



**AUSTRALIAN
ELECTION
COMPANY**

ABN: 58635903913
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GPO Box 394
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New South Wales Local Government Elections – 08 September 2012

Pre Nominations Closure Briefing



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Briefing Overview

- Key Election Dates
- Electoral rolls
- Nominations
- Ballot Papers
- Questions



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Key Election Dates - 2012

- Close of rolls and opening of nominations
 - 30 July with rolls closing at 06:00 pm
- Opening of the election period – 30 July
 - This is the earliest date for making application for postal votes
- Close of nominations
 - 08 August at 12:00 noon
- Opening of registration of electoral material
 - 08 August after close of nominations
- Close of registration of electoral material
 - 31 August at 05:00 pm
- Close of applications for postal votes
 - 03 September at 05:00 pm



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Key Election Dates

- Pre-poll voting available between
 - 27 August – 06:00 pm 07 September
 - Opening time is variable dependent on location
 - *For a pre-poll office in an RO Office (46 William St, Raymond Terrace), it is council business hours;*
 - *For other pre-poll offices, days and times are determined by the Election Manager.*



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Key Election Dates

- Declared Institution voting is available
 - 01 September – 07 September
- Election day
 - 08 September 08:00 am – 06:00 pm
- Close of Receipt of Returned Postal Votes
 - 06:00 pm 10 September 2012



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Electoral Rolls

- Close of Rolls for the election
 - 06:00 pm 30 July 2012
- Rolls include
 - Residential rolls administered by the Australian Electoral Commission and
 - Non – residential rolls (including owner / occupier / rate paying lessee's) administered by the Council General Managers
 - Composite Roll – both of the above



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Electoral Rolls

- Voting is compulsory for electors enrolled on the Residential roll
- Voting is voluntary for Non residential roll electors
- Advertising announcing the close of rolls is to be administered by Electoral Commission of New South Wales.



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Nominations

- Returning Officers and Election Managers will not provide interpretation or advice of a legal nature.
- Any candidates or prospective candidates with queries about qualifications or disqualifications or other matters of a legal nature must seek their own legal advice.



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Candidate responsibilities - EFA

- Before a candidate nominates they must lodge an “Application for Registration of a Candidate for a Local Government Election” form with the Election Funding Authority
- Any groups of candidates must lodge an “Application for Registration of a Group for a Local Government Election” form
 - All candidates within that group are to be registered individually with the Authority
- Any queries about funding and disclosure issues must be directed to the Election Funding Authority on 1300 022 011



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Candidate responsibilities

- The onus is on candidates to
 - Ensure accuracy and legality of declared qualifications
 - Declare their consent to act if elected
 - Ensure their nomination is made to the Returning Officer before the close of nominations at 12:00 noon on 08 August 2012.



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Nomination Types

- 2 types of nominations
 - Form 2: Nomination Paper; Proposal by Electors
 - Form 3: Nomination Paper; Proposal by Registered Officer for Party



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Nomination Type - Electors

- Form 2 - Proposal by Electors is intended for candidates nominated by electors
 - This requires a minimum of 2 electors
 - Both must be appropriately enrolled
 - For a Mayoral nomination – a minimum of 2 nominators must be enrolled within the Council area and propose the Candidate
 - For a Councillor nomination (where the council is divided) – a minimum of 2 nominators must be enrolled with the Ward and propose the Candidate for that Ward.



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Nomination Type – Political Party

- Form 3 - Proposal by Registered Officer for Party is intended for candidates endorsed and nominated by a Political Party
 - This requires that the candidate is proposed by the Registered Officer or Deputy Registered Officer of the Party



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Eligibility

- A person must be enrolled on either the residential or non-residential roll in the area to be eligible for nomination for a candidate for Mayor or as Councillor within that area.
- For Ward Councillors, a person need not be enrolled for that Ward they wish to contest.
- A person is qualified to hold civic office under section 274 of the *Local Government Act 1993* if a person is entitled to be enrolled as an elector and none of the disqualifications provisions apply.



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Disqualification Criteria

- Section 275 of the *Local Government Act 1993* states that a person is disqualified in the following circumstances:
 - If they are disqualified from being an elector;
 - If they are a judge of any court of the State or Commonwealth;
 - If they are serving a sentence for an offence;
 - If they have been convicted of an offence under the regulations;
 - If they have been convicted of a property offence under Part 4 of the *Crimes Act 1900*;



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Disqualification Criteria *continued*

- Section 275 of the *Local Government Act 1993* states that a person is disqualified in the following circumstances:
 - If they have a surcharge payable by the person under Part 5 of Chapter 13 of the Act remains unpaid;
 - If they have been disqualified for an offence relating to corruptly receiving commissions and other corrupt practices, or;
 - If they are disqualified from managing a corporation under Part 2D 6 of the Commonwealth *Corporations Act 2001*.



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Disqualification Criteria *continued*

- Section 275 of the *Local Government Act 1993* states that a person is disqualified in the following circumstances:
 - If they are an employee of the council or hold an office or place of profit under the council.
 - A person cannot hold the dual roles of being a NSW Parliamentarian and a Councillor.



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Candidate Nominations

- The onus is on a candidate to ensure they are qualified.
- It is not the role of the Returning Officer to determine whether any person is subject to disqualifications.
- Candidates must seek their own legal advice.
- The Forms 2 and 3 include details of the qualifications and disqualifications.



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Candidate Nominations *continued*

- Candidates must nominate on Form 2 (for nomination by electors) and Form 3 (for nomination by an endorsed Political Party)
- Candidates must fully complete nominations.
- There are several parts to the nomination Form 2.



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Nomination Form 2

- Proposers' details and signatures
- Legislative information (section 274, 275 of the Act)
- Form of Consent completed and signed
- Candidate information statement completed and attested by a JP
- Statistical information sheet completed
- Deposit / receipt



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Nomination – Form 2 *continued*

- It is strategic to have additional proposers
- All sections of the nomination form must be completed
- Your completed nomination and deposit (\$125 for an individual) must be made to the Returning Officer by 12:00 noon 08 August 2012.
- The deposit must be in cash or in a cheque drawn by a deposit taking financial institution (personal cheques are not acceptable)



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Nomination Form 3

- Must be proposed and signed by a registered officer or deputy registered officer of party
- Legislative information (section 274, 275 of the Act)
- Candidate consent completed and signed
- Candidate information statement completed and attested by a JP
- Candidate statistic sheet completed
- Deposit / receipt



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Nomination Forms - Deposit

- The deposit is \$125 per individual and capped at a maximum of \$625 for 6 or more candidates in a group on the provision that
 - All individuals submit their completed nomination forms; their signed completed group request forms and the deposit with the Returning Officer simultaneously.
- Where nominations are not lodged simultaneously, the individual deposit of \$125 applies per Candidate.



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Groups

- If Candidates wish to form a group, it requires a minimum of 2 Candidates.
 - A Group Request Form must be submitted.
- Each Candidate must sign the form consenting to be a group member.
- If the Group wants a Group Voting Square (GVS) this must be requested on the Group Request Form.
- Conditions apply for Group Voting Square requests.



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Groups *continued*

- The group can comprise
 - Candidates endorsed by a single party
 - Candidates endorsed by more than one party
 - Candidates who have requested the word “Independent” shown adjacent to their name
 - Candidates who have chosen not to have the word “Independent” shown adjacent to their name.



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Group Voting Squares (GVS's)

- The use of Group Voting Squares allows Voters to vote for just a group or groups in lieu of showing preferences on a ballot paper.
- For a divided council;
 - there must be at least 2 requests for GVS's and there must be as many Candidates in the group as there are Candidates to be elected.



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Group Voting Square's (GVS's) *continued*

- Where Candidates in a group are nominated by a registered Political Party or a Composite Group; the Political Party Name is printed adjacent to the GVS.
- GVS's comprised of "Independent" Candidates or Candidates who do not want the word "Independent" shown are identified only by the alphabetic letter corresponding to their drawn position.
- GVS's of groups combining Candidates from a Registered Party and "Independent" also only have an alphabetic letter corresponding to their drawn position.



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Ballot Paper Draws

- As soon as possible after 12:00 noon on nomination day 08 August 2012 the Returning Officer will
 - announce all the Candidates who's nominations have been accepted and
 - Where elections are contested, conduct draws for positions on the ballot papers.



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Ballot Paper Example

- Mayor Ballot Paper
 - Will be plain white
- Instructions state
 - Place a number “1” in the square next to the candidate of your choice. If you wish to vote for any more Candidates, place consecutive numbers starting with “2” in the squares next to those Candidates in order of your preferences for them.

Held on 13 September 2015

BALLOT PAPER FOR
SMALLVILLE CITY COUNCIL
ELECTION OF MAYOR

DIRECTIONS FOR VOTING

PLEASE READ CAREFULLY
Place the number “1” in the square next to the candidate of your choice. If you wish to vote for any more candidates, place consecutive numbers starting with “2” in the squares next to those candidates in order of your preferences for them.

ASTLEY, Rick

MELLONCAMP, John Cougar
INDEPENDENT

DEPP, Johnny
INDEPENDENT

McGOVERN, Elizabeth

YOU MUST NOT TAKE A BALLOT PAPER OUT OF THE POLLING PLACE



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Ballot Paper Example

- Councillor Ballot Paper
 - Ward
 - Undivided Council
 - No GVS's
- Format and instructions on ballot paper are the critical elements
- Will be colour coded

Held on 13 September 2015

BALLOT PAPER FOR
EAST WARD SMALLVILLE CITY COUNCIL
Election of 9 Councillors

→ DIRECTIONS FOR VOTING

PLEASE READ CAREFULLY
Place the numbers "1", "2", "3", "4", "5" in the squares next to the 5 candidates in order of your preferences for them.
If you wish to vote for any more candidates, place consecutive numbers starting with the number "6" in the squares next to those candidates in order of your preferences for them.

CANDIDATES

<input type="checkbox"/>	ASTLEY, Rick
<input type="checkbox"/>	MELLONCAMP, John Cougar INDEPENDENT
<input type="checkbox"/>	JOHNSON, Brian INDEPENDENT
<input type="checkbox"/>	HARVEY, Polly Jean INDEPENDENT
<input type="checkbox"/>	JAGGER, Mick
<input type="checkbox"/>	DEPP, Johnny INDEPENDENT
<input type="checkbox"/>	FONSECA, Lyndsy INDEPENDENT
<input type="checkbox"/>	McGOVERN, Elizabeth
<input type="checkbox"/>	RILEY, Stu INDEPENDENT
<input type="checkbox"/>	BROWN, Garrett M. INDEPENDENT
<input type="checkbox"/>	HEADLEY, Lena INDEPENDENT
<input type="checkbox"/>	DINKLAGE, Peter
<input type="checkbox"/>	WILLIAMS, Maisie INDEPENDENT
<input type="checkbox"/>	COSTER-WALDAU, Nikolaj
<input type="checkbox"/>	CLARKE, Emilia

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Example of Ballot Paper – Form 6

- Councillor Ward Ballot Papers will be colour coded
- Format and instructions on ballot paper are the critical elements

DIRECTIONS FOR VOTING

You may vote in ONE of two ways

EITHER →

Place the number "1" in the square above the group of candidates for whom you wish to vote.
If you wish to vote for additional candidates, place consecutive numbers beginning with the number "2" in the squares above the additional groups of candidates in the order of your preferences for them.

OR →

Place the numbers "1", "2", "3" in the squares opposite the names of 3 candidates in order of your preference for them.
If you wish to vote for additional candidates, place consecutive numbers beginning with the number "4" in the squares opposite the names of those additional candidates in order of your preferences for them.

**BALLOT PAPER FOR
EAST WARD SMALLVILLE CITY COUNCIL
Election of 5 Councillors**

8th September 2015



	GROUP A	GROUP B	GROUP C	
	<input type="checkbox"/> LIBERAL	<input type="checkbox"/> LABOR	<input type="checkbox"/> GREEN	
	<input type="checkbox"/> ASTLEY, Rick LIBERAL	<input type="checkbox"/> DEPP, Johnny LABOR	<input type="checkbox"/> HEADLEY, Lena GREEN	<input type="checkbox"/> TYLER, Steven INDEPENDENT
	<input type="checkbox"/> MELLONCAMP, John Cougar LIBERAL	<input type="checkbox"/> FONSECA, Lyndsy LABOR	<input type="checkbox"/> DINKLAGE, Peter GREEN	
	<input type="checkbox"/> JOHNSON, Brian LIBERAL	<input type="checkbox"/> McGOVERN, Elizabeth LABOR	<input type="checkbox"/> WILLIAMS, Maisie GREEN	
	<input type="checkbox"/> HARVEY, Polly Jean LIBERAL	<input type="checkbox"/> RILEY, Stu LABOR	<input type="checkbox"/> COSTER-WALDAU, Nikolaj GREEN	
	<input type="checkbox"/> JAGGER, Mick LIBERAL	<input type="checkbox"/> BROWN, Garrett M. LABOR	<input type="checkbox"/> CLARKE, Emilia GREEN	

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Candidate Information Kit

- When a Candidate Nominates they will be provided a kit of information including:
 - Candidate Guide
 - Application for Registration of Electoral Material
 - Roll Request Form
 - Quantity of Postal Vote Applications
 - Scrutineer Instrument of Appointment
 - Other information
- Nomination and Group Request Forms are available now
- Our Returning Officer will be conducting a Post Nominations Briefing for Candidates on 14 August 2012



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Questions