Trialling Online Voting in Local Elections

Portfolio: Local Government (Associate)

On 3 December 2014, the Cabinet Economic Growth and Infrastructure Committee (EGI):

Background

1 noted that on 28 July 2014, Cabinet:

1.1 considered the report of the Online Voting Working Party, which found that that trialling online voting in the 2016 local elections was feasible;

1.2 noted that the Department of Internal Affairs will engage with local government and central government stakeholders to discuss any required governance and funding arrangements in the event it is decided to proceed with an online voting trial in the 2016 local elections;

1.3 invited the Associate Minister of Local Government to report to EGI by 30 November 2014 with advice on whether or not to proceed with a trial of online voting in the 2016 local elections including, as appropriate, advice on any proposed legislative amendments, governance and funding arrangements;

[CAB Min (14) 25/13]

2 noted that:

2.1 a number of local authorities have requested the ability to trial online voting in local elections;

2.2 the Society of Local Government Managers and Local Government New Zealand have indicated their support for trialling online voting, as did the Justice and Electoral Committee in its inquiries into the 2010 and 2013 local elections;

Advice on a trial of online voting in 2016 local elections

3 noted that the Local Electoral Act 2001 (the Act) allows regulations to be made to authorise online voting, but that using these regulation-making powers to enable a trial will place some constraints on the trial design and the councils that can participate;
noted that under the regulation-making powers referred to in paragraph 3 above, a trial cannot be authorised until the Minister is satisfied that the new voting method will be able to operate in a manner consistent with the principles of the Act;

noted that before the Minister can be satisfied that the new voting method will be able to operate in a manner consistent with the principles of the Act, further work needs to be carried out, including:

5.1 firstly, determining the detailed policy settings that ensure a secure and accessible trial;

5.2 secondly, developing the minimum operating requirements of any voting technology solutions to be used as part of a trial;

noted that the proposed approach for any trial of online voting in local elections is that:

6.1 local government leads the development or procurement of secure and accessible online voting services, as well as any associated promotion and voter education, and provides the necessary governance arrangements, and funding for the trial, in line with current local electoral responsibilities;

6.2 central government provides an enabling regulatory framework that ensures the process meets the requirements of the Act and maintains public confidence in the electoral system overall, in line with its existing role;

agreed that any trial of online voting proceed on the basis of the model outlined in paragraph 6 above;

agreed that, based on the model outlined in paragraph 6 above, there is no principled objection to enabling local government to trial online voting for local elections in 2016 or as reasonably practicable thereafter;

agreed that for a trial of online voting to be enabled, the local government sector must demonstrate that any voting technology solution(s) developed can operate securely and the requirements of the Act can be met;

invited the Associate Minister of Local Government to report back to EGI by 31 March 2015 with proposals on detailed settings for a trial, and seeking a decision on whether to proceed with further work with the local government sector to develop minimum operating requirements that ensure security and accessibility;

noted that, following on from the programme of work referred to in paragraph 10 above, there would be a subsequent report back by the end of November 2015, if at that point the Minister is able to advise that she is satisfied that the new voting method will be able to operate in a manner consistent with the principles of the Act;

Potential for a requirement to use RealMe as authentication service

noted that the report referred to in paragraph 10 above will include an Evidence of Identity risk assessment, which will identify the level of identity-related risk associated with the provision of online voting for local elections;
13 noted that if the assessment referred to in paragraph 12 above identifies that the identity-related risk warrants the use of RealMe, the use of RealMe will be required for any online voting trial in local elections;

**Financial implications**

14 noted that the costs of developing an online voting trial for local elections will be the responsibility of the local government sector;

**Next steps**

15 noted that the Associate Minister of Local Government intends to publish both the paper under EGI (14) 215 and the previous paper considered by Cabinet on 28 July 2014 [CAB (14) 405] which discussed the Online Working Party’s report, together with their associated minutes, on the Department of Internal Affairs’ website;

16 agreed that the Associate Minister of Local Government may make public announcements about Cabinet’s decisions at the relevant time.

Janine Harvey  
Committee Secretary

Reference: EGI (14) 215

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**Present:**
Hon Bill English (Chair)  
Hon Steven Joyce  
Hon Dr Nick Smith  
Hon Nathan Guy  
Hon Tim Groser  
Hon Todd McClay  
Hon Craig Foss  
Hon Jo Goodhew  
Hon Nicky Wagner  
Hon Louise Upston  
Hon Peter Dunne

**Officials present from:**
Office of the Prime Minister  
Officials Committee for EGI

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**Distribution:**
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