



Introduction to inter-agency protocols for New Zealand's 2020 General Election

July 2020

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Purpose

1. This document introduces the inter-agency protocols for New Zealand's 2020 General Election. They have been developed by the Electoral Commission, together with the Ministry of Justice, the Department of the Prime Minister and Cabinet, Government Communications Security Bureau and the New Zealand Security Intelligence Service. The document sets out the principles in accordance with which these protocols have been prepared, and which guide the approach to the General Election process.¹
2. The protocols clarify the relationship between the Electoral Commission and government agencies by setting out respective roles and responsibilities for the delivery of, and support to, the General Election process.² Collectively, the Electoral Commission and government agencies are committed to ensuring the integrity of the electoral system. The protocols address specific areas for where clear guidance is required:
 - *Protocol on the management and response to election disruptions;*
 - *Protocol on communications related to the 2020 General Election process; and*
 - *Principles and Protocols for GCSB and NZSIS in managing foreign interference and cyber security threats to the 2020 General Election.*
3. This introduction, along with the protocols, will be provided to all government agencies, and local Civil Defence Emergency Management groups, through inter-agency distribution channels for use in the run up to and throughout the General Election process.³ Ministers, political party secretaries, other relevant entities, and the wider public will also be able to access the protocols through the Electoral Commission website to ensure a consistent and aligned understanding.

Context

4. The 2020 General Election will be one of the largest public events in which New Zealanders will participate during 2020. The General Election process will involve the dissolution of Parliament, interruption of parliamentary business, and an election process undertaken

¹ For the purpose of this introduction and the subsequent protocols, the 'General Election process' refers to the pre-planning and delivery of the 2020 parliamentary election, as well as the two referendums that will be conducted alongside the election.

² For the purposes of this document and subsequent protocols, 'government agencies' means agencies in the state-sector, including public service departments, other state services, and agencies in the wider state sector. This is consistent with the definition that the State Services Commission uses in its '[He Ārahitanga Pōtitanga Whānui General Election Guidance](#)'.

³ As well as distributing the documents through business-as-usual email channels, officials will be made aware of the protocols through key inter-agency groupings.

in accordance with constitutional conventions and legislation such as the Electoral Act 1993.

5. While the delivery of every general election is complex, the 2020 General Election process provides additional challenges as there will also be two referendums.
6. The Electoral Commission is responsible for conducting parliamentary elections and referendums in New Zealand. As an Independent Crown Entity, the Electoral Commission is independent from policy direction from ministers but seeks to work effectively with government agencies to provide visibility of electoral events and any support requirements.
7. Public expectations on how our electoral system works are changing. New Zealanders are choosing increasingly to vote in advance of Election Day, to vote in non-traditional locations, and to enrol through a range of channels. This presents a range of challenges for the Electoral Commission and supporting government agencies.
8. Planning for, and responding to, emergencies is a key aspect of election planning and delivery. The current COVID-19 pandemic, as well as recent natural disasters and national security incidents have illustrated the need to plan for a broad range of contingencies. These include challenges at the national level, as well as more localised events which, nevertheless, can impact more broadly on voting outcomes.
9. With regards national security, recent international experience suggests that New Zealanders need to be prepared to respond to the potential risk of interference in our electoral system. Threat and risk assessments, planning, and monitoring are key to ensure both the safety and security of New Zealanders taking part in elections, but also the underlying integrity of the event. Work is being undertaken by the Electoral Commission and government agencies to protect electoral systems and processes.
10. While the General Election process is complex, its high profile is likely to provide an opportunity to improve public participation and engagement in the election and further reinforce New Zealand's democratic values.

General principles

11. The separate protocols (listed on page 1) provide guidance around state sector cooperation and support to the Electoral Commission for its delivery of the 2020 General Election across of a range of areas. Underpinning these guidelines are some overarching principles.

Our conduct of elections is a fundamental expression of New Zealanders' democratic values

12. New Zealanders place value in our enduring tradition of free and fair elections and express a high level of trust and confidence in elections.
13. Protecting and ensuring the integrity of the electoral system is a core responsibility of government. The protection and preservation of our democratic institutions and practices is fundamental to our integrity as a nation.

New Zealanders are aware of and are encouraged to participate in the 2020 General Election and referendums

14. In support of our democratic values, we work together to ensure New Zealanders are aware of the election and referendums and understand how to participate. The conduct of elections and referendums is supported by effective community engagement and communication by the Electoral Commission. Government agencies also work to support this awareness wherever possible. The Electoral Commission is responsible for delivering the End of Life Choice and Cannabis referendums, and the Ministry of Justice is the lead agency for providing public information on the topics of the referendums.

The Electoral Commission is responsible for the conduct of free and fair elections

15. The Electoral Commission is responsible for administering elections impartially, efficiently, and effectively. The Electoral Commission acts independently in performing its statutory functions and duties.
16. The Chief Electoral Officer is responsible for election planning and delivery and for decisions on electoral conduct. In carrying out this role, the Chief Electoral Officer provides government agencies with visibility of election planning, and can also request advice, assistance and information from any government department or state enterprise to support the delivery of elections.
17. External communications concerning the conduct of parliamentary elections should be delivered by the Chief Electoral Officer as the lead on electoral conduct. (This is further outlined in the *Protocol on communications related to the 2020 General Election process*).

Government agencies support the conduct of elections

18. The Electoral Commission is supported by government agencies.
19. Any such support should be provided with due reference to agencies' and public servants' existing obligations as well as general principles guiding their conduct, including political neutrality, fairness and integrity. These principles come into sharper relief during an election period. The work of government must always be carried out impartially, and in a manner that cannot be perceived as reflecting party interests. The State Service Commissioner's '[He Ārahitanga Pōtitanga Whānui General Election Guidance](#)' reinforces those principles.
20. All government agencies should share with the Electoral Commission, wherever practical, any information that could have a material impact on the conduct of elections.

Responses to disruptions throughout the election period are effective, coordinated and proportionate

21. Elections can be impacted by a full spectrum of incidents, from health pandemics, to earthquakes to public unrest, at the local, regional and/or national level.
22. Any response to an incident will be well coordinated, focussed, and proportionate to the disruptive event. The way in which this will occur is further outlined in the *Protocol on the management and response to election disruptions*.

Governance Arrangements

23. Clear governance arrangements have been established to ensure the delivery of the General Election process is well managed. These arrangements align with the principles noted above and are shown in figure one on the following page.

Internal Electoral Commission governance

24. The Chief Electoral Officer ensures the Electoral Commission delivers electoral events. She is also a member of the Electoral Commission Board, which is responsible for overseeing the Commission's work and ensuring it meets its objectives.
25. The 2020 General Election process is managed through an internal Electoral Commission 2020 General Election Steering Committee. The Steering Committee oversees the Electoral Commission's operational delivery programme.

Senior Officials Committee

26. A Senior Officials Committee for the 2020 General Election has been established, chaired by the Chief Electoral Officer, to ensure effective coordination in support of the General Election process across the Commission and government agencies. This Committee ensures that agencies' roles and responsibilities are clearly defined and are consistent with existing state sector governance arrangements, including the National Security System. The Committee provides guidance on election support activities that are conducted across agencies in support of the election.
27. The Committee's membership includes senior representatives from the Ministry of Justice, Department of the Prime Minister and Cabinet (including the National Emergency Management Agency and Cabinet Office), Government Communications Security Bureau, New Zealand Security Intelligence Service, Department of Internal Affairs, Te Puni Kōkiri, New Zealand Police, Crown Law, and the Ministry of Foreign Affairs and Trade. Other agencies can be invited to the Committee on an as-needed basis.

Risk and Security Working Group

28. At the operational/delivery level, the Deputy Chief Electoral Officer chairs a Risk and Security Working Group. Agencies represented on the Working Group support the Commission with the development of the risk management approach for the General Election process. The Working Group generally consists of staff drawn from the agencies represented at the Senior Officials Committee, along with additional agency subject matter experts to address specific risks and issues.

Figure 1: Governance arrangements for delivery of GE 2020

