

Election campaigning rules for individuals, candidates, parties, and others

– 2008 general election, Saturday, 8 November.

Elections depend on people enrolling and voting, and on candidates, parties and others campaigning for votes. Election campaigning can include the use of policy statements, advertising, events, lobbying, debate, and gaining news media exposure. This public notice introduces the main election advertising rights and responsibilities of participants.

You are free to start or join debate, and to try to influence other voters

As an individual you can join in any time (except on election day) by communicating with people you know, or to the public through talkback radio, writing newspaper letters or articles, putting your personal opinions online on a non-commercial basis, getting news coverage of your views, or communicating directly to members of your organisation or shareholders in your company. If you want to do something else which could be reasonably regarded as encouraging or persuading others how to vote – say through distributing or displaying the likes of signs, posters or pamphlets, staging an event, or through paid advertising of any sort – then rules apply:

- You must include your name and home street address in the item as the person (“promoter”) authorising the advertisement.
- If you are encouraging a vote for a named or identifiable candidate or party then you must have their written permission first.
- If you are going to spend more than \$1,000 on election advertising in respect of an electorate candidate, or \$12,000 overall then you will need to list as a “third party” with the Electoral Commission, and spending limits and financial reporting requirements will apply. Applications are needed by Friday, 10 October to allow processing by the 17 October deadline for listing. Listed third parties are named on the Elections NZ website (www.elections.org.nz).
- If your activity is encouraging voting generally, or consideration of a policy area, without encouraging voting a particular way, then it still needs to identify the person (“promoter”) authorising it along with a relevant personal or organisation street address. This is a longstanding rule. Third party listing is not required if your advertising is not encouraging voting a particular way.
- Using radio or TV advertising involves other longstanding rules you need to find out about.

Candidates, parties, and others are free to try to influence your vote

Candidates, parties, and others (“third parties”) are free to try to influence your vote before Election Day by gaining news coverage, using paid advertising, or campaigning in public places or by door knocking or phone canvassing. Candidates, parties, and others should already be aware of the rules that apply, including:

- News coverage is determined by editors and broadcasters. It is governed by relevant news standards and complaints procedures.
- Advertising of any description (including public or canvassing activity) which can be reasonably regarded as encouraging or persuading you to vote in a particular way must include a statement identifying the name and home street address of person (“promoter”) authorising the advertisement.
- Complaints about the arguments or presentation of election advertisements are governed by advertising standards and complaints procedures, and generally not by electoral law (except for: promoter statement requirements, related election expense matters, factual inaccuracy in advertisements published on 6 or 7 November, and a prohibition on radio and television advertising before 8 October or any advertising on election day).
- Straight statement of party policy which does not encourage voting a particular way or include praise or attack, or a published policy position or survey by a lobby group that does not comment on parties’ positions or strongly echo a party’s election platform, may not meet the definition of election advertising or need a promoter statement – as long as it cannot be reasonably regarded by others as encouraging voting a particular way.
- Election advertising must stop or be taken down by midnight on 7 November, and must not be visible on Election Day. This includes bumper stickers, clothing, or anything else that might be visible to the public. Ribbons or streamers in party colours may be worn or used on vehicles, and approved party lapel badges may be worn by supporters. Campaign websites may remain up on Election Day, but no new content may be added or online activity take place to attract visitors to them.

Finding out more

This public notice is an Electoral Commission education initiative summarising key points of electoral law and information. If you want more detail you should first consult Electoral Rules (including links to the law) at the Elections NZ website (www.elections.org.nz), or see the website of the relevant agency, below:

- Location or state of election hoardings – Contact the advertiser, or the relevant city or district council.
- News standards – Broadcasting Standards Authority (for radio and TV), www.bsa.govt.nz, phone 0800 366 996, PO Box 9213, Wellington; otherwise Press Council, www.presscouncil.org.nz, phone 04-473 5220, PO Box 10 879, Wellington. Complaints must first be made to the media outlet concerned.
- Election advertising standards – Broadcasting Standards Authority (for radio and TV election advertising only), www.bsa.govt.nz, phone 0800 366 996, PO Box 9213, Wellington; otherwise Advertising Standards Authority, www.asa.co.nz, phone 0800 472 7852, PO Box 10 675, Wellington.
- Party and third party related matters (including advertising, expenses and donations) – Electoral Commission, email info@elections.govt.nz, phone 04-474 0670, PO Box 3050, Wellington 6140.