

19 September 2014

Andre Knops

By email: fyi-request-1936-bca8fa2e@requests.fyi.org.nz

Dear Mr Knops

OFFICIAL INFORMATION ACT REQUEST 2014/31

I refer to your request of 22 August 2014 under the Official Information Act 1982 (the Act) regarding the following information:

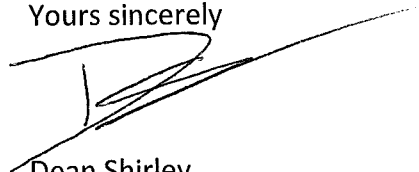
- records of correspondence/communications dispatched and correspondence/communications received by the Electoral Commission to the Expat party since February 2014

Please find attached the relevant documents.

Information marked [-] and attachments to emails which contain individual membership details is withheld under section 9(2)(a) of the Act in order to protect the privacy natural persons. I am satisfied that there are no other considerations which render it desirable, in the public interest, for any of the information I am withholding to be made available.

You have the right under section 28(3) of the Act to complain to the Ombudsman about the decision to withhold information or if you are not satisfied with the response to your request.

Yours sincerely



Dean Shirley
Senior Advisor Legal

Encs

Aimee Bell

From: Dean Shirley
Sent: Tuesday, 26 August 2014 8:50 a.m.
To: 'secretary@expatparty.org'
Cc: Kristina Temel
Subject: RE: Question put on Facebook

Dear Nick,

Further to my emails with Grant below and with regard to questions asked by the Expat Party via the Commission's Facebook page, we have responded to your questions as set out below.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>



1. What exactly has been done since 4 August to progress The Expats application?

The Commission first matched the forms to the spreadsheet provided to ensure that over 500 members had been provided. This took some time as it involved obtaining forms from different sources provided at different dates and then matching to the spreadsheet. Once this task was completed, each form was checked to make sure each form was valid. As part of the checking process, the Commission identified that there was a whole set of missing forms recorded in the spreadsheets. We contacted Grant Chessman who indicated that he had failed to send them by mistake. He attached the missing PDF in an e-mail on 7 August 2014.

Following this, enrolment checks were undertaken. On 8 August 2014, the enrolment checks of 50 randomly selected members resulted in 31 members not being found on the electoral roll. On 8 August, these 31 members were sent to our Enrolment Services team who have a more sophisticated search functions. On 11 August, Enrolment Services advised that they had located a further 4 members on the electoral roll. To date, we are unable to determine whether 27 out of 50 are eligible to be enrolled. However, we will continue with these enrolments checks after 9 October 2014.

On 12 and 13 August, 2014 we began contacting members via telephone to verify whether they were eligible to be an elector. We spoke with 6 members who verified they were eligible. We left messages with a further 5 members and two members could not be contacted via telephone.

It should be noted that these tasks were undertaken at a time when the Commission had a large number of other tasks to complete in light of the 20 September 2014 General Election.

2. How long does it usually take for The Commission to run a spreadsheet test against its database?

This will vary depending on the quality of the application, but usually about 1-2 days.

3. Why is the check done against an enrolments database when it is not a requirement that a party member be enrolled, only that they be 'eligible to enrol'?

This is the quickest and most efficient means of checking a member's eligibility to be enrolled.

4. The process that is to be followed by the Commission is detailed on its website and reproduced below. Having regard to that process:

4.1. Have checks are carried out on a random selection of valid forms to establish whether the members are eligible to enrol. If so, on what date?

Yes, see response to question 1.

4.2. If a member did not appear to be enrolled did the Electoral Commission try to contact him or her to be satisfied the member is eligible to enrol? How many members were contacted and when?

See response to question 1.

4.3. Have the checks been completed? If so, on what date?

The checks have not been completed. The Commission stopped processing the application on 20 August 2014 (writ day) because the Electoral Act bars the Commission from processing an application for registration between writ day and the return of the writ (Thursday 9 October 2014).

4.4. If they were completed, what was the error rate, the sample size and the number of errors in the sample?

See response to question 1.

4.5. If the enrolment checks were completed, how many members have been contacted to authenticate those persons are current financial members of the party?

See response to question 1.

From: Grant Cheesman
Sent: Friday, 22 August 2014 3:32 p.m.
To: Dean Shirley
Cc: Secretary; Nick Teulon
Subject: Re: Question put on Facebook

Dear Dean,

Whilst the Party uses the secretary@expatparty.org account for official Party correspondence (and I will more than often see it), it is the Party secretary's account.

Our secretary is Nick Teulon and correspondence should be to Nick (or The Expats generally).

If the Electoral Commission wishes to contact me in my private capacity, it is best to contact me at this address - [redacted] that email and, if it wishes to, copy secretary@expatparty.org.

Speaking as a Party official, whilst the Party appreciates your email, we are not sure why it should take a great deal of time to respond to the questions which are quite straight forward, mostly Yes/No questions.

The Party also believes it is preferable that answers are posted on the @IVote wall so that there is transparency regarding the Commission's answers to the questions and so that we are not having to interpret the Commission's response to Party members, which has the potential for misinterpretation.

Thanks,
Grant

From: Dean Shirley <dean.shirley@Elections.govt.nz>
Date: 22 August 2014 10:34:24 am AWST
To: "secretary@expatparty.org" <secretary@expatparty.org>
Subject: Question put on Facebook

Dear Grant,

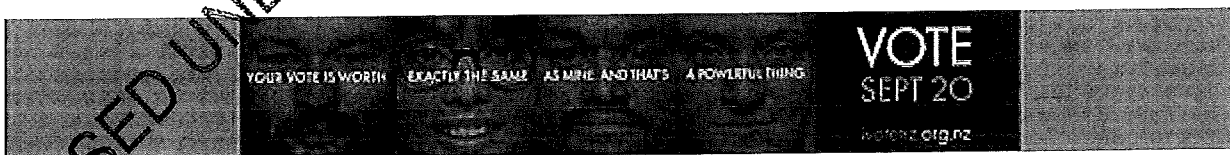
I have been passed a number of questions you have asked via the Commission's iVote Facebook page. We will do our best to revert with responses as soon as practicable.

Regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri

PO Box 3220 | Level 10, 34-42 Manners Street | Wellington

Phone [+64 4 806 3527](tel:+6448063527) | Fax [+64 4 495 0031](tel:+6444950031) | <http://www.elections.org.nz>



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Aimee Bell

From: Dean Shirley
Sent: Wednesday, 20 August 2014 11:25 a.m.
To: 'secretary@expatparty.org'
Cc: Kristina Temel
Subject: Expat Party - registration update

Dear Grant,

We refer to your application to register a political party. The Commission has been processing your application and has been conducting its enrolment checks.

However, the Electoral Act provides that at no time in the period commencing on writ day (which is today, Wednesday 20 August for the 2014 General Election) and ending with the day appointed as the latest day for the return of the writ (which is Thursday 9 October 2014) shall action be taken by the Electoral Commission in relation to any application for the registration of a political party or logo.

Given that it is writ day, we are unable to complete the registration process before the election.

The Commission will continue to work with you after 9 October 2014.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>



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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Thursday, 7 August 2014 1:49 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Re: The Expats - Membership Forms and single spreadsheet (Email 3 of 6)
Attachments: 704-739.pdf

Dean

My apologies.

Kind regards,

The Expats

On Mon, Aug 4, 2014 at 10:36 AM, Secretary - The Expats <secretary@expatparty.org> wrote:

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen.

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards,

The Expats

Aimee Bell

From: Kristina Temel
Sent: Monday, 4 August 2014 4:46 p.m.
To: Secretary - The Expats
Cc: Dean Shirley
Subject: RE: The Expats - Membership Forms and single spreadsheet (Email 6 of 6)

Dear Grant,

We confirm that we have received all six e-mails including the membership forms and excel spreadsheet at 2:51pm today.

The spreadsheet and memberships forms now appear to be in a form that contains all of the required information and we will begin our checking process.

We will keep you advised of progress.

Yours sincerely

Kristina Temel
Electoral Commission

From: Secretary - The Expats [mailto:secretary@expatparty.org]
Sent: Monday, 4 August 2014 2:51 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Re: The Expats - Membership Forms and single spreadsheet (Email 6 of 6)

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms)

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A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards

The Expats

Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Monday, 4 August 2014 2:51 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Re: The Expats - Membership Forms and single spreadsheet (Email 6 of 6)
Attachments: 772-814.pdf; 671.pdf; 672.pdf; 789.pdf; 804.pdf; 811.pdf

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards

The Expats

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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Monday, 4 August 2014 2:40 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: The Expats - Membership Forms and single spreadsheet (Email 5 of 6)
Attachments: 740-771.pdf

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards

The Expats

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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Monday, 4 August 2014 2:39 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Re: The Expats - Membership Forms and single spreadsheet (Email 4 of 6)
Attachments: 670-703.pdf

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards

The Expats

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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Monday, 4 August 2014 2:37 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Re: The Expats - Membership Forms and single spreadsheet (Email 3 of 6)
Attachments: 628-669.pdf

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails

Regards

The Expats

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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Monday, 4 August 2014 2:35 p.m.
To: Dean Shirley; Kristina Temel
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Re: The Expats - Membership Forms and single spreadsheet (Email 2 of 6)
Attachments: 600-627.pdf

On Mon, Aug 4, 2014 at 10:32 AM, Secretary - The Expats <secretary@expatparty.org> wrote:
Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards

The Expats

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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Monday, 4 August 2014 2:33 p.m.
To: Dean Shirley; Kristina Temel
Subject: The Expats - Membership Forms and single spreadsheet (Email 1 of 6)
Attachments: Final Expats Membership Spreadsheet - 3 August 2014 - for EC.xlsx

Dear Dean and Kristina

Please see attached our membership spreadsheet and membership forms.

All forms now contain a declaration as to when the member was last in NZ (all are within last 3 years) or the member is a New Zealand resident citizen

In terms of numbering 1-500 are members from our initial membership forms sent to you (the green forms).

600+ are revised forms received over the weekend from our membership. All forms have been completed by the members themselves.

A consolidated single spreadsheet listed in alphabetical order by first name is attached, but can be sorted as the Commission sees fit.

Please acknowledge receipt of all 6 emails.

Regards

The Expats

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Aimee Bell

From: Dean Shirley
Sent: Friday, 1 August 2014 4:40 p.m.
To: 'The Expats - Memberships/Donations'
Subject: RE: Expat Party membership

Dear Samantha,

The form you set out below would meet our requirements.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>



From: The Expats - Memberships/Donations [mailto:memberships@expatparty.org]
Sent: Friday, 1 August 2014 4:12 p.m.
To: Dean Shirley
Subject: Fwd: Expat Party membership

Hi Dean,

Sorry to send this to you too. We would really like to get the updated membership form out to our members this weekend but have yet to hear from Kristina.

If she has already left for the day, could you please arrange approval.

With thanks and kind regards,

Samantha
Administration Manager, The Expats

----- Forwarded message -----

From: The Expats - Memberships/Donations <memberships@expatparty.org>
Date: Fri, Aug 1, 2014 at 12:06 PM
Subject: Re: Expat Party membership
To: Grant Cheesman
Cc: Kristina Temel <kristina.temel@elections.govt.nz>

Hi Kristina,

We would really appreciate a reply before your COB today regarding the updated membership form.

Kind regards,

Samantha
Administration Manager

On Fri, Aug 1, 2014 at 11:28 AM, Grant Cheesman <[redacted]> wrote:

Thanks Kristina,

This is the form we propose to send out to replace the forms of the members in red on your earlier spreadsheet.

It is identical to the previous form save for the highlighted text. Please confirm.

I, _____

Full Name

of _____

Full Address

having paid the membership fee of \$1, request and authorise the Expatriate Party of New Zealand (Party) to register me as a fully paid member of the Party including the following details

Date of Birth

Telephone

Email address

I confirm that I am a New Zealand Citizen and I authorise the Party to release this application form and subsequent financial membership details to the Electoral Commission for the purposes of the Party's registration under the Electoral Act 1993 (NZ)

I LAST VISITED NEW ZEALAND IN _____

Year (and month if 2011)

SIGNED _____

Signature

From: Kristina Temel [mailto:kristina.temel@Elections.govt.nz]
Sent: Friday 1 August 2014 10:45 am
To: Grant Cheesman
Subject: RE: Expat Party membership

Dear Grant,

Given that the information is part of the declaration each member makes when signing the membership form it needs to be completed and signed by the member.

Yours sincerely

Kristina Temel

Electoral Commission

From: Grant Cheesman [mailto:grant.cheesman@Elections.govt.nz]
Sent: Friday, 1 August 2014 11:47 a.m.
To: Kristina Temel
Cc: Dean Shirley; Robert Peden; Grant Cheesman
Subject: RE: Expat Party membership

Thank you.

One further question, can members authorise us to amend the forms on their behalf?

Regards

Grant Cheesman

From: Kristina Temel [mailto:kristina.temel@Elections.govt.nz]
Sent: Friday 1 August 2014 06:59 am
To: Grant Cheesman
Cc: Dean Shirley; Robert Peden
Subject: RE: Expat Party membership

Dear Grant,

The information confirming eligibility to enrol must come from the member and is part of the declaration each member makes when signing the membership form. For this reason, the options outlined in your first three bullet points below will not be sufficient.

For those members that have signed a form that does not confirm eligibility, the best way to remedy their form is to get them to add in the information regarding when they were last in New Zealand and then initial and date the change.

You could then resubmit all of the forms you want considered as part of the application and the one spreadsheet which can be easily matched to the forms submitted. Ideally the order in which the forms are provided matches the order of members in the spreadsheet.

Yours sincerely

Kristina Temel

Electoral Commission

From: Grant Cheesman
Sent: Thursday, 31 July 2014 4:00 p.m.
To: Kristina Temel; Dean Shirley
Cc: Robert Peden; Grant Cheesman
Subject: RE: Expat Party membership
Importance: High

Dear Kristina and Dean

Yesterday in Kristina's email the Commission advised us that, the '301 forms where the member has confirmed that he or she is a New Zealand citizen and confirmed the date they were last in New Zealand' ... 'appear to provide sufficient evidence for the Commission to be satisfied those members are eligible to enrol in New Zealand'

As to the balance of the forms (244), you advised that 'the member has only confirmed that he or she is a New Zealand citizen and has not provided information about when they were last in New Zealand' and that as a result of this 'the Commission is unable to accept these 244 forms as evidence of eligible memberships for the purposes of registration'.

We took from your email that obtaining written confirmation that the members were last in New Zealand would satisfy the Commission of this detail.

As we have now obtained this information, we seek specific guidance from the Commission as to how it wishes for us to present the information, for example should we resubmit the 244 forms in question with:

- the last year (or month and year) the relevant members were in New Zealand notated on the form; or
- the emails filed behind the enrolment form; or
- a combination of 1 and 2 above; or
- some other means.

We accept that you would like one spreadsheet. That is easily remedied.

Please contact me to discuss urgently as we want to make sure that there are no misunderstandings and that this is completed today if possible. I will also conference in the party secretary.

I would suggest that once we have discussed the next step is confirmed in writing.

Regards

Grant Cheesman

[Redacted signature]

[Redacted signature]

----- Forwarded message -----
From: **Kristina Temel** <kristina.temel@elections.govt.nz>
Date: Thu, Jul 31, 2014 at 10:19 AM
Subject: RE: Expat Party membership
To: Secretary - The Expats <secretary@expatparty.org>
Cc: Robert Peden <robert.peden@elections.govt.nz>

Dear Mr Cheesman,

The information that you have now provided does not meet the Electoral Commission's requirements. The membership form signed by the member must demonstrate that the person is a financial member that is eligible to enrol.

You have provided as part of your application:

- membership forms in which the member does not say that they are eligible to enrol or confirm that they are a New Zealand citizen that has been in New Zealand within the last 3 years, and
- then separate e-mails (just received) in which members state when they were last in New Zealand which the Electoral Commission will have to cross reference to the corresponding membership form, and
- effectively four separate spreadsheets that the Commission also has to cross reference.

You need to provide

- a complete set of membership forms in which each member has signed a form including:
 - the member's name and residential address,
 - confirmation that the person is eligible to enrol as an elector,
 - the amount of membership fee paid to the party,
 - authorisation for the party to record them as a financial member of the party, and
 - authorisation for the party to release their membership details to the Commission for the purposes of the application to register the party, and
- one spreadsheet which can be easily matched to the forms submitted (ideally the order in which the forms are provided matches the order of members in the spreadsheet).

Section 64 of the Electoral Act provides that at no time in the period commencing on writ day (which is Wednesday 20 August for the 2014 general election) and ending with the day appointed as the latest day for the return of the writ (which is Thursday 9 October 2014) shall action be taken by the Electoral Commission in relation to any application for the registration of a political party.

Given how close it is to writ day, and the fact that we still do not have an application from you that meets the Commission's requirements, time is running very short to get your revised membership evidence in and for us to complete the checking of the membership evidence and the two week public consultation prior to writ day.

Please take the time to carefully check that revised membership evidence meets the requirements before re-submitting it.

We would be happy to review any proposed approach you intend to take to compile the evidence before you proceed.

Yours sincerely

Kristina Temel

Electoral Commission

From: Secretary - The Expats [mailto:secretary@expatparty.org]
Sent: Thursday, 31 July 2014 7:01 a.m.

To: Kristina Temel; Dean Shirley

Subject: Fwd: Expat Party membership

Hi Kristina,

We thought best to send you on a smaller email without the large membership form attachments to make sure you have received our correspondence.

Please confirm receipt and if you need us to resend the large attachments separately.

Regards,

The Expats

----- Forwarded message -----

From: Secretary - The Expats <secretary@expatparty.org>

Date: Thu, Jul 31, 2014 at 2:57 AM

Subject: Re: Expat Party membership

To: Kristina Temel <kristina.temel@elections.govt.nz>, Dean Shirley <dean.shirley@elections.govt.nz>

Cc: The Expats - Memberships/Donations <memberships@expatparty.org>, Secretary - The Expats <secretary@expatparty.org>

Dear Kristina,

Please confirm receipt of this email as soon as possible.

Please find attached your spreadsheet A+B combined & updated with our findings for your perusal. Please note this spreadsheet now has four tabs.

Tab 1 is the original spreadsheet. Of the original 249 in red, 11 have become ineligible (see tab 4 for reference), we have received confirmation from 164 and awaiting responses from 74 members:

Email date confirmations will be sent via another email/s.

Tab 2 is an additional spreadsheet of new names for submission to make up for this shortfall. These forms were provided in Feb 2012 to Dean in 5 emails. All of these forms were date stamp as per your requirements.

Tab 3 is a group of additional new members that we have received recently. We have attached their forms below (see New Expat Party Members No 1 & 2). If their form isn't date stamp and there is a date marked in the column provided we have received an email with their date confirmation and it will be provided in the separate emails.

Tab 4 is the ineligible list. We thought best to keep this just in case you come across a form provided previously that has now been removed from the spreadsheet.

In total we calculated the following:

Tab 1 = 465 forms & dates confirmed

Tab 2 = 58 new names & dates previously confirmed on forms from Feb 2014

Tab 3 = 19 new members with forms attached/dates via email confirmation

In total we count 53 **confirmed eligible** members. We expect more to confirm their dates today (31st July 2014) and can provide them if you need them.

We trust you have everything you need to progress our application.

Regards,

The Expats

On Wed, Jul 30, 2014 at 2:03 PM, Kristina Temel <kristina.temel@elections.govt.nz> wrote:

Dear Mr Cheesman

The Electoral Commission has commenced initial checks of the membership evidence submitted by the Expat Party.

On the basis of these preliminary checks the Commission cannot proceed with your application at this time because you have not provided evidence of 500 financial members eligible to enrol as electors.

You have used two types of forms to collect memberships. In addition, some members have hand written or typed their own membership form. For ease of reference we have amalgamated the data on the two spreadsheets and checked these against the PDF and combined them into one spreadsheet containing 549 members which is attached.

The forms do not ask for confirmation that the member is eligible to enrol as an elector. There are 301 forms where the member has confirmed that he or she is a New Zealand citizen and confirmed the date they were last in New Zealand. These forms appear to provide sufficient evidence for the Commission to be satisfied those members are eligible to enrol in New Zealand. These forms are indicated without colour in the attached spreadsheet.

However, there are 244 forms where the member has not confirmed that he or she is eligible to enrol. The member has only confirmed that he or she is a New Zealand citizen and has not provided information about when they were last in New Zealand. The Commission is unable to accept these 244 forms as evidence of eligible memberships for the purposes of registration. These forms are indicated in red in the attached spreadsheet.

From the membership evidence submitted the Commission has not been able to find signed forms for four members whose details are recorded on the spreadsheet. Those members are highlighted in green on the spreadsheet.

In accordance with section 63(2)(c)(vi) of the Electoral Act the application to register a political party must be accompanied by evidence, in a form approved by the Electoral Commission, that the party has at least 500 current financial members who are eligible to enrol as electors.

Where the Commission does not have 500 valid membership forms the application process must stop. The party may submit additional evidence to make the number of valid members up to 500. There will be no further action on registration until evidence of at least 500 members is received.

The Commission would strongly recommend you submit the form you intend to use to collect any additional members to the Commission before you use it.


Yours sincerely

Kristina Temel
Electoral Commission

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Aimee Bell

From: Secretary - The Expats <secretary@expatparty.org>
Sent: Thursday, 31 July 2014 1:15 p.m.
To: Kristina Temel; Dean Shirley
Cc: The Expats - Memberships/Donations; Secretary - The Expats
Subject: Fwd: NZ visitation confirmation re eligibility
Attachments: Electoral Commission - Memo Style.pdf

Dear Kristina & Dean,

Please find attached the consolidated emails for date confirmations as we discussed. **Please confirm receipt.**

We are currently updating our spreadsheet with new responses that came in overnight/this morning and we'll send through a revised spreadsheet and those confirmations shortly.

Regards,

The Expats

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Aimee Bell

From: The Expats - Memberships/Donations <memberships@expatparty.org>
Sent: Thursday, 31 July 2014 7:40 a.m.
To: Dean Shirley
Subject: Fwd: Expat proof of dates travelled to New Zealand by member
Attachments: Screen Shot 2014-07-31 at 3.34.39 am.png; Screen Shot 2014-07-31 at 3.34.32 am.png; Screen Shot 2014-07-31 at 3.34.23 am.png; Screen Shot 2014-07-31 at 3.34.06 am.png; Screen Shot 2014-07-31 at 3.33.50 am.png

Dean

Please see attached relevant information.

We think you can see all the relevant information in the screenshots.

We will have to print each email individually if you want to see the actual email.

Please let us know if this is required or alternatively direct us to the ones you require.

In either event, please confirm this is enough for the time being for the Electoral Commission to recommence processing.

Regards

The Expats

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Kristina Temel

From: Kristina Temel
Sent: Wednesday, 30 July 2014 6:03 p.m.
To: 'secretary@expatparty.org'
Subject: Expat Party membership
Attachments: [~~Spreadsheet A + B Combined.xlsx~~]

Dear Mr Cheesman

The Electoral Commission has commenced initial checks of the membership evidence submitted by the Expat Party.

On the basis of these preliminary checks the Commission cannot proceed with your application at this time because you have not provided evidence of 500 financial members eligible to enrol as electors.

You have used two types of forms to collect memberships. In addition, some members have hand written or typed their own membership form. For ease of reference we have amalgamated the data on the two spreadsheets and checked these against the PDF and combined them into one spreadsheet containing 549 members which is attached.

The forms do not ask for confirmation that the member is eligible to enrol as an elector. There are 301 forms where the member has confirmed that he or she is a New Zealand citizen and confirmed the date they were last in New Zealand. These forms appear to provide sufficient evidence for the Commission to be satisfied those members are eligible to enrol in New Zealand. These forms are indicated without colour in the attached spreadsheet.

However, there are 244 forms where the member has not confirmed that he or she is eligible to enrol. The member has only confirmed that he or she is a New Zealand citizen and has not provided information about when they were last in New Zealand. The Commission is unable to accept these 244 forms as evidence of eligible memberships for the purposes of registration. These forms are indicated in red in the attached spreadsheet.

From the membership evidence submitted the Commission has not been able to find signed forms for four members whose details are recorded on the spreadsheet. Those members are highlighted in green on the spreadsheet.

In accordance with section 63(2)(c)(iv) of the Electoral Act the application to register a political party must be accompanied by evidence, in a form approved by the Electoral Commission, that the party has at least 500 current financial members who are eligible to enrol as electors.

Where the Commission does not have 500 valid membership forms the application process must stop. The party may submit additional evidence to make the number of valid members up to 500. There will be no further action on registration until evidence of at least 500 members is received.

The Commission would strongly recommend you submit the form you intend to use to collect any additional members to the Commission before you use it.

Yours sincerely

Kristina Temel
Electoral Commission

Aimee Bell

From: Secretary <secretary@expatparty.org>
Sent: Tuesday, 29 July 2014 1:27 p.m.
To: Dean Shirley
Subject: Re: Expats: Requested Forms

Dear Dean

Errors happen - Grant will resend from his work email.

Your service provider should also advise you why the server did not send out mail rejected notices to the sender if they were rejected due to size, which is the norm.

We are, however, more concerned about registration of the Party in a timely manner.

Please advise what steps the Electoral Office will take to make up for the lost time in processing our application so that the Expats are not disadvantaged by the error.

Regards

The Expats

On 29 Jul 2014, at 8:52 am, Dean Shirley <dean.shirley@Elections.govt.nz> wrote:

Dear Grant and Nick,

Our IT team have now fixed the problem and you should now be able to re-send those emails (the server will now cope with up to 35MB).

Please let me know with a short email that you have sent the emails and I will acknowledge receipt.

Kind regards

Dean

From: Dean Shirley
Sent: Tuesday, 29 July 2014 12:24 p.m.
To: 'Secretary'
Cc: 'grant'
Subject: RE: Expats: Requested Forms

Dear Grant and Nick,

By way of update, our IT is currently trying to resolve the issue of an external server which has not been allowing emails through to the Commission. I understand that it will be fixed this afternoon. However, you will need to re-send the emails later today (preferably with a file size of 8MB or less) to ensure they get through to us.

We appreciate that this is frustrating, and thank you for your patience.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri

<image001.png>

From: Secretary [<mailto:secretary@expatparty.org>]
Sent: Monday, 28 July 2014 3:10 p.m.
To: Dean Shirley
Subject: Fwd: Expats: Requested Forms

Dear Dean

You advised Grant Cheesman this morning (WA time) that the Electoral Commission did not receive the bulk .pdf copies of our membership forms sent on Tuesday.

These emails number 4 in number (screenshots below as provided by Grant – time stamped WA time).

Given your email below, we request written confirmation that the Electoral Commission has audited its email system and has no record of the emails being received, particularly given:

- the delay this will have caused to registration of The Expatriate Party of New Zealand
- your advice below that The Electoral Commission ceased to process the application as a result.

<image002.png>

Regards

The Expats

From: Dean Shirley <dean.shirley@Elections.govt.nz>
Date: 28 July 2014 5:59:55 am AWST
To: Secretary <secretary@expatparty.org>
Cc: Kristina Temel <kristina.temel@Elections.govt.nz>
Subject: RE: Link to DROPBOX folder

Dear Grant,

We have completed the first step of processing your registration application, which involves making sure we have 500+ signed membership forms. This has taken some time as it has involved cross checking the pdf forms or images from the drop box with the two spreadsheets you have provided which are not in any sequential order.


The Commission has been unable to find a number of forms for members included on spreadsheet A. We have attached this spreadsheet – highlighted in green are the members we have found actual forms for. Those not highlighted, we have been unable to match to a form provided. This means we have only found 192 members

with matching forms in spreadsheet A. In spreadsheet B, we were able to match 298 forms.

Based on our initial checks, this appears to bring the total forms supplied to the Commission to 490. As this is less than 500, you will need to supply the additional membership evidence to continue to process the application. If these are new members not included on spreadsheet A or B, you should also submit an updated spreadsheet. It would make it much easier if membership forms are provided in the same order as the spreadsheet.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>

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Aimee Bell

From: Kristina Temel
Sent: Tuesday, 29 July 2014 4:48 p.m.
To: Secretary
Subject: Party registration procedure
Attachments: response to Expat party request to alter procedure.pdf

Dear party secretary,

A letter from Robert Peden on behalf of the Board of the Electoral Commission is attached.

Yours sincerely

Kristina Temel
Electoral Commission

From: Secretary [mailto:secretary@expatparty.org]
Sent: Wednesday, 23 July 2014 4:28 p.m.
To: Kristina Temel; Dean Shirley; Public Enquiries
Subject: The Expats - enrolment processes

BY EMAIL

The Board of the Electoral Commission
Level 10, 34-42 Manners Street
PO Box 3220,
Wellington, New Zealand

Dear Sirs

THE EXPATS - ENROLMENT PROCESSES

We appreciate the need for the Board to satisfy itself as to the Eligibility of our members to contest the election before registering the Expatriate Party of New Zealand to contest the election.

We have, however, become aware that the internal policy of the Electoral Commission is to validate enrolment eligibility of Party members *before* completing other Party enrolment processes, for example public advertising requirements.

We are concerned that this policy may disproportionately affect our eligibility for electoral funding and secondly our enrolment to contest the election.

We are aware that the nature of our membership (predominantly, but not entirely, offshore) may affect the time it takes to process our application.

We had this in mind when we were signing up Party members and took the following steps to mitigate this fact:

1. We queried members regarding their New Zealand citizenship status and included on our memberships forms an additional declaration regarding their New Zealand citizenship.

2. For the purposes of party registration), we enquired as to the last time members were in NZ. We have also taken a 'numbers based' approach to this issue by assuming ineligibility and obtaining memberships from far in excess of the 500 statutory requirement (to date that number is approximately 800). In good faith, we have excluded more than 100 members from our application on these grounds and have adopted an extremely conservative approach.

We would hope that the Electoral Commission would take this into account when processing our application.

Given the nature of our application (and the additional difficulties we appreciate the Commission will encounter in verifying our membership, particularly if it does not have access to New Zealand births, deaths and marriages records), we would hope the Electoral Commission would flex their procedures and run the two steps of the party registration process in tandem, particularly as it is not a legal requirement that those two processes be separated.

In support of this we cite five public policy reasons why the processes should be run concurrently (at least in acknowledgment of the circumstances of our registration) given the:

1. We consider that the injustice that would be suffered if the party was not eligible to contest the Election (or obtain funding) because processes could not be completed in a particular order would hugely outweigh any inconvenience to the Commission or public in running these two processes concurrently.
2. We believe the involvement of the Expats in this election is sure to increase overseas participation in the Election and combat declining participation rates.
3. Thousands of expatriate Kiwis already (wrongly) believe that they are not entitled to vote or (worse) feel entirely disenfranchised by the New Zealand 'care factor' when it comes to their right to participate in the democratic process. Our involvement in the election will help with correcting these misconceptions.
4. We understand that the advertising cost is not material in the context of election expenses.
5. We believe that we would take some pressure of the Electoral Commission's verification processes if the processes were to run concurrently.

In summary, we would appreciate the Board running the verification process concurrently with the advertising process and an opportunity to discuss this further with the Board.

Kind regards

The Expats

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29 July 2014

The Expatriate Party of New Zealand

By email: secretary@expatparty.org

Dear Mr Cheesman

Electoral Commission party registration processes

We refer to your email dated 23 July 2014 which asks that the Board consider amending its registration process so that enrolment and authentication checks can be run concurrently with the public consultation phase. This reply has been prepared in consultation with the three Electoral Commission Board members.

The Board has considered your request and will not be making any amendments to the party registration process.

The Commission's internal process for the registration of political parties is approved by the Board. The process applies equally to all applicants. The process includes a number of quantitative and qualitative steps to ensure that a party applying for registration meets the evidential criteria set out under the Electoral Act 1993. The Board considers that a robust process is required for the registration of political parties as registered parties are:

- entitled to submit a party list and contest the party vote at a general election;
- entitled to have their logo on the ballot paper; and
- eligible to be considered for an allocation of public funds under the Broadcasting Act 1989 for the broadcast of election programmes.

The enrolment and authentication checks are conducted to ensure that a party applying for registration has 500 financial members who are eligible to be enrolled as electors. If the Commission is satisfied that this is the case, the application is publically notified in five newspapers and on the Commission's website.

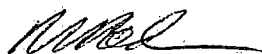
You ask that the public consultation phase be run concurrently with the enrolment and authentication checks. The Board considers that it would be inappropriate to seek public comment on a party's name and logo before the Commission has verified the membership evidence required for the applicant to even qualify for registration.

The Board also considers that all applicants for registration as political parties must be treated consistently. It would contravene the statutory scheme to have different requirements for applicants because applicants have applied close to the date of dissolution for the purposes of the broadcasting allocation or writ day for the purposes of contesting the party vote. We did advise that it can take 6 to 8 weeks to process an application for registration. The Commission has a number of other current applications

to process and has applied the same procedures, for example, to the 9 other applications for party and party logo registration that it has been considering in June and July of this year.

The Commission will diligently continue to process your application in accordance with our procedures.

Yours sincerely



Robert Peden
Electoral Commissioner

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Aimee Bell

From: Kristina Temel
Sent: Friday, 25 July 2014 12:43 p.m.
To: Secretary
Subject: RE: The Expats - enrolment processes
Attachments: enrolment form.pdf

Hi there,

Information about the overseas voting places is now available at the following link
[http://www.elections.org.nz/sites/default/files/plain-page/attachments/list of overseas posts as at 18 july 2014.pdf](http://www.elections.org.nz/sites/default/files/plain-page/attachments/list_of_overseas_posts_as_at_18_july_2014.pdf)

I have attached the current enrolment form.

There is no online voting as such. Overseas voters can download their voting papers, complete them and then for the first time at this election have the option of returning them by uploading them to the website. General information about voting from overseas in 2014 is available here <http://www.elections.org.nz/events/2014-general-election/voting-2014-all-you-need-know/voting-overseas-2014-general-election>. More detailed information about downloading and uploading voting papers will be available on the website from mid-August.

Yours sincerely

Kristina Temel
Electoral Commission

From: Secretary [mailto:secretary@expatparty.org]
Sent: Wednesday, 23 July 2014 4:40 p.m.
To: Kristina Temel
Subject: Re: The Expats - enrolment processes

Thank you Kristina

If possible, (when you get a moment) can we please also:

1. Have a list of the 2014 overseas polling stations and when it is anticipated they will open
2. Be sent a copy of the current paper enrolment form
3. Be sent a detailed summary of how online voting will work this year

These are the 3 most common questions we are encountering.

Thank you

On 23 Jul 2014, at 12:33 pm, Kristina Temel <kristina.temel@Elections.govt.nz> wrote:

Dear party secretary,

Thank you for your correspondence. It has been forwarded to the Board secretary.

Yours sincerely

Kristina Temel
Electoral Commission

From: Secretary [<mailto:secretary@expatparty.org>]
Sent: Wednesday, 23 July 2014 4:28 p.m.
To: Kristina Temel; Dean Shirley; Public Enquiries
Subject: The Expats - enrolment processes

BY EMAIL

The Board of the Electoral Commission
Level 10, 34-42 Manners Street
PO Box 3220,
Wellington, New Zealand

Dear Sirs

THE EXPATS - ENROLMENT PROCESSES

We appreciate the need for the Board to satisfy itself as to the Eligibility of our members to contest the election before registering the Expatriate Party of New Zealand to contest the election.

We have, however, become aware that the internal policy of the Electoral Commission is to validate enrolment eligibility of Party members *before* completing other Party enrolment processes, for example public advertising requirements.

We are concerned that this policy may disproportionately affect our eligibility for electoral funding and secondly our enrolment to contest the election.

We are aware that the nature of our membership (predominantly, but not entirely, offshore) may affect the time it takes to process our application.

We had this in mind when we were signing up Party members and took the following steps to mitigate this fact:

1. We queried members regarding their New Zealand citizenship status and included on our membership forms an additional declaration regarding their New Zealand citizenship.

For the purposes of party registration), we enquired as to the last time members were in NZ. We have also taken a 'numbers based' approach to this issue by assuming ineligibility and obtaining memberships from far in excess of the 500 statutory requirement (to date that number is approximately 800). In good faith, we have excluded more than 100 members from our application on these grounds and have adopted an extremely conservative approach.

We would hope that the Electoral Commission would take this into account when processing our application.

Given the nature of our application (and the additional difficulties we appreciate the Commission will encounter in verifying our membership, particularly if it does not have access to New Zealand births, deaths and marriages records), we would hope the Electoral Commission would flex their procedures and run the two steps of the

party registration process in tandem, particularly as it is not a legal requirement that those two processes be separated.

In support of this we cite five public policy reasons why the processes should be run concurrently (at least in acknowledgment of the circumstances of our registration) given the:

1. We consider that the injustice that would be suffered if the party was not eligible to contest the Election (or obtain funding) because processes could not be completed in a particular order would hugely outweigh any inconvenience to the Commission or public in running these two processes concurrently.
2. We believe the involvement of the Expats in this election is sure to increase overseas participation in the Election and combat declining participation rates.
3. Thousands of expatriate Kiwis already (wrongly) believe that they are not entitled to vote or (worse) feel entirely disenfranchised by the New Zealand 'care factor' when it comes to their right to participate in the democratic process. Our involvement in the election will help with correcting these misconceptions.
4. We understand that the advertising cost is not material in the context of election expenses.
5. We believe that it would take some pressure of the Electoral Commission's verification processes if the processes were to run concurrently.

In summary, we would appreciate the Board running the verification process concurrently with the advertising process and an opportunity to discuss this further with the Board.

Kind regards

The Expats

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Aimee Bell

From: Kristina Temel
Sent: Wednesday, 23 July 2014 3:24 p.m.
To: [REDACTED]
Subject: Registration application process

Dear Grant,

I understand that you have indicated that you are unhappy about the policy and procedures that the Electoral Commission follows for the registration of political parties and logos.

As the procedure has been approved by the Board, if you want to raise your concerns you could write to the Board if you wish. Your letter would be put before them for response.

The contact details for the Board are:
Zealand

The Board of the Electoral Commission
Level 10, 34-42 Manners Street, PO Box 3220, Wellington, New Zealand
Telephone: (04) 495 0030 Fax: (04) 495 0031
Email: enquiries@elections.govt.nz

Yours sincerely

Kristina Temel
Electoral Commission

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Aimee Bell

From: Secretary <secretary@expatparty.org>
Sent: Tuesday, 22 July 2014 1:35 p.m.
To: Dean Shirley
Subject: Re: Link to DROPBOX folder

Ok, will be with you later today

Sent from my iPhone

On 22 Jul 2014, at 9:29 am, Dean Shirley <dean.shirley@Elections.govt.nz> wrote:

Yes, it would save us time, cheers.

From: Secretary [<mailto:secretary@expatparty.org>]
Sent: Tuesday, 22 July 2014 1:29 p.m.
To: Dean Shirley
Subject: Re: Link to DROPBOX folder

We can also try to print and scan them in alphabetical order if it would assist?

On 22 Jul 2014, at 9:22 am, Dean Shirley <dean.shirley@Elections.govt.nz> wrote:

Thanks Grant.

From: Secretary [<mailto:secretary@expatparty.org>]
Sent: Tuesday, 22 July 2014 1:19 p.m.
To: Dean Shirley
Subject: Fwd: Link to DROPBOX folder

Dear Dean, please see the attached link for the balance of the forms.

From: "The Expats - Memberships/Donations"
<memberships@expatparty.org>
Date: 22 July 2014 9:16:04 am AWST
To: Secretary - The Expats <secretary@expatparty.org>
Subject: Link to DROPBOX folder

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Aimee Bell

From: Secretary <secretary@expatparty.org>
Sent: Tuesday, 22 July 2014 3:04 a.m.
To: Dean Shirley
Subject: Transfer
Attachments: photo.JPG; ATT00001.txt

Hi Dean

Attached is confirmation of the IMT.

Regards

The Expats

>

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Aimee Bell

From: Secretary <secretary@expatparty.org>
Sent: Tuesday, 22 July 2014 3:00 a.m.
To: Dean Shirley
Subject: Application for registration of a political party and logo pursuant to Part 4 of the Electoral Act 1993: The Expatriate Party of New Zealand (The Expats)
Attachments: 20140721162438(1).pdf; ATT00001.htm; theexpats.png; ATT00002.htm; Spreadsheet A - Online (Final).xlsx; ATT00003.htm; Spreadsheet B - Collected (Final).xlsx; ATT00004.htm
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Dean

I attach the Expats application for registration, signed by Nicholas Teulon, the Party secretary, in the presence of a notary public.

A copy of the Expats logo is attached. Digital copies will be provided in the formats requested shortly.

Electronic spreadsheets of membership evidence are attached by way of two excel spreadsheets.

You already have copies of the membership forms for Spreadsheet B (other than the numbers exceeding 500). However the membership forms evidencing Spreadsheet A and Spreadsheet B will shortly be placed in a 'dropbox' online for ease of access.

The Expats presently have approximately 800 fully paid members and have been through a thorough process in good faith to eliminate members from the application who have not returned to New Zealand in the last 3 years.

We would appreciate if any issues the Electoral Commission has identifying members can be brought to our attention as soon as possible so that the members can be promptly identified or replaced for the purposes of the application.

We confirm the application fee was paid by international money transfer this afternoon (WA time)

Kind regards

The Expats

Application for registration of a political party and logo
 pursuant to Part 4 of the Electoral Act 1993

11/06

Completing this form:

- This application form is for use by political parties who wish to register as a political party to contest parliamentary elections.
- The form can also be used to register the party's logo to be printed on ballot papers.
- Only the party secretary or a member of Parliament who is a current financial member of the party can apply to register the party or logo.
- It is not compulsory to use this form, however an application must be in writing and signed by the applicant.
- It is helpful if you fill in the checklist at the end of the form to ensure your application is complete before sending it to the Electoral Commission
- Further information on the party and logo registration processes is available at www.elections.org.nz

PARTY NAME	
Name of political party	The Expatriate Party of New Zealand
Abbreviation of party name (if any)	The Expats, The Expat Party

PARTY SECRETARY'S DETAILS	
Name of party secretary	Nicholas Harvey Teulon
Postal address	[]
Telephone	[]
Mobile	[]
Facsimile	N/A
Email	secretary@expatparty.org

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APPLICANT'S DETAILS (TO BE COMPLETED WHERE THE APPLICATION IS MADE BY AN MP WHO IS A CURRENT FINANCIAL MEMBER OF THE PARTY)

Name	
Postal address	
Telephone	
Mobile	
Email	

AUDITOR'S DETAILS

Name of auditor	Impact Consulting and Accounting Limited
Postal address	Level 8, John Wickliffe House, 265 Princes Street, Dunedin 9016
Telephone	03 4778777
Mobile	
Facsimile	
Email	admin@impactconsulting.co.nz


AUDITOR'S CONSENT TO THE APPOINTMENT

(or attach a signed letter of consent from the auditor)

I hereby confirm that I consent to being appointed as the auditor of the _____ party

Name of auditor	SEE ATTACHED LETTER OF ENGAGEMENT
Signature/...../.....

PARTY LOGO	
Does the party want to register a logo?	YES

APPLICANT TO COMPLETE	
<p>The information concerning current financial members of THE EXPATRIATE PARTY OF NEW ZEALAND is provided to the Electoral Commission for the purposes of registration of THE EXPATRIATE PARTY OF NEW ZEALAND under Part 4 of the Electoral Act 1993. I request that this information remain confidential to the Electoral Commission and not be disclosed to any other person.</p>	
Signature	 21/7/2014

Please deliver or post your application to the address below marked for the attention of the **Manager of Electoral Policy**. A covering letter or coversheet is not required.

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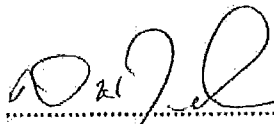
CHECKLIST	Tick if completed
Have you included the name of the party EXACTLY as you want it to appear in the Register and be printed on ballot papers?	YES
If you wish to enter an abbreviation of the party name, have you included it EXACTLY as you want it to be printed on ballot papers?	YES
Have you provided your contact details (and details for the party secretary if the party secretary has not made the application)?	YES – PARTY SECRETARY
Have you provided the name and contact details for the auditor?	YES
Has the auditor signed the consent to appointment section of the form or have you provided a signed letter of consent from the auditor?	YES – ENGAGEMENT LETTER ATTACHED
Have you signed the application?	YES
Have you provided signed membership evidence of 500 current financial members? <i>Note: a maximum of 550 memberships can be submitted</i>	YES – 550 (WE HAVE 800+ MEMBERS AS AT TODAY)
Have you provided an electronic spreadsheet of the membership evidence?	YES
Have you completed the statutory declaration required by sections 63(2)(c)(vii), 63(2)(ca), and 63(2)(d) of the Electoral Act 1993?	YES
Have you paid or included the \$500 application fee? <i>Payment can be made by direct credit into the Electoral Commission's bank account 03-0251-0040250-090 (please include the name of the party as the reference). Bank cheques should be made payable to 'Electoral Commission'.</i>	Date of payment if by direct credit 21 / 07 / 2014
Have you provided a copy of the party's constitution or rules? <i>If not provided with the application you must provide a copy within one month of registration</i>	YES – the constitution is published at www.expatsparty.org
Have you provided two electronic copies of the colour logo (one must be marked up with PMS (Pantone Matching System) codes for the colours, with each element of the logo labelled with its respective PMS code) and the black and white logo on a single CD-rom in each of the following formats <ul style="list-style-type: none"> ➤ high resolution .eps (5cm wide, 350dpi, CMYK) ➤ high resolution .jpg (5cm wide, 350dpi, RGB) ➤ low resolution .jpg (300 pixels wide, 72 dpi, RGB) 	COPY LOGO ATTACHED. WE WILL SEND THIS DETAIL SEPARATELY
Have you completed the statutory declaration required by section 71C(2)(iv) of the Electoral Act 1993?	YES

**Statutory Declaration for the purposes of
sections 63(2)(c)(vii), 63(2)(ca) and 63(2)(d) of the Electoral Act 1993**

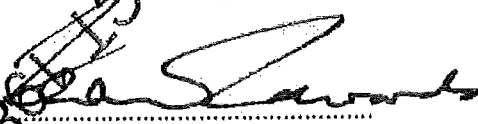
I, Nicholas Harvey Teulon, of [redacted] secretary of The Expatriate Party of New Zealand, solemnly and sincerely declare that:

1. THE EXPATRIATE PARTY OF NEW ZEALAND has at least 500 current financial members who are eligible to enrol as electors.
2. The Expatriate Party of New Zealand intends, at general elections, –
 - a. to submit a list of candidates under section 127 of the Electoral Act 1993; and
 - b. to have 1 or more constituency candidates stand for the party or for a related political party.
3. The Expatriate Party of New Zealand is not a political party in respect of which there are any component parties.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.


Signature of party secretary

Declared at Perth, Western Australia, this 21st day of July 2014


[Justice of the Peace, Solicitor,
or other person] authorised to take
a statutory declaration

NOTARY PUBLIC

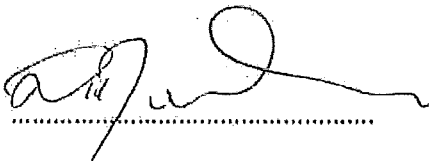
KEVIN EDWARDS
NOTARY PUBLIC
77 St Georges Terrace
PERTH WESTERN AUSTRALIA

21 July 2014

Statutory Declaration for the purposes of section 70C(2)(iv) of the Electoral Act 1993

I, Nicholas Harvey Teulon, of [redacted] secretary of The Expatriate Party of New Zealand, solemnly and sincerely declare that the use of the logo of The Expatriate Party of New Zealand by The Expatriate Party of New Zealand will not be an infringement of an intellectual property right of any person or a breach of any enactment.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.




Nicholas Harvey Teulon

Declared at Perth, Western Australia, this 21st day of July 2014

~~[Justice of the Peace, Solicitor, or other person]~~ **NOTARY PUBLIC** authorised to take a statutory declaration

KEVIN EDWARDS
NOTARY PUBLIC
77 St Georges Terrace
PERTH WESTERN AUSTRALIA
21 July 2014

Aimee Bell

From: Nick Teulon 
Sent: Friday, 18 July 2014 2:25 p.m.
To: Dean Shirley
Cc: Grant Cheesman
Subject: Registration

Hi Dean,

Thanks for the update. We will send through forms on Monday. We are well over 600 members but as said we only wanted to submit ones we were 100% certain of eligibility. We are confident that will be achieved over the weekend.

Nick Teulon

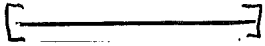


Authorised Party Spokesperson of The Expatriate Party of New Zealand

www.expatparty.org

Committee Member of The New Zealand Club of Western Australia

<https://www.facebook.com/groups/NZClubWA>



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Aimee Bell

From: Dean Shirley
Sent: Wednesday, 9 July 2014 1:26 p.m.
To: 'Grant Cheesman'
Subject: RE: Expats - Auditor

Dear Grant,

You can see who the auditors are for various parties by looking at the 2013 annual returns here:

<http://www.elections.org.nz/parties-candidates/registered-political-parties/party-donations/party-donations-year/2013-party>

Otherwise, you can contact the NZICA who may be able to help <http://www.nzica.com/>

Kind regards

Dean

From: Grant Cheesman [redacted]
Sent: Wednesday, 9 July 2014 1:10 p.m.
To: Dean Shirley
Cc: 'secretary@expatparty.org'; Grant Cheesman
Subject: Expats - Auditor

Hi Dean

The Expats have been attempting unsuccessfully to appoint an auditor to the Expats.

The 'specialised nature of the audit' has led to us being refused on more than half a dozen occasions so far, which we find a bit ridiculous.

Can we ask who the auditors to the other parties are so that we can approach the as we are conscious of the impending deadline to register and the lack of an auditor is holding up the Expats registration.

Kind regards

Grant Cheesman

[redacted]
[redacted]
[redacted]

From: Dean Shirley [mailto:dean.shirley@elections.govt.nz]
Sent: Tuesday 15 April 2014 05:15 am
To: [redacted]
Cc: Grant Cheesman
Subject: 2014 Broadcasting Allocation - oral hearing time - Expat Party

Good morning Nick,

I can confirm that the Expat Party will present to the Commission from 4:50 – 5:20pm (NZ Time) Monday 28 April 2014.

Can you advise what is the best number to call you on?

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>



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Aimee Bell

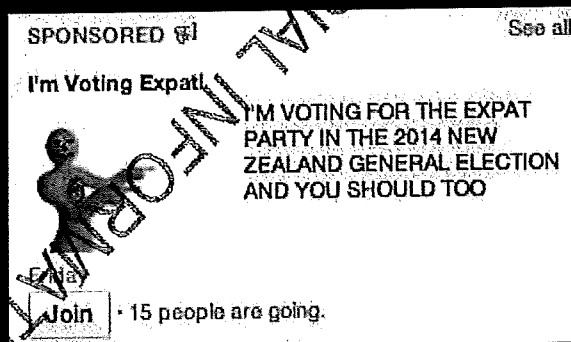
From: Grant Cheesman
Sent: Friday, 28 February 2014 1:48 p.m.
To: Dean Shirley
Cc: Grant Cheesman
Subject: RE: Expat Party - Use of Orange Guy

Thanks Dean – Will do.

From: Dean Shirley [mailto:dean.shirley@elections.govt.nz]
Sent: Friday 28 February 2014 04:57 am
To: Grant Cheesman
Cc: Anastasia Turnbull
Subject: Expat Party - Use of Orange Guy

Dear Grant,

Just a quick note to make sure you are aware that the Electoral Commission's "Orange Guy" cannot be used in conjunction with party advertisements. We note that on the Expat Party Facebook page, there is the following image:



Can you please remove this immediately as well as any other similar images.

However, the Orange Guy image can be used for simple links to the Commission's website and enrolment information.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>

Aimee Bell

From: Grant Cheesman <[redacted]>
Sent: Friday, 21 February 2014 2:02 p.m.
To: Kristina Temel
Cc: Dean Shirley; Grant Cheesman
Subject: RE: Enrolment and voting

Dear Kristina

I appreciate that The Expats seems to disagree with the Electoral Commission on this.

Thank you for the forms.

I will pass on your email to the Party.

Kind regards

Grant

From: Kristina Temel [mailto:kristina.temel@elections.govt.nz]
Sent: Friday 21 February 2014 08:41 am
To: Grant Cheesman
Cc: Dean Shirley
Subject: RE: Enrolment and voting

Dear Grant,

Thank you for your further e-mail about enrolment and voting.

Electorate test

The Commission does not agree with your proposed advice regarding the rules for determining place of residence for enrolment purposes.

The proposed advice would suggest that if a person has permanently left New Zealand, they can choose any of their previous addresses where they have lived for more than a month provided they have a family or personal reason for doing so.

Section 72(8) of the Electoral Act 1993 clearly refers to "A New Zealand citizen who is outside New Zealand [being deemed] to reside where he or she had his or her last home in New Zealand".

Enrolment form

A copy of the enrolment form is attached.

Overseas voting places

List attached.

Yours sincerely

Kristina Temel

Electoral Commission

From: Grant Cheesman
Sent: Thursday, 20 February 2014 2:29 p.m.
To: Dean Shirley
Cc: Kristina Temel; 'murray.wicks@elections.org.nz'; Grant Cheesman
Subject: Enrolment and voting

Thanks Dean

It is important that New Zealanders are given clear positive accurate advice on where they should enrol and the advice on the elections website - 'Your electorate will be the one in which you last lived for a month or more' is simply not correct.

Here is my second attempt, taking into account your comments on the failings of my first attempt –

Your electorate will ordinarily be where you last lived in New Zealand for one month or more.

However, if you have permanently moved away from that address, it is open for you to enrol at an address in another electorate provided that:

- *you lived at the address you intend to enrol at in that electorate for more than one month; and*
- *you consider that place to be your home by reason of family or personal relations, or for other domestic or personal reasons.*

It is not open for you to enrol in an electorate, other than the electorate where you last lived for a month, if:

- *you are only temporarily absent from New Zealand; or*
- *you are doing so for reasons other than family or personal relations, or other domestic or personal reasons.*

An elector must know their New Zealand address in order to enrol. You can seek help to find that information by e-mailing enquiries@elections.org.nz OR by phoning the Electoral Commission +64 9 909 4182

Finally, please:

- provide me with a copy of the paper enrolment form.
- provide me a list of the overseas polling stations from 2011.

I also thought it might help you to understand the issues kiwis here are facing with enrolment (not all kiwis) if refer you to the 17 Feb post on this Facebook page <https://www.facebook.com/#!/OzKiwi2001>

Kind regards

Grant Cheesman

From: Dean Shirley [<mailto:dean.shirley@elections.govt.nz>]
Sent: Thursday 20 February 2014 04:36 am
To: Grant Cheesman
Cc: Kristina Temel; murray.wicks@elections.org.nz
Subject: RE: The Expats - Follow up email re action points

Dear Grant,

Further to our telephone conversation earlier this week and your email below, please find our responses to your questions below.

Electorate test

The opening sentence starting 'Your electorate is where you consider to makehome ' may mislead electors. It could suggest that a person's electorate is where they might make their home or see as their home even if they have never lived there. The test does require a person to have resided at the address for more than a month prior to leaving New Zealand.

The legislation does clarify that a person's home for enrolment purposes does not change just because they were temporarily absent from that place, for example, a student who regards their home as their parent's house but was absent studying.

The Commission would not advise electors that the place that a person made their home prior to leaving New Zealand can change because they decide that they now prefer one of their earlier addresses.

An elector must know their New Zealand address in order to enrol. A person who has previously been enrolled at that address can seek help to find that information by phoning the Electoral Commission +64 9 909 4182 or e-mailing enquiries@elections.org.nz.

Paper enrolments

With regard to lodging enrolment forms from overseas they can either –

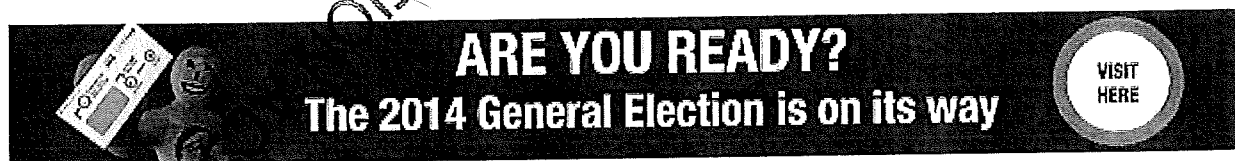
- Post it to Enrolment Services, Electoral Commission, PO Box 190, Wellington 6140, New Zealand
- Fax it to +6448010709
- Scan both pages of the completed form (PDF or JPG format) and follow the instructions to upload the form at <https://enrol.elections.org.nz/app/enrol/#/>
- Lodge it at a NZ High Commission or Consulate office

Fundraiser

Attached is the advisory email sent to party secretaries in respect of treating. If you would like the Commission's advice in respect of your fundraiser, please provide us with as much detail as you can about the event and we will be able to provide a preliminary view.

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 10, 34-42 Manners Street | Wellington
Phone +64 4 806 3527 | Fax +64 4 495 0031 | <http://www.elections.org.nz>



From: Grant Cheesman [mailto:grant@expatparty.org]
Sent: Monday, 17 February 2014 5:56 p.m.
To: Dean Shirley
Cc: 'secretary@expatparty.org'; Grant Cheesman
Subject: The Expats - Follow up email re action points

Dear Dean and Kristina

(Dean, I don't have Kristina's address so would you mind forwarding this email to her).

I appreciated the time you spent with me on the phone today and I have passed on your comments to the Party.

Electorate test

As discussed, the Expats understand the formal guidance that should be given to offshore voters who have permanently left their former New Zealand residence is that

Your electorate is where you consider to make his or her home by reason of family or personal relations, or for other domestic or personal reasons.

In some, but not all cases this will be where you last resided in New Zealand (per the official guidance) but this will not always be the case.

For example:

Jack went to Otago University for 4 years and shortly thereafter left for overseas. Before leaving Jack stayed with his parents in Christchurch East. Jack's parents house was destroyed in the Christchurch earthquake and his parents moved to Nelson. As Jack has permanently left his former home in Christchurch he is deemed to no longer reside at that place. Jack no longer feels connected to Christchurch and feels most personally attached to his Hyde Street flat in the Dunedin North electorate. Jack's Electorate is therefore Dunedin North, not Christchurch East.

Please confirm the above is correct. If taking the above guidance into account, electors feel they have incorrectly enrolled, please also confirm that they can they update their enrolment details.

Also, please confirm what electors should do that have forgotten their old New Zealand address?

Paper enrolments

Please also advise whether paper enrolments can be completed and emailed uploaded to the electoral commission.

Fundraiser

Finally, please provide the guidance on 'treating' as party functions' so that I may pass it on to the party, in light of their impending fundraisers.

Kind regards

Grant Cheesman

 Please consider the environment before printing this email

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Aimee Bell

From: Kristina Temel
Sent: Monday, 17 February 2014 5:35 p.m.
To: memberships@expatparty.org
Cc: Dean Shirley
Subject: RE: Expat Party Fundraiser

As discussed by phone today, here is the advisory that we recently sent to all party secretaries on the issue of treating.

Dear party secretary,

There has been considerable recent interest about the offence of treating under section 217 of the Electoral Act 1993, and the implications this has for the provision of food, drink, entertainment or other provision at political party events. Given that this matter is of general interest, this advisory has been sent to all party secretaries.

Section 217 is broadly phrased in the persons to whom it applies: it covers:

- Actions by "any person" and extends both to their actions and actions "by any other person on his or her behalf"; and
- Actions whether taken "directly or indirectly"; and
- Actions "to or for any person".

Section 217 is broadly phrased as to the period during which it applies: it covers actions "before, during, or after an election" i.e. it is always applicable.

Section 217 is broadly phrased as to the actions it covers: it makes anyone who:

- "gives";
- "provides"; or
- "pays wholly or in part the expense of giving or providing";
- "any food"; or
- "drink"; or
- "entertainment"; or
- "provision" – a word of uncertain application

liable for prosecution for the corrupt practice of treating, if done "for the purpose of corruptly" influencing that person to, generally put, alter their voting behaviour or procure the defendant's election.

It also makes the person corruptly accepting the food, drink, entertainment or provision liable for treating.

The consequences of a conviction for treating are major, including imprisonment, loss of a Parliamentary seat or disqualification as a voter for 3 years.

Although the ambit is broad, the threshold for establishing treating is also high - a corrupt intention is required. The Courts have previously held that the offence of "treating" requires an intention on the part of the person treating to influence the votes of the persons treated.

The question of intention is an inference of fact which the Court has to draw. If in any case, looking at all the circumstances, the reasonable and probable effect of the alleged treating would be to influence the result of the election, or to influence the votes of individual voters, it might well be inferred that it was the intention of the persons treating that this effect would follow. This means that the scale of what is being provided is relevant to whether the provision would be likely to influence and whether the intention of the provider was to influence a voter.

The Electoral Act states that the provision of a light supper after an election meeting does not constitute the offence of treating. The provision of a cup of tea or coffee and a light snack after a campaign meeting, therefore is not treating.

There are very few Court cases on the offence which makes it difficult to be definitive about what will constitute treating. However, in the Commission's view these are some of the factors that we believe are relevant considerations:

- the scale and commercial value of the food, drink, entertainment or other provision are relevant. In our view this is key: treating requires a corrupt intent and a likelihood of influence- it does not apply to ordinary hospitality that is incidental to a political meeting,
- the target audience of the provision – providing food, drink, and entertainment at an AGM, campaign launch or annual party conference where the primary audience is party members is unlikely to be treating, but providing food, drink and entertainment at a public meeting carries more risk, and
- the extent to which the provision is accompanied by other political material.

In the Commission's view, to avoid complaints it is prudent for parties and candidates and their supporters to act cautiously and with restraint in providing food, drink – especially alcohol - and entertainment as part of their political activities.

Any person who is concerned that what they are proposing could constitute treating can seek the view of the Electoral Commission on particular proposals and the Commission will provide its view. The opinion of the Electoral Commission is not legally binding. A Court of law may reach a different view. Parties and candidates who have concerns about compliance can also seek their own legal advice.

Please feel free to contact me if you have any particular concerns.

Yours sincerely

Kristina Temel

Kristina Temel | Manager Electoral Policy | Electoral Commission | Te Kaitiaki Take Kōwhiri PO Box 3220 | Level 10, 34-42 Manners Street | Wellington Phone +64 4 806 3506 | Fax +64 4 495 0031 | <http://www.elections.org.nz>

-----Original Message-----

From: Memberships [mailto:memberships@expatparty.org]

Sent: Thursday, 13 February 2014 2:35 p.m.

To: Dean Shirley

Subject: Expat Party Fundraiser

Dear Dean

CONFIDENTIAL

We have been in discussions with New Zealand based exporters regarding hosting a fundraiser for our party members where New Zealand food and drink (incl liquor) would be available at various venues internationally.

We are concerned about progressing these discussions in light of the recent 'Party Party' cancellation due to 'treating' concerns.

Are we allowed to sell/provide food and drink at a party fundraiser? The event would probably be ticketed with a cash bar with the party taking a percentage of sales on the day and donations.

In addition what would be the position regarding attendance by non-members, e.g Australian spouses of NZ citizen members?

Regards

The Expats

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Aimee Bell

From: The Expats - Memberships/Donations <memberships@expatparty.org>
Sent: Monday, 17 February 2014 12:32 p.m.
To: Dean Shirley
Cc: Kristina Temel
Subject: Re: Expat Party 1 of 5 (resent)

Dear Dean/Kristina

In anticipation of our call later today, we have the following questions, which we would like to discuss with you:

At the 2011 Election:

1. How many polling stations were there in total?
2. How many of those stations were located outside of New Zealand?
3. How many polling stations were there in Australia?
4. How many polling stations were there in the UK?
5. In relation to 3 and 4, where were they (physical addresses)?
6. Has the recommendation of the Justice and Electoral Commission that overseas voters be allowed to scan and upload voting papers to the Electoral Commission been implemented (April 2013 Inquiry into the 2011 Election)?
7. How many votes were cast by overseas persons and counted as special votes rather than overseas vote?
8. How many overseas voters were disqualified from voting on the grounds that they had been absent from New Zealand for more than 3 years?
9. When does the 3 year period (for disqualification under s80(1)(a) start and finish with regard to an election? The date of enrollment, the date of the writ or the date of the election?
10. What percentage was 8. of the total overseas vote?

In relation to registering the party can we appoint the auditor later as we have't given any thought to this matter and complete all the other steps.

Regards

The Expats

On Mon, Feb 17, 2014 at 7:15 AM, The Expats - Memberships/Donations <memberships@expatparty.org> wrote:
Dear Dean and Kristina

We do intend to register the party and will comply with your request.

Our secretary is based in London so we will call you to discuss the mechanics.

Attached should be the missing pdf file. Please confirm receipt.

Kind regards

The Expats

On Mon, Feb 17, 2014 at 4:53 AM, Dean Shirley <dean.shirley@elections.govt.nz> wrote:

Dear The Expats,

I can confirm that I have received four of the five pdf files.

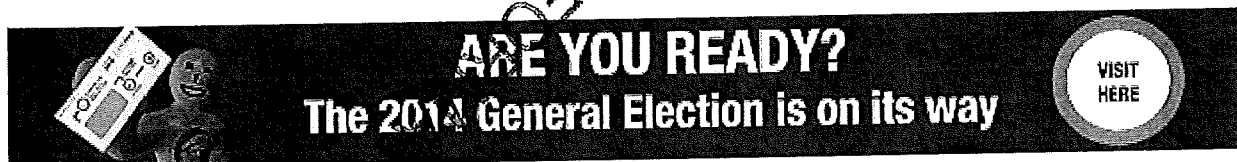
If your party intends to submit an application to the Commission to register a political party, we would prefer that all of the documentation is provided at the time of your formal application. This link outlines all the necessary steps/documentation that is required: <http://www.elections.org.nz/registering-political-party>

Kind regards

Dean Shirley | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri

PO Box 3220 | Level 10, 34-42 Manners Street | Wellington

Phone [+64 4 806 3527](tel:+6448063527) | Fax [+64 4 495 0031](tel:+6444950031) | <http://www.elections.org.nz>



From: Memberships [<mailto:memberships@expatparty.org>]
Sent: Wednesday, 12 February 2014 5:16 p.m.
To: Dean Shirley
Subject: Re: Expat Party 1 of 5 (resent)

Dean, can you please confirm receipt of all 5 attachments

Kind regards

The Expats

On 12 Feb 2014, at 11:22 am, Memberships <memberships@expatparty.org> wrote:

Dear Dean

Please see attached.

Correspondence to follow.

Kind regards

The Expats

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