



Te Kāwanatanga o Aotearoa
New Zealand Government



**ELECTORAL
COMMISSION**
TE KAITIAKI TAKE KŌWHIRI

Protocol on the management of election disruptions

August 2023

Protocol on the management of election disruptions

Introduction

1. A variety of hazards and threats, such as a natural hazards, adverse weather conditions, riot or disorder, or act of terrorism or cyber incident, could cause “unforeseen or unavoidable disruptions”¹ to the 2023 General Election at the local, regional and/or national levels.
2. This protocol outlines the government approach for mitigating and managing hazards and threats that may cause unforeseen or unavoidable disruptions (hereafter referred to as “disruptive events”) that impact the 2023 General Election. Specifically, it describes:
 - a. the approach the Electoral Commission will take to disruptive-event planning in the lead-up to, and over, the election period²;
 - b. the range of mechanisms available to the Chief Electoral Officer to manage the impact any disruptive event may have on the electoral process;
 - c. how the Electoral Commission and agencies will work together to enable all-of-government coordination if the integrity of the electoral process is threatened or disrupted at the national, regional, or local level; and
 - d. how government agencies will liaise and coordinate with the Chief Electoral Officer and the Electoral Commission in the run up to, and during, the election period.

New Zealand’s strategic crisis management arrangements and mechanisms for the management of disruptive events

3. The ODESC system³ is the formal framework for strategic crisis management in New Zealand. It has two primary functions:
 - a. **strategic governance**, which focuses on the architecture that provides for the proactive and coordinated management of potential or actual crises emanating from all hazards and all risks; and
 - b. **coordinated crisis response and recovery**, which focuses on coordinating efforts to mitigate the immediate impacts of an event or emergency that meet certain criteria, and to ensure that longer-term recovery needs are managed appropriately.
4. As with any national-level events that involve national security risks, the safety and security

¹ The definition of “unforeseen and unavoidable disruptions” is provided in [section 195 of the Electoral Act 1993](#).

² Election period is from 27 September 2023 when Overseas and Dictation voting starts through to the declaration of official results.

³ The ODESC (Officials’ Committee for Domestic and External Security Coordination) system was previously known as the National Security System. However, we are moving away from that terminology due to the new definition of national security found in the National Security Strategy, as ODESC continues to perform a crisis management function across all hazards/all risks.

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of the 2023 General Election is dependent on a range of government agencies managing that risk. These agencies all operate within the ODESC system to mitigate and manage hazards and threats which have the potential to disrupt the electoral process.

5. Within the ODESC System, individual government agencies are responsible for developing plans specific to the hazards and threats they manage, and for acting as the 'Lead Agency'⁴ (mandated through legislation or expertise). As such, they are responsible for coordinating the all-of-government planning and response to any disruptive event created by that hazard or threat, with other agencies acting in 'support'.
6. The expectation for the 2023 General Election is that all agencies and the existing national, regional, and regional/local emergency management system and structures will continue to use existing 'business as usual' processes and procedures when planning for, and responding to, disruptive events. However, business as usual processes and procedures may also need to be modified to apply in ways that reflect that New Zealand is running a major national event, and one with constitutional significance.
7. In practice, this will mean that if a response is required to manage a disruptive event, and either the event itself or the response to it disrupts the 2023 General Election, agencies must give due consideration to minimising any further disruption to the General Election. Agencies should account for this requirement in their planning, and when coordinating their response (whether or not it requires formal activation of the ODESC System) and should seek to escalate any concerns through the standard ODESC System escalation process (outlined in more detail below).
8. Arrangements that are in place at local, regional, and national levels to ensure the effective management of disruptive events. Arrangements that are relevant for managing risks related to the 2023 General Election include:
 - [Sections 195 to 195E of the Electoral Act 1993](#): the Act sets out powers for responding to an unforeseen or unavoidable disruption that is likely to prevent voters voting at a voting place or pose a risk to the proper conduct of an election.
 - The [National Security System Handbook](#): this describes the conditions in which the Government should activate the ODESC system in response to a crisis.⁵ This covers events that are nationally significant or complex enough to demand a coordinated strategic approach at the national level. The Handbook contains guidance about:
 - The role and function of the ODESC system;
 - ODESC system Governance Structures; and
 - The role of the ODESC system in response to a potential, emerging or actual event.

⁴ See Annex A for a list of Lead Agencies.

⁵ The ODESC (Officials' Committee for Domestic and External Security Coordination) system was previously known as the National Security System. However, DPMC are moving away from that terminology due to the new definition of national security found in the National Security Strategy, as ODESC continues to perform a crisis management function across all hazards/all risks. The Handbook has not yet been updated to reflect this changed terminology and the content regarding crisis management is otherwise up to date. Note the Handbook should be read in conjunction with the 2021 Handbook Update, which is available at: https://www.dPMC.govt.nz/sites/default/files/2021-10/National_Security_Systems_Handbook_Factsheet_Update_October_2021.pdf

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- The [Civil Defence Emergency Management Act 2002](#): the CDEM Act creates the framework within which New Zealand can prepare for, respond to, and recover from local, regional and national emergencies. This Act defines the functions and responsibilities of government departments, local government agencies, emergency services and lifeline utilities within the framework.
 - Also associated with the CDEM Act is the [National Civil Defence Emergency Management Plan](#)⁶, which:
 - provides a framework to which all other emergency management plans must align;
 - outlines arrangements for the coordination of emergency management activities during emergency; and
 - describes the roles and responsibilities of government agencies and Civil Defence Emergency Management Groups before, during and after emergencies.
9. A variety of plans and guides that provide further detail for responses to specific events supplement these national security and emergency management arrangements.

⁶ This plan is provided for in secondary legislation under the [National Civil Defence Emergency Management Plan Order 2015](#).



Governance arrangements for managing election disruptions

10. The Electoral Commission has established governance arrangements to support the delivery of the 2023 General Election. Two key bodies under these arrangements, the Senior Officials Committee and Risk and Security Working Group, will undertake specific tasks in the lead-up to, and during, the election period.
11. These governance bodies have been established in a manner consistent with the operation of the ODESC System. The chairs of both bodies report into ODESC system governance at appropriate levels (as noted further below).

Senior Officials Committee for the 2023 General Election

12. The Senior Officials Committee provides advice on planning (from an elections perspective) for responses to disruptive events that may impact the General Election.
13. This Committee, chaired by the Chief Electoral Officer as Chief Executive of the Electoral Commission, includes representatives from the Ministry of Justice, Department of the Prime Minister and Cabinet (DPMC), National Emergency Management Agency (NEMA), Government Communications Security Bureau (GCSB), New Zealand Security Intelligence Service (NZSIS), Te Puni Kōkiri, Ministry of Foreign Affairs and Trade (MFAT), and New Zealand Police.
14. For the purposes of preparing for and responding to disruptive events, the Committee advises the Chief Electoral Officer, who informs the Security and Intelligence Board (SIB) within the ODESC System.
15. The Committee ensures the Commission and government agencies are clear on their individual and shared responsibilities for the management of, and response to, disruptive events. More specifically the Committee:
 - oversees risks that could disrupt the 2023 General Election and provides guidance or direction as appropriate to the Risk and Security Working Group (whose purpose and function are set out below) on the management of responses to these risks;
 - ensures effective planning, coordination and collaboration is occurring, including work directly considering the management of, and response to, the full range of potential disruptive events; and
 - provides advice to the Chief Electoral Officer on issues to be raised to the SIB, the Hazard Risk Board (HRB)⁷, or separately with agency Chief Executives.

The Risk and Security Working Group

16. This Working Group, chaired by the Deputy Chief Electoral Officer, includes representatives from agencies on the Senior Officials Committee and wider agency representatives to reflect the 'all hazards all risks' focus of the group. For the purposes of risk reduction and preparing for disruptive events, the Working Group reports into the Major Events Security Committee

⁷ The HRB is a Chief Executive-level Governance Board within the ODESC system that is focused on the building of resilience to manage civil contingencies and hazard risks.

(MESC), a sub-committee of the SIB.

17. The Deputy Chief Electoral Officer leads the development of an inter-agency risk management approach through the Working Group. The Working Group assists in identifying external risks and threats to the election and possible mitigations. The Deputy Chief Electoral Officer seeks guidance from the Working Group on how to best work with Lead Agencies to ensure these risks are managed and mitigated. The risks, mitigations, and management actions are recorded in a risk profile that is updated consistently and provided to the Senior Officials Committee monthly to inform forward planning.
18. The Working Group:
 - keeps the Senior Officials Committee, wider ODESC System, and other required agencies/entities informed of the risk profile and inter-agency preparedness for the election;
 - provides advice to support the Electoral Commission’s development of contingency plans to enable coordinated responses to potential events, together with the lead agency responsible for that particular hazard/risk at local, regional, and national levels; and
 - supports the Electoral Commission’s scenario testing of these contingency plans to evaluate the level of readiness to respond to disruptive events and ability of the electoral process to recover.
 - establishes clear thresholds and decision points to identify when an event may threaten to disrupt the electoral process, and what steps to then take, as a core part of the Electoral Commission’s contingency planning.
19. The Electoral Commission and government agencies will proactively share information that could have a bearing on the successful conduct of the election. With regard to potential disruptions, it is a requirement that agencies share information they have with relevant lead agencies should this become available.
20. The primary channels for sharing information will be through the Senior Officials Committee and the Risk and Security Working Group. Senior Electoral Commission staff may also brief established ODESC System governance bodies, including the SIB, HRB and MESC.
21. Some examples of potential disruptions and who should be notified are provided below:

Example	Agencies to notify
An agency becomes aware of cases of illness that could be related to a pandemic	Te Whatu Ora (Health New Zealand)
An agency becomes aware of a suspected foreign interference or cyber security threat to the election	NZSIS and/or GCSB as relevant
An agency becomes aware of threats of violence by an individual or group against others turning out to vote	New Zealand Police

A further list of Lead Agencies for the purposes of information sharing is provided at Annex A.

22. Outside of these bodies, information can also be exchanged on a business-as-usual basis between the Electoral Commission and government agencies electronically on the SEEMAIL system up to the ‘In Confidence’ level, or at higher classification by manual means.⁸

⁸ The Electoral Commission’s SEEMAIL system is currently limited to the ‘In Confidence’ level.

The ODESC System – escalation and activation for disruptive events

23. The ODESC system crisis management arrangements may be activated to support agencies to work together at the local, regional, and national levels to ensure that any Government-led response to a disruptive event considers the need to preserve the integrity of the New Zealand electoral process as best it can.
24. For emerging risks or a disruptive event occurring at local, regional, or national level that impact the 2023 General Election:
 - the Lead Agency responsible for the specific hazard/risk as per standing ODESC System arrangements holds the responsibility for managing the response to the event and its non- electoral impacts; and
 - the key decision-making powers for maintaining the integrity and conduct of elections are vested in the Chief Electoral Officer (and are further outlined at paragraphs 40 – 70).

Escalation

25. During the election period (as during business as usual), there is an expectation that Lead Agencies will escalate concerns about emerging national security risks/events into the ODESC System for appropriate consideration and possible activation.
26. More specifically, before or during the election period there may be disruptive events or responses that a Lead Agency or another organisation believes could potentially impact the 2023 General Election. In the first instance, the Lead Agency should contact the Electoral Commission to discuss the risk/event. Should this discussion identify that the situation warrants ODESC System consideration based on its relationship to the electoral process, the Electoral Commission should contact the Deputy Chief Executive, DPMC National Security Group and Secretary of Justice to discuss whether escalation is needed.
27. **For the 2023 General Election, the Chief Electoral Officer can also escalate concerns into the ODESC System if necessary.** If the Chief Electoral Officer believes a threat/risk to the 2023 General Election exists (or is emerging) that is beyond the capability/capacity of the Electoral Commission to manage - and which therefore requires an all-of-government system level response - he will contact the Deputy Chief Executive, DPMC National Security Group and Secretary of Justice to discuss.⁹ If warranted, the ODESC System will be activated by the Chief Executive DPMC in their capacity as the Chair of ODESC.

Activation

28. The ODESC system activates to provide for a coordinated and flexible response in which:
 - Risks are identified and managed,
 - The response is timely and appropriate,
 - National resources are applied effectively,

⁹ Should the Chief Electoral Officer not be available, the Deputy Chief Electoral Officer of the Electoral Commission will undertake this action, as the formal delegation holder.

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- Adverse outcomes are minimised,
 - Multiple objectives are dealt with together, and
 - Agencies' activities are coordinated.
29. Lead agencies will be expected to follow their standard escalation processes to the ODESC system during the election period. They will escalate issues if they consider that a hazard/risk or threat is emerging that warrants ODESC system consideration and possible activation.¹⁰ This may include a conversation with the DPMC ODESC system Duty Officer, Director Strategic Crisis Management Unit, Deputy Chief Executive National Security Group, or the Chief Executive DPMC, depending on the nature of the presenting issue.
30. DPMC, in consultation with the lead agency, will establish what the most appropriate meeting mechanism should be. This decision will be based on the nature of the emerging issue or event that has occurred.
31. The ODESC system does not have to be formally activated for agencies to coordinate a response to an issue. In some cases, an Interagency Working Group will be sufficient to manage the issue within business-as-usual processes, and the Electoral Commission will be involved as relevant. This can, but does not necessarily, escalate to an activation of the ODESC system, which is formally activated when a Watch Group or an ODESC meeting is convened, or an email declaring an activation has occurred is sent to Chief Executives.

Watch Group

32. A Watch Group of senior officials (usually tier two managers) may be called by DPMC to monitor a potential, developing, or actual disruptive event. Watch Groups are used to gain situational awareness in what can be chaotic situations and are responsible for ensuring that systems are in place to effectively manage complex issues. The Chair of the Watch Group reports the Group's assessments and advice to ODESC.
33. Should a Watch Group be called to monitor a potential, developing, or actual disruptive event that may threaten the effective conduct of the electoral process, the Chair of the Watch Group (the Deputy Chief Executive, DPMC National Security Group or their delegate) will invite the Chief Electoral Officer to designate appropriate senior staff to attend the Watch Group. If required, the attendance of one or more of Senior Officials Committee members may also be requested.

ODESC

34. ODESC is the committee of Chief Executives that is responsible for providing strategic direction and coordinating the all-of-government response during an actual (or emerging) security event. ODESC is chaired by the Chief Executive DPMC, who will invite Chief Executives to attend based on the nature of the response.
35. If an ODESC is convened, electoral matters will be considered alongside issues to do with the response itself. ODESC members will:
- discuss the nature, scale, and duration of the disruptive event and the planned response in relation to risks and implications to the election;

¹⁰ Further details about what could trigger an activation are contained in the 2016 National Security System Handbook, "Activation criteria", page 24.

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- ensure that relevant information is made available for the Chief Electoral Officer to consider prior to their taking decisions on election conduct as required under the Electoral Act;
 - seek advice from the Chief Electoral Officer on how he intends to manage election conduct following the disruptive event, within the bounds of the Electoral Act; and
 - seek assurance that in response to an event, officials will consider the need to minimise the threat of disruption to the election process itself.
36. Where a disruptive event is identified as likely to cause material disruption to the 2023 General Election, the Chief Electoral Officer will report into ODESC as both Chief Executive of the Electoral Commission, and due to the decision-making powers vested in him under sections [195A](#), [195B](#) and [195D](#) of the Electoral Act 1993 for maintaining the integrity and conduct of elections, as the Chief Electoral Officer.
37. If there are other activations of the ODESC system that appear to have the potential to impact the 2023 General Election process, DPMC will advise the Electoral Commission of the event.

Confirming briefing to the Prime Minister and Leader of the Opposition

38. Notifying the Prime Minister and Leader of the Opposition is a requirement of the Chief Electoral Officer under the Electoral Act 1993 if voting day is adjourned for an initial period of no more than three days. Additionally, should the adjournment be extended by one or more subsequent periods of no more than seven days each, the Chief Electoral Officer must consult the Prime Minister, Leader of the Opposition, and any person or organisation that in the Chief Electoral Officer's opinion is able to give information about the scale and duration of the unforeseeable or unavoidable disruption.¹¹
39. If a Watch Group or an ODESC takes place, the Chair will confirm with agencies the briefing arrangements for the Prime Minister, Minister of Justice, Leader of the Opposition and any other required persons as to the management of disruption to the electoral process, and the response to the disruptive event itself.

The role of the Chief Electoral Officer and Electoral Commission

40. The Electoral Commission is responsible for the operational delivery of the 2023 General Election. The Chief Electoral Officer, as Chief Executive of the Electoral Commission, seeks to ensure the Commission acts independently in performing its statutory functions and duties.
41. The Electoral Commission must take all reasonable steps in its planning to ensure the safety and security of the public and staff while voting.
42. The Electoral Commission will ensure this responsibility is fulfilled through:
- maintaining oversight of all hazards and threats that may threaten to disrupt the General Election and awareness of the mitigations and other management actions lead agencies

¹¹ [Section 195A, Electoral Act 1993](#). This is the only election-specific statutory requirement. However, state sector agencies are bound to follow other consultation requirements under their guiding legislation.

may use to address these;

- ensuring that the security workstream conducted as part of the Commission's internal work programme for the 2023 General Election is resourced and empowered to address any risks or threats identified;
- promoting among permanent and temporary field staff a culture of security awareness;
- partnering effectively with government agencies to ensure a coordinated response should the ability to manage a disruption to the electoral process move beyond the capability and/or capacity of the Commission;
- ensuring that a high level of information sharing is maintained over the election period, as well as during the critical planning stage in the lead-up to the election; and
- developing a strategic approach to communications (across local, regional and national levels and, where appropriate, for offshore with MFAT), with pre-emptive material that can be immediately leveraged to respond to a disruptive event.

43. With regard the provisions of the Electoral Act for responding to electoral disruptions, the Chief Electoral Officer is empowered under the Act to respond to the disruptive event.
44. Should the Chief Electoral Officer not be available, he may delegate these powers to the Deputy Chief Electoral Officer.¹²

Local/ regional coordination, planning and response

45. Pre-planning requirements extend to the Commission's field staff. This includes Regional Managers across both the Commission's Enrolment and Community Engagement team and the Voting Services team, supported by Registrars of Electors and Electorate Managers around the country.
46. The Electoral Commission will ensure that business continuity and disaster recovery plans are developed for the election period that consider the requirements of field staff at the local/regional level. These plans will be reviewed to ensure that they align with the [National Civil Defence Emergency Management Plan 2015](#) and other existing government agency (and other organisations) emergency management plans for their region.
47. Each Regional Manager must maintain key points of contact at the local and regional levels for:
 - New Zealand Police
 - Civil Defence Emergency Management Groups
 - Fire and Emergency New Zealand
 - Te Whatu Ora (Health New Zealand)
 - Ambulance
 - New Zealand Transport Authority

¹² The Deputy Chief Electoral Officer is authorised to exercise all the Chief Electoral Officer's powers in his absence and holds a formal delegation.

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- Te Puni Kokiri
 - key national level contacts at the Electoral Commission National Office and NEMA, and
 - other local level officers as required.
48. The Chief Electoral Officer requires Regional Managers to notify both the relevant local authorities and the Electoral Commission National Office if they become aware of a disruptive event which they believe is threatening/may threaten the conduct of the electoral process.
49. In the case of an event that may/is threatening lives, welfare or property, Regional Managers (from both the Enrolment and Community Engagement and Voting Services staff) will liaise with local Civil Defence Emergency Management Managers and/or relevant lead agency points of contact to determine whether the event or response to the event may also disrupt the electoral process in their area. Regional Managers will then inform the Electoral Commission's National Office (at National Manager level) of the event. If required, the Electoral Commission will ensure that the appropriate national level authorities are aware of the situation.
50. In the case of an imminent threat to lives, welfare or property, any agency official will notify the New Zealand Police immediately through the 111 number.

Disruptive events during voting period

51. Should a disruptive event impact voting, the Chief Electoral Officer can exercise powers under sections [195A](#) or [195B](#) of the Electoral Act to adjourn voting at one or more voting places or provide alternative voting processes to manage the disruptive event.¹³
52. The Chief Electoral Officer may modify or adopt any requirements, processes, or procedures under the Electoral Act in order to invoke "alternative voting processes" which may include (but are not limited to):
- revoking and amending a particular voting place (or places);¹⁴
 - extending and/or modifying the voting hours at voting places;
 - modifying any other requirements or procedures set out in the Act;
 - making voting by telephone dictation available to affected voters; or
 - extending to voters in New Zealand the procedure for the electronic issue of voting papers that is available to voters outside New Zealand.
53. In considering whether to exercise his powers under section [195A](#) or [195B](#) and in what form, the Electoral Act requires the Chief Electoral Officer to have regard to the following matters:
- a. the need to ensure the safety of voters and electoral officials; and

¹³ The Chief Electoral Officer may modify or adapt any requirements, processes, or procedures specified by or prescribed under the Electoral Act 1993 if he considers that doing so is the most appropriate and efficient way to manage the disruptive event.

¹⁴ The Electoral Commission, under the Electoral Act 1993 can revoke, alter, or add to any voting places that have been appointed with no time limit, including on election day.

- b. the need to ensure that the election process is free from corrupt or illegal practices; and
- c. the need to ensure that the election process is concluded in a timely and expeditious manner.¹⁵
54. If the Chief Electoral Officer decides, based on the best available advice, that activating the emergency provisions is necessary, having had regard to these factors, he will exercise his powers under the Act.
55. If the disruptive event and area affected is localised, the Chief Electoral Officer will first assess alternate arrangements for voters rather than adjourn. This is due to the impact upon conduct of the election of any adjournment decision. Under the Act, if voting is adjourned in even a single voting place, the election of all Members of Parliament and, therefore, the formation of Government is delayed for the period of the adjournment.
56. When considering alternative voting process options:
- If voters can reasonably access another voting place, the Chief Electoral Officer may revoke the particular voting place(s) and continue with the conduct of the General Election in the rest of the affected electorate and nationwide.
 - If the voters cannot get to another voting place, the Chief Electoral Officer will assess whether alternative processes such as dictation voting, or the electronic issue of voting papers is practicable.
57. Among these options, the Chief Electoral Officer will preferentially choose to revoke and amend a particular voting place(s) or extend and/or modify voting hours. While the Electoral Commission considers the practicality of the option to extend dictation voting and the electronic issue of voting papers, the limited scalability of these services restricts use of these options to localised areas with smaller voting numbers.
58. If the disruptive event has or is likely to have wider effect, or the alternative voting process options are otherwise not practicable, the Chief Electoral Officer may adjourn voting in particular voting places and continue with voting elsewhere in the country.
59. The Chief Electoral Officer may choose to adjourn voting at a voting place for an initial period of no more than three days. Following this, voting at the voting place can be adjourned for one or multiple periods of no more than seven days each, for as long as the disruptive event prevents voting taking place.
60. A flow chart illustrating the Chief Electoral Officer's decision-making and notification processes is attached as Annex C.

Disruptive events at advance voting places or during the advance voting period

61. In the case of an event which materially disrupts voting at one or more advance voting places or such an event that meaningfully affects an advance voting place (for example a cyber incident that brought down the Electoral Commission's electronic systems, or an epidemic), the Chief Electoral Officer cannot adjourn advance voting. He is empowered, however, by the Electoral Act 1993 to use the previously mentioned alternative voting processes if the

¹⁵ [Section 195C](#), Electoral Act 1993.

disruptive event may reasonably be expected to continue until election day.¹⁶

62. The Chief Electoral Officer would consider the same matters when exercising his discretion on disruptive events at advance voting places as prescribed for disruptive events at voting places on election day. He must have regard to:
- the need to ensure the safety of voters and electoral officials; and
 - the need to ensure that the election process is free from corrupt or illegal practices; and
 - the need to ensure that the election process is concluded in a timely and expeditious manner.¹⁷
63. If the Chief Electoral Officer decides that exercising the emergency powers is necessary, having had regard to these factors, he will in the first instance look to amend voting places or modify voting hours at advance voting places. If this does not suitably address access for voters to advance voting places, the Chief Electoral Officer will assess whether dictation voting, or the electronic issue of voting papers is practicable.

Deferral of release of information about preliminary results

64. The Chief Electoral Officer must defer the release of the preliminary vote count where a disruptive event delays the close of voting, as required under the Electoral Act 1993.¹⁸
65. However, the Chief Electoral Officer may disclose the preliminary result information if he considers that the disclosure of the information will not unduly influence the overall result of the poll in an electoral district or the number of seats in Parliament that a party is entitled to be allocated.

Public notification of a disruptive event and response

66. The Chief Electoral Officer will be the key spokesperson to address conduct issues relating to the 2023 General Election. In this role, the Chief Electoral Officer must inform members of the public of any adjournment or alternate arrangements that it has been decided will be set up as a result of the disruptive event, either during the advance voting period or on election day.
67. Comment on the nature of the disruptive event and its other consequences will be reserved for the Lead Agency responding to the event, or for the event spokesperson as determined by the Lead Agency.
68. Because of the need for immediacy, public notification of changes to voting places would be by local radio or other media operating in areas impacted by the disruptive event(s). Depending on the circumstances, notices would also be put up in the impacted area(s) around any revoked voting places letting voters know where else they can go to vote. The Chief Electoral Officer would also notify all party secretaries.

¹⁶ [Section 195B\(1\)\(a\)](#), Electoral Act 1993.

¹⁷ [Section 195C](#), Electoral Act 1993.

¹⁸ [Section 195D](#), Electoral Act 1993. Note that this does apply to Special Votes not counted on election night, which includes overseas votes.

Continuity of Government

69. In the event of any voting place being adjourned on election day, the return of the writ will be delayed by the same number of days as this delay. The formation of Government will therefore be delayed for the same amount of time. Under the Electoral Act 1993, Members of Parliament cease to be members at the close of voting day.¹⁹ Further, as any adjournment prevents the successful electorate candidate being declared elected, this would prevent the Electoral Commission declaring a final nationwide party result and allocating list seats.
70. The Executive can continue for a defined period following the election under current legislation. A Minister of the Crown or member of the Executive Council can continue to act in that capacity for 28 days after he or she ceases to be a Member of Parliament.²⁰ In addition, a person who is not a Member of Parliament but has been a candidate for election, may be appointed a minister or member of the Executive Council for a period of up to forty days from the date of appointment (but must vacate office if they do not become an MP in that time).²¹

Rebecca Kitteridge

**Te Tumu Whakarae mō Te
Tari o te Pirimia me te
Komiti Matua**
**Chief Executive, Department
of the Prime Minister and
Cabinet |**
Chair of ODESC

Karl Le Quesne

**Pou Kaiawha
Kaitiaki Take Kowhiri**
**Chief Electoral Officer
Electoral Commission**

Andrew Kibblewhite

Pou Whakarae mō te Ture
Secretary for Justice

¹⁹ [Section 54](#), Electoral Act 1993.

²⁰ [Section 6\(2\)\(b\)](#), Constitution Act 1986.

²¹ [Section 6\(2\)\(a\)](#), Constitution Act 1986.

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Annex A: Lead agencies

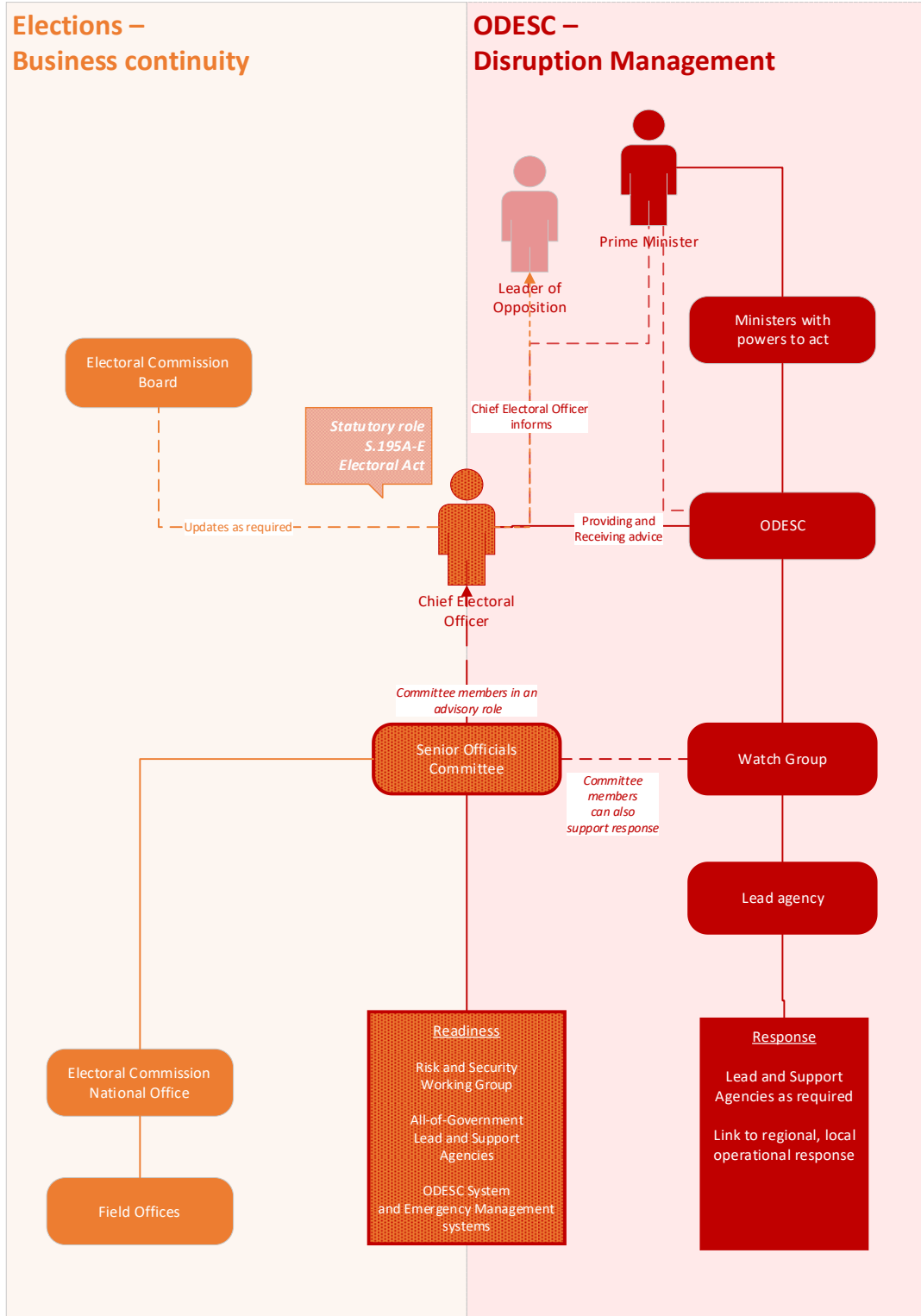
These agencies are mandated (either explicitly through legislation or because of their specific expertise) to manage an emergency arising from the following hazards.

HAZARD	LEAD AGENCY AT NATIONAL LEVEL	LEAD AGENCY AT LOCAL/REGIONAL LEVEL	AUTHORITY TO MANAGE RESPONSE
Geological (earthquakes, volcanic hazards, landslides, tsunamis)	NEMA	Civil Defence Emergency Management Group	<ul style="list-style-type: none"> Civil Defence Emergency Management Act 2002
Meteorological (coastal hazards, coastal erosion, storm surges, large swells, floods, severe winds, snow)	NEMA	Civil Defence Emergency Management Group	<ul style="list-style-type: none"> Civil Defence Emergency Management Act 2002
Infrastructure failure	NEMA	Civil Defence Emergency Management Group	<ul style="list-style-type: none"> Civil Defence Emergency Management Act 2002
Drought (affecting rural sector)	Ministry for Primary Industries (MPI)	MPI	<ul style="list-style-type: none"> Government Policy
Animal and plant pests and diseases (biosecurity)	MPI	MPI	<ul style="list-style-type: none"> Biosecurity Act 1993 Hazardous Substances and New Organisms (HSNO) Act 1996
Food Safety	MPI	MPI	<ul style="list-style-type: none"> Food Act 2014
Infectious human disease (pandemic)	Te Whatu Ora (Health New Zealand)	Te Whatu Ora (Health New Zealand)	<ul style="list-style-type: none"> Epidemic Preparedness Act 2006 Health Act 1956 COVID-19 Public Health Response Act 2020
Offshore humanitarian response	MFAT	MFAT	<ul style="list-style-type: none"> Agency mandate and offshore network/expertise

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Wild Fire	Fire and Emergency New Zealand (FENZ)	Rural Fire Authority, Department of Conservation (Conservation estate), New Zealand Defence Force (NZDF)	<ul style="list-style-type: none"> • Fire and Emergency New Zealand Act 2017 • Conservation Act 1987 • Defence Act 1990
Urban Fire	FENZ	FENZ	<ul style="list-style-type: none"> • Fire and Emergency New Zealand Act 2017
Hazardous substance incidents	FENZ	FENZ	<ul style="list-style-type: none"> • Fire and Emergency New Zealand Act 2017 • HSNO Act 1996
Major Transport Incident	Ministry of Transport	New Zealand Police	<ul style="list-style-type: none"> • Various
Marine Oil Spill	Ministry of Transport	Regional Council	<ul style="list-style-type: none"> • Maritime Transport Act 1994
Radiation Incident	Ministry of Health	FENZ	<ul style="list-style-type: none"> • Radiation Safety Act 2016 • Fire and Emergency New Zealand Act 2017
Terrorism	New Zealand Police – operational response lead NZSIS – intelligence lead	New Zealand Police – operational response lead NZSIS – intelligence lead	<ul style="list-style-type: none"> • Crimes Act 1961 • International Terrorism (Emergency Powers) Act 1987 • Terrorism • Suppression Act 2002
Foreign interference and espionage; state-sponsored disinformation	NZSIS	NZSIS	<ul style="list-style-type: none"> • Intelligence and Security Act 2017 • Government Policy
Major cyber incident Cyber security threat	GCSB - operational lead DPMC (National Cyber Policy Office) - policy lead	GCSB - operational lead DPMC (National Cyber Policy Office) - policy lead	<ul style="list-style-type: none"> • Intelligence and Security Act 2017 • Government policy

Annex B: Activated structure for responding to a disruption to the election



Annex C: Process for managing election disruption under section 195 of the Electoral Act 1993

