

8 December 2023

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2023/63

On 9 October 2023 you made a request under the Official Information Act 1982 (the OIA) as follows:

“NZLoyal recently filed urgent proceedings against the Electoral Commission and these were called on Friday.

I'm surprised that other registered parties were not served copies of the proceedings as we did with the NZOutdoors and Freedom Party and others challenge of the broadcasting allocation, especially due to the uncertainty and apparent interference the allegations are creating with the election.

Please can I have a copy of the claim, and supporting affidavits, the Electoral Commission defence, a copy of any interim minutes or decision and any other relevant documentation.”

Also on 9 October, the Electoral Commission sought clarification of “any other relevant documentation” which you clarified as being copies of:

“any pleadings, affidavits, memorandum and other correspondence between the parties and or the court please should be fine.”

On 2 November 2023 we advised you that the timeframe for decision on your request was extended to 11 December 2023, under s 15A of the OIA.

A response to your OIA request is now set out below, with information in scope of your request attached to this letter. There are some redactions throughout the documents where names and contact information or addresses have been withheld under s 9(2)(a) of the OIA.

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



Manager, Legal and Policy

Table of documents in scope of request

Doc number	Title	Status
0	Communications between Electoral Commission and Crown Law	Withheld in full under s 9(2)(h) (legal professional privilege)
1	Notice of proceeding	Some details withheld under s 9(2)(a) (privacy)
2	Statement of claim	Some details withheld under s 9(2)(a) (privacy)
3	Electoral Commission letter to Frontline Law – Response to statement of claim	Some details withheld under s 9(2)(a) (privacy)
4	Letter of demand	Some details withheld under s 9(2)(a) (privacy)
5	Case management memorandum	Some details withheld under s 9(2)(a) (privacy)
6a / 6b	Affidavits from applicant	Some details withheld under s 9(2)(a) (privacy)
7a / 7b	Interlocutory application and memorandum of applicant	Some details withheld under s 9(2)(a) (privacy)
8	Respondent submissions	Some details withheld under s 9(2)(a) (privacy)
9	Court decision	Released in full