

**IN THE DISTRICT COURT
AT WELLINGTON**

**I TE KŌTI-Ā-ROHE
KI TE WHANGANUI-A-TARA**

**CIV 2025-085-738
[2025] NZDC 23946**

UNDER	the Local Electoral Act 2001
IN THE MATTER	of an application for a judicial recount pursuant to s 90A of the Local Electoral Act 2001
BETWEEN	JOANNE MARGARET GUISE Applicant

Hearing:	On the Papers
Appearances:	T J McGuigan for Applicant
Judgment:	17 October 2025

JUDGMENT OF JUDGE K D KELLY
[on application for a recount of votes cast at local body election]

Introduction

[1] Ms Joanne Margaret Guise is the Electoral Officer for the Chatham Islands Council in the 2025 local body elections.

[2] Pursuant to s 90A of the Local Electoral Act 2001 (the Act), by way of a without notice originating application dated 16 October 2025, Ms Guise has applied for a recount of the votes cast in the election for the Chatham Island Council (the Election). Ms Guise has filed an affidavit dated 16 October 2025 in support.

The application

[3] There were 14 candidates for eight Councillor positions in the Election.

[4] Once all ordinary votes were counted, preliminary results were posted on 11 October 2025. Ms Amanda Seymour received 125 votes and that Ms Jenna Hoverd received 121 votes, placing them in eight and ninth places respectively. On these results Ms Hoverd would not be elected.

[5] Once special votes were counted on 13 October 2025, both Ms Seymour and Ms Hoverd received an equal number of votes, namely 129 votes. The addition of one vote would entitle one of these candidates to be declared elected.

[6] Given this, Ms Guise applied for a recount of votes which she is required to do pursuant to s 90A(1) of the Act.

Discussion

[7] Upon receipt of Ms Guise's application, a District Court Judge must, as soon as practicable, cause a recount of the votes and give notice in writing to the electoral officer, each candidate and each scrutineer of the time and place at which the recount will take place.

Order

[8] I make the following orders:

- (a) pursuant to s 90A(2) of the Act, a recount of all of the valid votes for the Chatham Islands Council is to be undertaken in the presence of a District Court Judge;
- (b) the Electoral Office is to produce all voting documentation used in the election of the Chatham Islands Council for the recount; and
- (c) the recount is to be undertaken manually using the First Past the Post system, being the method of counting used for the original count;

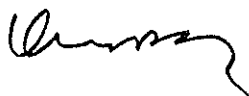
- (d) pursuant to s 92A of the Act the costs of, and incidental to, the recount must be met by the Chatham Islands Council.

[9] Copies of this decision with the following Notice are to go to the Electoral Officer and to each of the candidates.

NOTICE

[10] Pursuant to s 90A(3)(b) of the Local Electoral Act 2001, notice is given to the Electoral Officer, the candidates for the Chatham Islands Council, and any scrutineers appointed by those candidates under s 91 of the Act, that:

- (a) there will be a judicial recount of all valid votes in the election for the Chatham Islands Council;
- (b) the recount is to take place at 9.00am on Wednesday, 22 October 2025 at the premises of the Chatham Islands Council at 13 Waitangi Tuku Road, Chatham Islands;
- (c) Scrutineers:
 - (i) each candidate may appoint one or more scrutineers for the recount;
 - (ii) only one scrutineer for each candidate may be present at any one time during the recount;
 - (iii) no person may act as a scrutineer until he or she has made a declaration containing the prescribed details, and present this to the Electoral Officer on or before the recount.



K D Kelly
District Court Judge