



**ELECTORAL  
COMMISSION**  
TE KAITIAKI TAKE KŌWHIRI

# Third Party Handbook Pukapuka Aratohu Rōpū Tūtahi

---

**General Election 2023**

**Pōti Nui 2023**

Published in January 2023 by  
Electoral Commission  
Te Kaitiaki Take Kōwhiri  
Wellington, NZ

# Contents | Rārangi Kaupapa

---

Foreword   Kupu Tātaki .....	5
What's new at this election   He aha ngā āhuatanga hōu o tēnei pōti nui .....	6
Key dates for third parties   Rā whakahirahira mō ngā rōpū tūtahi.....	8
What is a third party promoter?   He aha te rōpū tūtahi whakatairanga? .....	10
Registering as a third party promoter   Te rēhita i te rōpū tūtahi whakatairanga .....	13
Election advertising rules   Ngā ture whakatairanga mō te pōti nui .....	16
Applying the rules to different types of advertising   Ngā ture mō ngā momo whakatairanga rerekē .....	25
Rules once voting has started   Ngā ture mō te wā tuku pōti .....	30
Complaints about election advertising   Te tuku amu ōkawa mō te whakatairanga pōti nui ....	34
After the election   Whai muri i te pōti nui.....	37
Summary of advertising rules for third parties   He whakarāpopotohanga o ngā ture whakatairanga mō ngā rōpū tūtahi.....	39
Useful contacts   Taipitopito whakapāpā kaiwhakahaere .....	40



# Foreword | Kupu Tātaki

---

Thank you for your interest in getting involved in the election to promote issues important to you. This handbook provides information you'll need as a third party promoter in the 2023 General Election. You will find out what a third party promoter is, how the rules for election advertising apply to you, what you can do once voting starts, and how to report your expenses to us. It is part of a series produced by the Electoral Commission to help people understand how parliamentary elections work.

You can find the rest of the handbooks on our website: [www.elections.nz](http://www.elections.nz). If you are unsure about how the rules apply to a particular programme or publication, please ask the Electoral Commission. We are here to help.

## Our websites have more information

We have a website with the rules for all participants, a website for voters and a website for election results.

[www.elections.nz](http://www.elections.nz)

[www.vote.nz](http://www.vote.nz)

[www.electionresults.govt.nz](http://www.electionresults.govt.nz)

## Contact details:

Electoral Commission, PO Box 3220, Wellington

Level 4, 34-42 Manners Street, Wellington

Phone: 04 495 0030

Email: [enquiries@elections.govt.nz](mailto:enquiries@elections.govt.nz)



**Karl Le Quesne, Chief Electoral Officer**

# What's new at this election | He aha ngā āhuatanga hōu o tēnei pōti nui

---



# This year introduces some new rules for the general election.

## Enrolling and voting

For this election the eligibility rules for overseas voters have been temporarily changed because of international travel restrictions due to the COVID-19 pandemic.

New Zealand citizens who are overseas are eligible to vote if they have been to New Zealand within six years of the date of the election (after the election this will revert to three years).

For New Zealand permanent residents who are overseas they must have been in New Zealand within four years of the election (after the election this will revert to twelve months).

Overseas voters using the download and upload service (which has been in place for a number of elections) will be able to complete their voting papers using electronic marks and signatures.

Another service that is new for this election is dictation voting for overseas electors who are blind, vision impaired or who are unable to mark their voting papers without assistance because of a physical disability. This service will be delivered alongside the service provided to blind, vision impaired and disabled voters in New Zealand.

The Māori Electoral Option is a chance for all enrolled voters of Māori descent to choose which electoral roll to be on — the general roll or the Māori roll.

From 31 March 2023, the way the Option is conducted will change. Electors will be able to change rolls at any time, except:

- in the 3-months before a general election or the local elections held every three years, and
- during a parliamentary by-election if it puts the elector in the electorate where the by-election is being held.

More information about eligibility to enrol and vote and the Option can be found at [vote.nz](https://www.vote.nz).

# Key dates for third parties | Rā whakahirahira mō ngā rōpū tūtahi

This table shows the key dates you need to know as a third party for the 2023 General Election.

Date	What happens
<b>Election date announced</b>	The Prime Minister decides and announces the date of the general election.
<b>Start of the regulated period</b> (3 months max before election day)	During the regulated period, your election advertisements count towards your expense limits.
<b>Signage rules apply</b> (9 weeks before election day)	Special rules let you put up signs that are up to 3 square metres in size. You'll still need to follow the local council's rules about location. Signs can go up earlier if the council's rules allow.
<b>Dissolution of Parliament</b>	The official end to the parliamentary term.
<b>Writ day</b> (7 days maximum after dissolution of Parliament and about 5 weeks before election day)	Candidates and parties can start broadcasting election advertisements on TV and radio. Third parties are not restricted to broadcasting election advertising before writ day.
<b>17 days before election day</b>	Overseas voting begins.
<b>Advance voting begins</b> (12 days before election day)	You can't campaign within 10 metres of an advance voting place.



<p><b>Day before election day</b></p>	<p>The deadline to enrol from overseas is the day before the election.</p> <p>End of the regulated period.</p> <p>You must remove all campaign signage before midnight.</p>
<p><b>Election day</b></p>	<p>Voters can vote between 9am and 7pm. You can't campaign on election day.</p>
<p><b>Official results</b> (20 days after election day)</p>	<p>Friday, 2pm target for the release of official results.</p>
<p><b>Return of the writ</b> (60 days max after writ day)</p>	<p>Subject to any judicial recounts, we return the writ showing elected electorate candidates and declare the elected list members of Parliament (MPs).</p>
<p><b>Deadline for election expenses invoices</b> (20 working days after official results)</p>	<p>All invoices for election expenses must be sent to you within 20 working days of the official results.</p>
<p><b>Deadline for payment of election expenses</b> (40 working days after official results)</p>	<p>You must pay for your election expenses within 40 working days of the official results.</p>
<p><b>Third party returns due</b> (70 working days after election day)</p>	<p>The deadline for reporting your election expenses to us if you spent more than \$100,000 on election advertising published during the regulated period.</p>

# What is a third party promoter? | He aha te rōpū tūtahi whakatairanga?

---



## You're a third party promoter if you're not a candidate or party, but you put out election advertising for the 2023 General Election.

A third party promoter can be an individual or a group.

You can be registered or unregistered, depending on how much money you spend on election advertising published during the regulated period.

Learn more about election advertising and the regulated period in the election advertising rules section.

### You don't need to register if you spend \$14,700 or less

You can be an unregistered promoter if you spend no more than \$14,700 (including GST)<sup>1</sup> on election advertising published during the regulated period.

### You must register if you spend, or intend to spend more than \$14,700

You must register with us as a third party promoter if you spend, or intend to spend, over \$14,700 (including GST) on election advertising published during the regulated period.

Learn more about how to register in the next section.

### Candidates and registered parties can't be third party promoters for the general election

You can't be a third party promoter for the general election if you're any of the following:

- an electorate candidate
- a list candidate
- a registered party
- a person involved in running:
  - an electorate candidate's affairs for their election campaign
  - a registered party's affairs.

### People involved in a candidate or party's affairs act under the authority of that candidate or party

If you're involved in running the affairs of an electorate candidate or registered party, you can only publish or distribute election advertising under the authority of that candidate or party.

The candidate or party is the promoter of that advertisement.

---

<sup>1</sup> This limit applies if the regulated period starts before 1 July 2023. The limit may be adjusted if the regulated period starts after 1 July 2023.

Whether you're involved in a candidate or party's affairs is a question of fact. You must work it out based on the nature of your involvement in the candidate's campaign or party's affairs.

### **If you're an 'overseas person', you can only be an unregistered promoter**

You're an 'overseas person' if you're any of the following:

- a person who lives outside New Zealand and isn't a New Zealand citizen or a registered elector
- a body corporate that's incorporated outside New Zealand
- an unincorporated body that has its head office or main place of business outside New Zealand.

If you're an overseas person, you can't become a registered promoter and you can only spend up to \$14,700 (including GST) on election advertising during the regulated period.

# Registering as a third party promoter | Te rēhita i te rōpū tūtahi whakatairanga

---



# This section explains how to register as a third party promoter for the 2023 General Election.

## Registering is free and easy

Applying to register is free, easy and usually takes less than 2 working days.

The form for applying to register as a third party promoter can be downloaded from [elections.nz](https://elections.nz).

## You can apply as an individual

If you're an individual who wants to register as a promoter, you must apply yourself.

You must give us the full street address of either:

- the place where you usually live
- any other place where someone can usually contact you between 9am and 5pm on any working day.

You can't use a post office box or website address.

## You can apply on behalf of a group

If you're applying on a group's behalf, give us the full street address of either:

- the group's main place of business
- the group's head office.

You can't use a post office box or website address.

If the group is a company, your application must include evidence that shows the board of directors has authorised you to apply on their behalf. For example, you could include a letter that one or more of the directors have signed.

If the group isn't a company, your application must include all the names of the people in that group who are in a position that's comparable to a director of a company. If you're applying for a trust, you need to include all the names of the trustees.

## Once we get your application

We'll write to you as soon as possible to tell you whether we've accepted or refused your application. If we accept your application, we'll tell you of your date of registration. If we refuse your application, we'll tell you why.

We won't register you as a promoter if your name or group's name is:

- indecent or offensive
- likely to cause confusion
- likely to mislead electors.

## **We'll release some of your information to the public**

We'll put your registration details on the public register of promoters. This lets the public see who's responsible for promoting advertising.

The register will include your name, street address, and date of registration. If you're a group, the register will also include:

- the name of the person who applied
- the name of the person in a position comparable to a director
- the names of any trustees.

We'll make the register available for inspection at our offices and on [elections.nz](https://elections.nz).

We'll arrange promoters on the register by their date of registration.

## **Tell us within 10 working days if your details change**

If any of your details that appear in the register change, you must tell us in writing within 10 working days of the change.

## **You can cancel your registration if you've spent \$14,700 or less on advertising**

You can only cancel your registration if you've spent \$14,700 (including GST) or less on election advertising during the regulated period.

Cancel your registration by asking us in writing. We'll write back to confirm your cancellation.

We can also cancel your registration if you're no longer eligible for registration.

## **Your registration will expire after election day**

Your registration will automatically expire at the end of election day.

# Election advertising rules | Ngā ture whakatairanga mō te pōti nui

---





# This section explains the rules you must follow when advertising and campaigning, including promoter statements and when you need to get written authorisation.

## What are election advertisements?

An election advertisement is an advertisement that may reasonably be regarded as encouraging or persuading voters to vote, or not vote, for a:

- candidate
- party
- type of candidate or party the advertisement describes by referencing views they do or don't hold.

Election advertisements about electorate candidates are called candidate advertisements, and election advertisements about parties are called party advertisements.

## Whether an advertisement encourages or persuades voters depends on its effect as a whole

An advertisement doesn't have to include a candidate or party's name to be an election advertisement.

An advertisement's encouragement or persuasion can be direct or indirect. Whether an advertisement encourages or persuades voters depends on its:

- content
- style
- apparent purpose
- factual context
- effect as a whole.

We must assess whether something is an election advertisement from the perspective of a reasonable observer, recognising the importance and value of political speech in a democracy (*The Electoral Commission v Watson & Anor 2016*).

## Election advertisements can be in any medium

Publish means to bring to a person's attention in any way, except for talking to people face to face, such as newspapers, magazines, posters, billboards, leaflets, TV and radio and online advertising.

Unpaid advertising can still be an election advertisement.

## There are exceptions to election advertisement rules

The following don't count as election advertisements:

- editorial content
- personal political views online
- an MP's contact details.

### **Editorial content is any part of a publication except advertising or advertorials**

Editorial content in periodicals, radio or TV programmes, and on news media websites are not election advertisements.

Editorial content includes any part of the publication except advertising, advertorials or sponsored content. It can include opinion and editorial pieces that others write, and contributions from readers the editor has chosen to publish.

A periodical is a newspaper, magazine or journal that:

- was established for reasons unrelated to the election
- is published regularly
- is available to the public.

A periodical can be digital or printed.

### **Personal political views online aren't advertising if they're unpaid**

An individual publishing their personal political views on the internet or other electronic medium doesn't count as election or referendum advertising. This exemption covers people posting on social media such as Facebook and Twitter.

This exemption doesn't cover:

- any paid content
- anyone expressing the political views on behalf of a group, organisation or political party.

The exemption for personal political views online doesn't apply if you're using a website or social media to express political views on behalf of a group.

The whole website or social media account is an election advertisement if any part of it encourages or persuades voters to vote or not vote for a party or candidate.

Even if you don't pay to promote your website or social media account, it can still count as an election advertisement.

The exemption for personal political views online usually applies to individuals posting comments on your website or social media pages.

## Linking to a website can make an advertisement election advertising

If your publication refers to a website, the content of the website may help decide whether the publication is:

- an election advertisement
- a party advertisement, a candidate advertisement or both.

Listing a website is fine, but if you use words or graphics that encourage readers to visit a website, consider the content of both the advertisement and the website.

For example, if your print advertisement encourages readers to visit a website, and the website encourages them to vote for a party, the print advertisement is an election advertisement.

## Request an advisory opinion

You can ask us for our opinion on whether your advertisement counts as an election advertisement. We don't charge a fee for this.

### **Our advisory opinions are not legal advice**

Our opinions are our interpretation of the Electoral Act. They're not legally binding or legal advice, and a court of law may reach a different opinion. You may want to get your own legal advice before you publish an advertisement.

### **Send us your request by email**

To request an advisory opinion, please send us a copy of your advertisement and tell us:

- how you'll publish it
- when you'll publish it
- how widely you'll publish it.

Send us your request by email:

Email [advisory@elections.govt.nz](mailto:advisory@elections.govt.nz)

### **We'll send you an advisory opinion as soon as we can**

Once we get your request, we'll respond with an advisory opinion as soon as we can. We'll aim to respond within 5 working days.

### **We'll keep your request confidential until the election is over**

We'll treat your request and our advice as confidential until after the writ for the election is returned. After that, we'll make our opinions available if someone asks for them, subject to the Official Information Act.

You can publicly release the advice we give you at any time, if you want to.

## Election rules apply to advertisements published in New Zealand or overseas

The rules apply to election advertisements published either:

- in New Zealand, even if the promoter is outside New Zealand
- outside New Zealand, only if the promoter is in New Zealand.

## You must declare who is promoting your advertisements

All election advertisements must include a promoter statement. This applies at all times, not just during the regulated period. A promoter statement shows the name and address of the person promoting the advertisement.

We recommend you word your promoter statements like this:

**Promoted or authorised by [your name], [your full street address].**

If you're registered, you need to include the name and address that is in the register of promoters.

If you're unregistered and a group, your promoter statements must also include the name of a member of the group who has the authority to represent it. For example:

**Promoted or authorised by [representative's full name], [group's name], [group's full street address].**

If you're an individual, you can use the full street address of either:

- the place where you usually live
- any other place where usually someone can contact you between 9am and 5pm on any working day.

You can't use a post office box or website address.

## Your promoter statements must be easy to see or hear

You must clearly display your promoter statement in your advertisements.

In our view, this doesn't mean someone should be able to read the promoter statement from where you mean them to see the advertisement.

For example, people don't need to be able to read the promoter statement on a billboard while they're driving past it. However, a person should be able to read the promoter statement if they stop to examine the billboard.

Whether an advertisement clearly displays a promoter statement depends on the advertisement and the context it's in.

## **You need a promoter statement on your website or account**

On websites, put your promoter statement on the page that contains the election advertising. If you have many pages with election advertising, put your promoter statement on your homepage.

On social media accounts, include your promoter statement in your 'About' or profile section.

You don't need a promoter statement if you like or share an election advertisement that someone else published on social media.

## **Advertisements related to an election also need a promoter statement**

You need a promoter statement in some types of advertisements about an election, even if they don't encourage or persuade voters to vote or not vote for a party or candidate and won't count as an election expense.

For example, if you put up posters encouraging people to enrol to vote in the election, you need to include a promoter statement because the posters are related to an election.

This applies to advertisements in all mediums including newspapers, billboards, leaflets, posters, TV, radio and online advertising.

## **You could be fined if you don't include a promoter statement**

Not including a promoter statement is an offence. If you don't use a promoter statement when you're meant to, you could be fined up to \$10,000 if you're unregistered, or \$40,000 if you're registered.

## **You need written authority to promote a candidate or party**

You must get written authorisation from a party secretary or candidate before you can promote that party or candidate in your advertising.

If your advertisement promotes more than one party or candidate, you need written authorisation from each party secretary or candidate.

## There are limits to how much you can spend on advertising

There are limits to how much you can spend on election advertising during the regulated period for the general election. The limits are adjusted on 1 July each year.

The regulated period is either from:

- three months before election day, or
- the day after the Prime Minister announces the election (if the announcement is less than three months before election day)

until midnight of the day before the election day.

During this period, any advertising you run to promote a candidate or party count towards your expense limits.

If you're unregistered, your expense limit is \$14,700 (including GST) for the general election. If you spend any more, you must register.

If you're registered, your expense limit is \$367,000 (including GST)<sup>2</sup> for the general election.

### Advertising you run during the regulated period counts towards your expense limit

Election advertisement expenses count towards your limit if you publish the advertisement, or continue to publish it, during the regulated period.

Expenses you paid or incurred outside the regulated period still count towards your limit if they were for advertisements you published during the regulated period.

### Expenses include the cost of creation and the value of materials

Election expenses that count towards your limit include:

- the cost of preparing, designing, composing, printing, posting and publishing the advertisement
- the reasonable market value of any materials you use for the advertisement. This includes materials you get for free or below reasonable market value.

Learn more about what counts as an expense in different advertising mediums in the next section.

---

<sup>2</sup> This limit applies if the regulated period starts before 1 July 2023. The limit may be adjusted if the regulated period starts after 1 July 2023.

Election expenses don't include the cost of:

- food
- hiring halls
- surveys or opinion polls
- free labour
- replacing materials destroyed through no fault of your own
- framework that holds up your advertisements (except for commercial frames)
- running any vehicle you use to display advertisements.

### **Keep a record of what you spend on advertising**

Keep a record of what you spend on advertising as you spend it. Whether you're registered or not, you must keep invoices and receipts for all your election expenses of \$50 or more for 3 years after election day.

### **You must report your advertising expenses if you spent over \$100,000**

If you spend over \$100,000 on election advertising expenses during the regulated period, you'll need to report those expenses to us after the election.

Learn more about reporting your advertising expenses in the after the election section.

### **Expenses for advertisements that continue into the regulated period count towards your limit**

If you publish an advertisement before the regulated period, the costs of continuing to publish it during the regulated period will go towards your expense limit.

You must apportion the expenses so you assign a fair proportion to the regulated period.

Contact us if you have any questions about apportioning your expenses.

### **You can't apportion expenses with candidates or parties**

If your election advertisement promotes a candidate or registered party, the full cost of that advertisement counts towards both your expense limit and that candidate or party's expense limit.

### **If someone else pays an expense for you, it still counts towards your limit**

If someone gives you goods or services or pays for something that would otherwise be an expense, the value counts towards your expense limit. If you are given goods or services for free, or at a discount, the expense is the reasonable market value of the goods or services you got.

## **Reusing items from previous elections counts towards your expense limit**

If you reuse something, such as a banner, from a previous election, its reasonable market value goes towards your expense limit. You can't split an expense over multiple elections.

We suggest you record the price you originally paid for the item. If you don't know the original price, record what the item would cost now, based on two quotes.

## **Deadline for paying advertising bills**

Make sure you get all the invoices for your election expenses within 20 working days of us declaring the official election result.

You must pay all these invoices within 40 working days of us declaring the official result. It's an offence to not pay your invoices on time.

If you're disputing a bill, you can follow the procedure in sections 206Z and 206ZA of the Electoral Act.



# Applying the rules to different types of advertising | Ngā ture mō ngā momo whakatairanga rerekē

---



## Your online advertisements

You can pay for an election advertisement to appear unsolicited on another person's webpage. For example, you can:

- place a banner advertisement on someone else's website
- promote a post on social media
- promote a web search result.

### **You must include your promoter statement on the advertisement**

You must include a promoter statement on the advertisement itself. You can't rely on linking back to another page which contains a promoter statement.

You can shorten the promoter statement if you have a limited number of pixels or characters. For example, you could shorten 'Promoted by Alice Promoter, 111 Any Street, Auckland' to 'A Promoter, 111 Any St, AKLD'.

### **Setting up and looking after the hardware and software behind your website doesn't count towards your expense limits**

Election expenses for websites and social media include the costs of preparation, design, publication and hosting fees.

The costs of setting up and looking after the hardware and software of the website don't count towards your expense limits.

### **You can make your website accessible**

We recommend you make your website as easy to access as possible. For example, you could make sure your website meets the New Zealand Government Web Accessibility Standard:

[www.digital.govt.nz/standards-and-guidance/nz-government-web-standards/web-accessibility-standard-1-1](http://www.digital.govt.nz/standards-and-guidance/nz-government-web-standards/web-accessibility-standard-1-1)

This isn't compulsory, but it'll make your website easy to access for people:

- with low vision
- with reading, learning or intellectual disabilities
- using phones, tablets, screen readers or speech recognition software.

## Your broadcast advertisements on TV and radio

You can broadcast election advertisements at any time, except for election day.

### **You still need to include a promoter statement**

You must include a promoter statement in all your broadcast advertisements.

If you publish an election advertisement only in an audible form, the promoter statement must be as easy to hear as the rest of the advertisement.

### **You need the authority of the candidate or party you're promoting**

If your broadcast advertisement promotes a candidate or party, you need prior written authorisation from that candidate or party secretary.

### **Broadcast advertisements count as expenses**

The cost of a broadcast advertisement will count towards your expense limits.

### **You can place an advertisement in a publication**

You can place election advertisements in a publication, such as a newspaper, magazine, or journal. The publication can be electronic or printed.

### **Editorial versus advertorial content**

If a publication, such as your local paper, asks you to write a column or opinion piece, it doesn't count as an election advertisement. It will fall under the exception for editorial content (see the election advertising section).

However, your column or piece will count as an advertisement if you pay a publication to run it, for example as part of an advertising package.

### **Only the cost of the advertisement counts towards your expense limits**

Only the cost of the advertisement itself counts towards your expense limits. You don't need to account for the cost of the whole publication your advertisement is in.

### **You can put up signs, banners, posters**

You can put up signs, banners and posters to promote a candidate or party. Remember to always include your promoter statement.

### **Local councils are responsible for regulating election signs in their region**

Local councils are responsible for regulating when, where, and how you can display election signs. Talk to your local councils about their rules before you put up any election signs.

The Local Government New Zealand website can show you how to contact local councils:

[www.lgnz.co.nz/nzs-local-government/new-zealands-councils/](http://www.lgnz.co.nz/nzs-local-government/new-zealands-councils/)

In the 9 weeks before election day, you can have election signs that are up to 3 square metres in size. This applies wherever you are in New Zealand, but you'll still need to follow your local council's application processes and rules about where you can put them up. Talk to your council if you want to have larger signs or put them up earlier.

## **You can only pay certain people to display election signs**

You can only pay someone to display an election sign if displaying signs is part of their business.

## **The costs of framing election signs generally do not count as expenses**

The cost of framing material that holds up signs, such as wooden framing, don't go towards your expense limits unless they are part of the cost of a commercial framework you've used.

## **Mobile advertising counts towards your expense limits**

The costs of mobile advertising, such as signage on campaign cars, go towards your expense limits. The cost of running a vehicle with signs on it isn't an expense unless you're paying to use the vehicle to display your advertisements.

## **You can pay staff to work on advertising**

Paid campaign staff time only count towards your expense limits if they're directly involved in preparing, designing, composing, printing, posting or publishing an election advertisement.

The cost of labour you get for free doesn't count towards your expense limits.

## **You can give out items**

You can give out items that promote a candidate and/or party, such as t-shirts, bumper stickers, lapel badges and flags.

If you give out any items before the regulated period starts, assume people will keep displaying them during the regulated period and count the cost of the items towards your expense limits.

## **People can't display the items you give out on election day**

Take care when giving out items to promote a candidate or party. People could break the law if they display them either:

- within 10 metres of an advance voting place
- anywhere on election day.

## **You can't treat people**

Treating is giving people food, drink, other items or entertainment to intentionally influence their vote. It's a criminal offence to treat before, during or after an election.

If a court convicts someone of treating, they could:

- go to prison
- be disqualified from voting for 3 years
- lose their seat in Parliament, if they have one.

Before you give people food, drink, other items or entertainment, consider:

- how much you're giving, and how much money it's worth. Ordinary hospitality that's part of a political meeting isn't treating.
- who you're giving to. For example, giving out food at an organisation's own annual conference, where the audience is mainly organisation members, is unlikely to be treating. Giving out food at a public meeting is riskier.
- how much political material you're giving at the same time.

Providing a light supper, such as a cup of tea and a snack, after an election meeting isn't treating.

To avoid complaints, we suggest you be cautious and restrained when giving out food, drink, other items or entertainment as part of your campaign. Be especially cautious with giving out alcohol.

If you're concerned that something you're planning might be treating, you can ask us for our opinion.

## You can survey, poll and canvass voters

Your surveys, opinion polls or telephone canvassing are election advertisements if they go beyond just getting voters' views. If they encourage or persuade voters to vote or not vote for a candidate or party, you'll need to follow advertising rules.

For example, if your survey asks leading questions that promote a candidate or party's policies, it's probably an election advertisement.

We can review your canvassing script or survey and give our view on whether it's an election advertisement.

If your survey, opinion poll or telephone canvassing is an election advertisement, any costs will go towards your expense limits, such as the cost of:

- renting phone lines
- making phone calls
- paying a person or group carrying out the survey, opinion poll or telephone canvassing.

## Face-to-face canvassing doesn't count as election advertising

Face-to-face canvassing doesn't count as advertising, so you don't need a promoter statement and the costs don't go towards your expense limits. However, the costs of any leaflets you hand out, for example, would be expense items if they promote a candidate or party.

# Rules once voting has started | Ngā ture mō te wā tuku pōti

---



## There are restrictions on what you can do once voting starts.

It's a criminal offence to do anything that could be seen as encouraging or persuading voters:

- in an advance voting place
- within 10 metres of an advance voting place
- on election day.

This includes advertising, public statements, processions and speeches, as well as displaying candidate and party names, emblems, slogans or logos. The full lists of restricted activities are in sections 197 and 197A of the Electoral Act.

Remove all your election advertising that's visible from a public place before election day. Returning Officers<sup>3</sup> can remove or cover advertising that breaches the rules.

### You can wear a party lapel badge or rosette

Any person can wear a party badge or rosette on their lapel at any time, including inside voting places and on election day.

The badge can show the party's name, emblem, slogan or logo. It can't show a candidate's name or website. A party lapel badge should be authorised by the party secretary and include a promoter statement.

Don't display lapel badges in other places such as on vehicles.

### Wearing and displaying party colours

You can wear clothes in party colours or display streamers, ribbons and similar items in party colours on vehicles within 10 metres of advance voting places and on election day. Ensure these items don't show party or candidate names, emblems, slogans or logos.

Party supporters can also wear clothes in party colours if they don't show party or candidate names, emblems, slogans or logos.

### You can't deliver election material on election day

You can't deliver election material through the post or directly to mailboxes on election day.

To avoid breaches, New Zealand Post stops accepting election material for delivery from Thursday nine days before election day. Clearly mark any election-related mail you send so New Zealand Post knows not to deliver it on election day.

---

<sup>3</sup> The operational title we use for Returning Officer is Electorate Manager. Returning Officer contact details will be available on [vote.nz](https://www.vote.nz).

Be careful about hand-delivering election material to mailboxes on the Friday before election day. If a voter doesn't check their mail until the next day, they may think it arrived on election day and complain.

## **You can't hand out anything that mentions candidates or parties**

On election day, don't print or give out anything that mentions any candidates or parties.

## **It's illegal to imitate ballot papers**

It's illegal to imitate ballot papers from midnight on the Tuesday before election day to the end of election day.

Don't print or share anything that's likely to influence voters and does any of the following:

- looks like a ballot paper
- looks like part of a ballot paper
- lists candidates or parties.

## **Contacting voters on election day**

You can contact voters on election day to remind them to vote or offer to help them get to a voting place. Don't say or do anything to influence their vote.

We recommend you read off a script so you don't say anything that breaks the law. Keep candidates and parties out of your script. That way there's no suggestion you're trying to promote a candidate or party on election day in breach of the rules.

You can contact us to get our opinion on whether your script follows the rules for election day.

## **Be careful what you post on websites and social media**

On election day, it's illegal to post or share anything that's likely to influence voters. This includes photos of completed ballot papers. Posting your personal political views on election day can also break the law.

You can keep existing election material on your website or social media page, so long as all the following apply:

- you published the material before election day
- the material is only available to people who voluntarily access it
- you don't publish advertisements promoting the page or site on election day.

We recommend you disable the public message boards and comment sections of your websites and social media on election day. This will stop users from posting new election material.

Don't post anything that encourages voters to vote, or not vote, for candidates or parties. We recommend you don't use profile pictures or frames that support a candidate or party.



## **Take down signs and posters before election day**

Take down your election signs and posters before election day. This includes signs and graphics on vehicles, and bumper stickers.

If you have any election signs or posters within 10 metres of what will be an advance voting place, take them down before advance voting starts.

## **You can only enter a voting place to vote**

You may only enter a voting or advance voting place to vote. Once you've voted, you must leave.

When you're near a voting place on election day or within 10 metres of an advance voting place, do not say or do anything that could influence voters. Exercise restraint to avoid complaints.

# Complaints about election advertising | Te tuku amu ōkawa mō te whakatairanga pōti nui

---



## There are different agencies people can go to if they have concerns about an election advertisement.

### Contact us about breaches of election advertising rules

The Commission is responsible for ensuring that the rules regarding transparency of promoter statements, authorisation of advertising and electoral finance rules are being complied with. You can complain to us about breaches of election advertising and the election day rules under the Electoral Act, and election programmes under the Broadcasting Act.

Email or post your complaint to us:

Email [enquiries@elections.govt.nz](mailto:enquiries@elections.govt.nz)

### Electoral Commission

PO Box 3220

Wellington

If we believe the person or group has committed an offence, we'll report the facts to the police. We can't enforce laws or prosecute offenders.

Sometimes, we may not report an offence if there's no public interest because it's so inconsequential.

The Broadcasting Standards Authority, the Advertising Standards Authority and the Media Council all have roles when it comes to considering whether the content of campaign advertising, broadcasts and media activity meets the relevant standards they administer

### Contact the Broadcasting Standards Authority about broadcasting

The Broadcasting Standards Authority (BSA) oversees broadcasting on TV and radio.

#### *Election programmes must follow the Election Programmes Code*

Election programmes on TV and radio, such as party and candidate advertisements, must follow the Election Programmes Code of Broadcasting Practice.

The BSA website has more information about the code, and how to complain under it:

[www.bsa.govt.nz/broadcasting-standards/election-code/](http://www.bsa.govt.nz/broadcasting-standards/election-code/)

#### *Third-party programmes must follow broadcasting standards*

Third party programmes about elections must follow the relevant broadcasting standards for radio, free-to-air TV or pay TV.

If you think a programme has breached a standard, complain to the broadcaster first. If you can't resolve your complaint, you can go to the BSA.

The BSA website has more information about the standards and how to complain:

[www.bsa.govt.nz/complaints](http://www.bsa.govt.nz/complaints)

### **Contact the Advertising Standards Authority about other advertising**

The Advertising Standards Authority (ASA) oversees advertising in all media other than TV and radio.

Advertising must comply with the ASA Codes of Practice. The ASA website has more information about the codes and how to complain:

[www.asa.co.nz/complaints](http://www.asa.co.nz/complaints)

### **Contact the Media Council about editorial content**

The New Zealand Media Council oversees its members, which include publications and news websites.

If you want to complain about editorial content, you must go to the publisher first. If you can't resolve your complaint, you can go to the Council.

The Media Council website has more information about its members, and how to complain:

[www.mediacouncil.org.nz](http://www.mediacouncil.org.nz)

### **Contact local councils about election signs**

If you have any questions or complaints about the placement of election signs, talk to the local council of the area the sign is in.

The Local Government New Zealand website has contact details for local councils:

[www.lgnz.co.nz/nzs-local-government/new-zealands-councils/](http://www.lgnz.co.nz/nzs-local-government/new-zealands-councils/)

# After the election | Whai muri i te pōti nui

---



## This section explains when and how you must report your expenses if you spend \$100,000.

### **If you spent over \$100,000, you must report your advertising expenses to us**

If you spent over \$100,000 on election advertising, you must report your election expenses to us.

You don't have to record or report any donations to your campaign.

### **Send us your return within 70 working days of election day**

You must send us any return of your expenses within 70 working days of election day.

Use the Registered Promoter Expenses Return form to make your return. Contact us and ask for the form.

### **The form will guide you through the returns process**

The return form includes detailed advice about how to complete your return and send it to us.

### **We may need you to get an auditor's report**

We may need you to get an auditor's report if we have reasonable grounds to believe that your return may contain any false or misleading information.

### **It's an offence to not send us your return of expenses**

If you fail to meet any of the requirements for your return of expenses, you're committing an offence. We may refer you to New Zealand Police.

### **We'll release your return to the public**

We'll publish your return on our website. Members of the public can also visit us to view the return forms.

# Summary of advertising rules for third parties | He whakarāpopotohanga o ngā ture whakatairanga mō ngā rōpū tūtahi

The table below summarises the rules for third party election advertisements in all mediums.

Advertisement content	When allowed	Counts as election expense	Needs authorisation from	Third party expense?	Candidate or party expense?
<b>Promoting party</b>	Any time except election day	During regulated period	Party secretary	Yes	Party expense
<b>Attacking party</b>	Any time except election day	During regulated period	N/A	Yes	No
<b>Promoting candidate</b>	Any time except election day	During regulated period	Candidate	Yes	Candidate expense
<b>Attacking candidate</b>	Any time except election day	During regulated period	N/A	Yes	No
<b>Promoting candidate and party</b>	Any time except election day	During regulated period	Candidate and party secretary	Yes	Candidate and party expense

# Useful contacts | Taipitopito whakapāpā kaiwhakahaere

You may find these organisations useful to your campaign and to understanding your responsibilities as a third party.

For information on ...	Agency & Contact
<p><b>Administration of enrolment and voting services. We produce a range of resources, in different languages, about enrolling and voting which can be ordered via our website or by email</b></p> <p><b>Purchase of printed rolls and roll data</b></p> <p><b>Nominations, parliamentary elections, by-elections and list vacancies</b></p> <p><b>Advice about election rules including advisory opinions on whether material is an election advertisement</b></p> <p><b>Parliamentary electoral boundaries</b></p>	<p><b>Electoral Commission</b> Te Kaitiaki Take Kōwhiri</p> <hr/> <p>Helpline: 0800 36 76 56</p> <p>National Office: 04 495 0030</p> <p>General enquiries or requests for resources: <a href="mailto:enquiries@elections.govt.nz">enquiries@elections.govt.nz</a></p> <p>Requests for rolls and roll data: <a href="mailto:data@elections.govt.nz">data@elections.govt.nz</a></p> <p>Requests for advisory opinions: <a href="mailto:advisory@elections.govt.nz">advisory@elections.govt.nz</a></p> <p>Electoral Commission websites: <a href="http://www.elections.nz">www.elections.nz</a> <a href="http://www.vote.nz">www.vote.nz</a> <a href="http://www.electionresults.govt.nz">www.electionresults.govt.nz</a></p>
<p><b>Accessing legislation including the Electoral Act 1993</b></p>	<p><b>Parliamentary Counsel Office</b> Te Tari Tohutohu Pāremata</p> <hr/> <p><a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a></p>
<p><b>Administrative and support services to MPs and funding entitlements for MPs</b></p>	<p><b>Parliamentary Service</b> Pāremata Aotearoa</p> <hr/> <p>Ph 04 817 9999 <a href="mailto:publicity@parliament.govt.nz">publicity@parliament.govt.nz</a></p>



For information on ...	Agency & Contact
<p><b>How to contact local councils regarding, for example, signage rules</b></p>	<p>Local Government New Zealand Te Kahui Kaunihera o Aotearoa</p> <hr/> <p>A list of all councils, maps and websites are available at: <a href="https://www.lgnz.co.nz/local-government-in-nz/new-zealands-councils/">https://www.lgnz.co.nz/local-government-in-nz/new-zealands-councils/</a></p>
<p><b>Having your say on the law relating to parliamentary elections through the Inquiry into each general election</b></p>	<p>Justice Select Committee</p> <hr/> <p><a href="mailto:ju@parliament.govt.nz">ju@parliament.govt.nz</a> <a href="http://www.parliament.nz/en/pb/sc/scl/justice/">www.parliament.nz/en/pb/sc/scl/justice/</a></p>
<p><b>Information and complaints regarding advertising</b></p>	<p>Advertising Standards Authority</p> <hr/> <p><a href="http://www.asa.co.nz">www.asa.co.nz</a></p>
<p><b>Information and complaints regarding broadcasting</b></p>	<p>Broadcasting Standards Authority Te Mana Whanonga Kaipāho</p> <hr/> <p><a href="http://www.bsa.govt.nz">www.bsa.govt.nz</a></p>
<p><b>Information and complaints regarding press</b></p>	<p>Media Council Te kaunihera ao pāpāho o Aotearoa</p> <hr/> <p><a href="http://www.mediacouncil.org.nz">www.mediacouncil.org.nz</a></p>
<p><b>Information and resources on how to protect yourself online</b></p>	<p>CERT NZ</p> <hr/> <p><a href="http://www.cert.govt.nz">www.cert.govt.nz</a></p>
<p><b>Election year guidance: Information on state servants being candidates</b></p>	<p>Te Kawa Mataaho Public Service Commission</p> <hr/> <p><a href="http://www.publicservice.govt.nz">www.publicservice.govt.nz</a></p>

For information on ...	Agency & Contact
Language translation services	<p>Straker Translations  <hr/> <a href="http://www.strakertranslations.com">www.strakertranslations.com</a></p> <p>Te Tari Taiwhenua  Department of Internal Affairs  <hr/> <a href="http://www.dia.govt.nz">www.dia.govt.nz</a></p>
Providing information in accessible formats for blind electors	<p>Blind Low Vision NZ  <hr/> <a href="http://www.blindlowvision.org.nz">www.blindlowvision.org.nz</a></p>
Deaf advocacy and sign language services	<p>Deaf Aotearoa Tāngata Turi  <hr/> <a href="http://www.deaf.org.nz">www.deaf.org.nz</a></p> <p>Deafradio  <hr/> <a href="http://www.deafradio.co.nz">www.deafradio.co.nz</a></p> <p>Sign Language Interpreters Assoc of NZ  <hr/> <a href="http://www.slianz.org.nz">www.slianz.org.nz</a></p> <p>National Foundation for Deaf  <hr/> <a href="http://www.nfd.org.nz">www.nfd.org.nz</a></p>
Domain names	<p>Domain Name Commission  <hr/> <a href="http://www.dnc.org.nz">www.dnc.org.nz</a></p>





**ELECTORAL  
COMMISSION**  
TE KAITIAKI TAKE KŌWHIRI