

27 September 2023

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2023/55

On 25 September 2023 you made a request under the Official Information Act 1982 (the OIA) for the following information:

If a political party meets the 5% party vote threshold, but can not fill all the allocated seats they get with party list candidates, what happens to those unallocated seats?

Can they remain empty?

Can the party add candidates that are not on the party list, but are on the electorate list?

Are the unallocated seats reallocated to other parties? If so, how?

If a party gets at least 5% of the party vote, the party's seats first go to their candidates that won electorates. Any leftover seats go to candidates from the party list in the order the party ranks them.

If a party list does not contain enough names to fill that party's allocated seats in Parliament, those seats will be left vacant until the allocation for the next general election per section 193(4) of the Electoral Act 1993 (the Act). Unallocated seats are not reallocated to other parties.

Parties cannot add to their party list once the candidate nomination period has closed. This is a strict deadline per section 127 of the Act.

In the interests of transparency, we release responses to Official Information Act requests every 3 months. We will publish this response with your personal details redacted.

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 or by phoning 0800 802 602.

Yours sincerely



Kristina Temel
Electoral Commission