the Clerk. The only delay to this is where a parcel of papers is relevant to an investigation or prosecution of an offence against the Electoral Act.

In the interests of transparency, we release responses to Official Information Act requests every three months. We will publish this response with your personal details redacted on [www.elections.nz](http://www.elections.nz).

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



Graeme Astle

National Manager Voting Services