



Cabinet Office

Circular

29 January 2026

Intended for

All Ministers
 All Chief Executives
 All Senior Private Secretaries
 Speaker of the House of Representatives
 Clerk of the House of Representatives
 Chief Parliamentary Counsel
 Controller and Auditor-General
 Chief Ombudsman
 Official Secretary, Government House

Government Decisions and Actions in the Pre-election Period

Introduction

- 1 As announced by the Prime Minister on 21 January 2026, the 2026 general election is to be held on **7 November 2026**. The “pre-election period” is generally regarded as being the three months before a general election. The pre-election period will commence this year on 7 August. This circular provides guidance on government decisions and actions during the pre-election period.

Summary

- 2 The government continues to have full power to govern until the election. The caretaker convention does not apply in the pre-election period.
- 3 Successive governments, however, have chosen to exercise restraint in the pre-election period in two main areas:
 - 3.1 when making significant appointments (paras 10-16);
 - 3.2 when taking action that might result in government advertising campaigns being held during the pre-election period (paras 17-19).
- 4 Particular care should be taken to ensure the appropriate use of officials for policy development, information and advice during the pre-election period (paras 20-24).

Right to govern until the election

- 5 The government has a three-year mandate to govern. It is not bound by the caretaker convention during the pre-election period (see Chapter 6 of the [Cabinet Manual](#) for further information about the caretaker convention). This means that the government continues to have full power to make decisions in the pre-election period. Cabinet continues to meet up until the election to consider government business.

- 6 Successive governments have, however, chosen to restrict their actions to some extent in the period immediately before a general election. This is in recognition of the fact that an election, and therefore potentially a change in government, is imminent. Restraint has for example been exercised in making significant appointments and in relation to some government advertising.
- 7 It is for the Prime Minister to make the final decision as to whether or not a decision or action (including a significant appointment) should proceed during the pre-election period.
- 8 From a practical perspective, a general election always results in a period of reduced decision-making capacity at the ministerial and Cabinet level, while Ministers are occupied with the election campaign. Ministers, departments, and other state sector agencies should ensure that all significant matters that will require ministerial attention in the course of the election year are dealt with well in advance of the general election. Chief executives should talk to their Ministers in the earlier part of the year about the matters that Ministers wish to see advanced before the election, and agree on timeframes for getting the relevant papers to Ministers and to Cabinet.
- 9 The Cabinet Office can assist with advice on decision-making in the pre-election period.

Appointments in the pre-election period

- 10 It has been the practice for successive governments to exercise restraint in making significant appointments that commence in the pre-election period. Whether or not a particular appointment is “significant” is a matter of judgement. There is no “blanket ban” on the making of such appointments. Rather a case-by-case assessment is required, taking into account factors such as:
 - 10.1 the public profile of the position or organisation;
 - 10.2 whether the organisation has a significant strategic or decision-making role;
 - 10.3 whether the organisation controls significant assets or funds;
 - 10.4 whether the organisation is an executive body, as opposed to an advisory or technical one.
- 11 Officials should review the appointments that will need to be made by their Minister in the coming year, so that their Minister can consider how those appointments might be managed in the context of both the pre-election period of restraint regarding significant appointments, and the immediate post-election period.
- 12 If a significant appointment is due to commence in the pre-election period, or in the immediate post-election period, the Minister responsible for the appointment should consider either:
 - 12.1 allowing the appointee to remain in office past the expiry date of their appointment (i.e. defer the appointment or reappointment decision), if the governing legislation or other relevant rules allow that; or
 - 12.2 if the governing legislation or other relevant rules do not allow the appointee to continue in the position beyond the expiry date of the appointment, whether a short-term appointment, a reappointment, or an acting appointment can be made.

- 13 These principles apply to significant appointments that *commence* during the pre-election period, even if decisions on the particular appointment are to be made before the pre-election period commences.
- 14 Appointments commencing *after* the election should only be put forward in exceptional circumstances. The reasons for the appointment being considered must be outlined in the APH paper.
- 15 All Cabinet papers proposing appointments commencing during the pre-election or the immediate post-election period, including short-term or acting appointments or reappointments, should be put to the Cabinet Appointments and Honours Committee and Cabinet in the usual way, but should include an additional section titled “**Pre-election/post-election considerations**” explaining how the principles set out in this Circular have been addressed. For example, a paper could explain that an appointment is not considered significant and so can proceed in the pre-election period. Or, a paper could explain that because an appointment is significant and due to commence in the pre-election period, a short-term appointment is proposed.
- 16 The Cabinet Office is available to provide guidance and advice on precedents, and on the process to be followed if an appointment to a significant position is proposed. The decision chart at the end of this Circular may be helpful.

Government Advertising

- 17 Government advertising should not be conducted in a manner that results in public funds being used to finance publicity for party political purposes (see Chapter 6 of the [Cabinet Manual](#) and the [Guidelines for Government Advertising](#)). Ministers and officials should be particularly alert to this issue when making decisions that might result in government advertising campaigns during the pre-election period, which is a time of heightened sensitivity.
- 18 Government advertising is defined as “any process for which payment is made from public funds for the purpose of publicising any policy, product, service, or activity provided at public expense by the government”.
- 19 Te Kawa Mataaho Public Service Commission (Te Kawa Mataaho) is able to provide advice to officials in this area (see also supplementary guidance for public service agencies on [Interpreting and Applying the Guidelines for Government Advertising](#)).

Policy development and provision of information by the state services in the pre-election period

- 20 The neutrality of the public service and other agencies in the state sector must be protected throughout the pre-election period.
- 21 Ministers should ensure that any requests they make for advice or information from their officials are for the purposes of their portfolio responsibilities and not for party political purposes (see chapter 6 of the [Cabinet Manual](#)).
- 22 Particular care should be taken to ensure the appropriate use of officials for policy development purposes in the lead-up to a general election. Policy work carried out by officials for a Minister should not be used to develop party political material or be labelled as party policy. A “government policy” should generally be confirmed through the Cabinet

and Cabinet committee decision-making process and then announced by the Minister in their official capacity.

- 23 Once government decisions have been announced, however, they can appear in party political material used in an election campaign, as long as they are identified as government decisions.
- 24 Political party policies that have not been worked on by officials or been the subject of government decisions may, of course, appear in party political material used in the election campaign. Such policies must not, however, be labelled “government policies”.

Further advice

- 25 The Secretary of the Cabinet is available to provide advice on decisions and actions around election time.
- 26 Further guidance will be issued by the Cabinet Office and Te Kawa Mataaho on election-related issues as the year progresses.

Rachel Hayward
Secretary of the Cabinet

Enquiries:

Rose Goss, Senior Legal and Constitutional Advisor
Ph. (04) 830 6435
rose.goss@dpmc.govt.nz

Rachel Clarke, Cabinet Appointments and Honours Committee
Ph. (04) 830 5020
rachel.clarke@dpmc.govt.nz

Key considerations for appointments in the pre-election period

