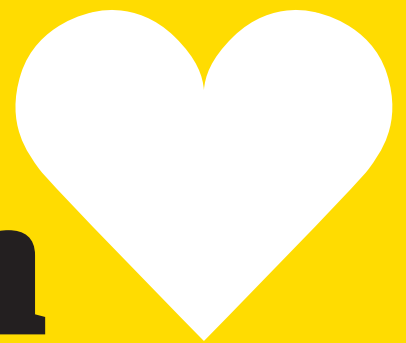




**Why will you stand?
He aha te take me tū koe?**

**I stand for
Wellington**



Disclaimer: Every effort has been made to ensure that the information contained in this booklet is accurate and consistent with the Local Electoral Act 2001 and its amendments and regulations. Wellington City Council takes no responsibility for any errors or omissions. It is recommended that candidates obtain a full copy of the Act, which can be purchased from any Government Bookstore or viewed on-line at www.legislation.govt.nz.

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Introduction

Whakaupoko

Thank you for your interest in the 2019 Local Authority Elections. This handbook outlines information you need to know as a candidate in the 2019 Elections.

The elections will be conducted by postal vote with voting closing on Saturday 12 October at 12 noon.

The elections are governed by the following legislation namely:

- Local Electoral Act 2001
- Local Electoral Regulations 2001

- Local Government Act 2002
- New Zealand Public Health and Disability Act 2000 (for the Capital and Coast District Health Board elections only)
- Crown Entities Act 2004 (for the Capital and Coast District Health Board elections only).

The key contact details are listed on page 5 of this handbook.

Candidates are advised to familiarise themselves with the relevant legislation.

Election Timetable

Wātaka Pōti

2019 Local Government Election Timetable

12 July – 12 October	Period for which expense returns are required
17 July (Wednesday)	Public notice of election – Dominion Post
19 July (Friday)	Nominations open , preliminary electoral roll open for inspection
23 July (Tuesday)	Candidate Information Presentation – 5.30pm. See details below
16 August (Friday)	Nominations close at 12 noon , electoral roll closes
From 21 August (Wednesday)	Further public notice of election – Dominion Post – candidate notice
By 23 August (Friday)	EO receives final electoral roll data
31 August – 11 October	Election hoardings permitted on designated sites on public land (subject to bond)
16 September (Monday)	EO compiles and certifies final electoral roll
20 September (Friday)	Enrolment Services letter sent to electors on unpublished roll
20 – 25 September	Delivery of ordinary voting documents starts Ordinary and special voting opens
20 September – 12 October	Voting period
11 October	Last day for appointment of scrutineers – by 12 noon
12 October 2019 (Saturday)	Election Day – voting closes at 12 noon Progress results available as soon as practicable after close of voting
12 – 17 October	Official count – process special votes
13 October – 23 October (as soon as practicable)	Final results announced Public notice of official declaration of election result – Dominion Post (or as soon as practicable thereafter)
By 18 December (Wednesday)	Return of election expense declaration forms (55 days after date of declaration of results)

Candidate Information Presentations

Presentations on standing for council will be held in Whataitai/Rooms 16.11, Level 16, Wellington City Council Offices, 113 The Terrace at 5.30pm on Tuesday, 23 July 2019. Items to be covered will include how the council is structured, the role and responsibilities of elected representatives, the skills required, anticipated time commitments and meeting schedules and an overview of the nomination and election processes.

For further information please contact Dominic Tay on 027 803 0391.

Electoral Staff

Ngā Kaimahi Pōti

Wellington City Council - (WCC)

Electoral Officer (EO)

Warwick Lampp, electionz.com Ltd, PO Box 3138, Christchurch 8140.

Phone: 0800 300 165

Email: wellingtoncc@electionz.com

Deputy Electoral Officer (DEO)

Dominic Tay, Wellington City Council, PO Box 2199, 113 The Terrace, Wellington 6011.

Phone: 027 803 0391

Email: dominic.tay@wcc.govt.nz, election@wcc.govt.nz

Greater Wellington Regional Council - (GWRC)

Electoral Officer

Warwick Lampp, electionz.com Ltd, PO Box 3138, Christchurch 8140.

Phone: 0800 666 048

Email: gwrc@electionz.com

Hutt Mana Charitable Trust - (HMCT)

Electoral Officer

Warwick Lampp, electionz.com Ltd, PO Box 3138, Christchurch 8140.

Phone: 0800 666 048

Email: hmct@electionz.com

Capital & Coast District Health Board - (CCDHB)

Electoral Officer

Warwick Lampp, electionz.com Ltd, PO Box 3138, Christchurch 8140.

Phone: 0800 666 048

Email: ccdhb@electionz.com

Election Issues

Ngā Take Pōti

Elections will be held in October for the following issues (these elections will all be conducted by postal voting):

Wellington City Council - (WCC)

(a) Election of Mayor

(b) Election of fourteen (14) councillors as follows:

Motukairangi/Eastern Ward	three (3) councillors
Pukehinau/Lambton Ward	three (3) councillors
Takapū/Northern Ward	three (3) councillors
Wharangi/Onslow-Western Ward	three (3) councillors
Paekawakawa/Southern Ward	two (2) councillors

(c) Election of six (6) members for the Makara/Ohariu Community Board

(d) Election of six (6) members of the Tawa Community Board

The Tawa community board also has two appointed members (who must be councillors from the Takapū/Northern Ward).

The Mayor (one vacancy) is elected at large – across the city. For the election of the councillors, the city is divided up into the five wards noted above.

Ward	Suburbs within each ward
Motukairangi/ Eastern	Roseneath, Hataitai, Kilbirnie, Melrose, Lyall Bay, Houghton Bay, Rongotai, Miramar, Maupuia, Karaka Bays, Seatoun, Breaker Bay, Moa Point, Strathmore Park
Pukehinau/ Lambton	Thorndon, Pipitea, Wellington Central, Kelburn, Highbury, Aro Valley, Te Aro, Mt Cook, Mt Victoria, Oriental Bay
Takapū/ Northern	Grenada North, Takapu Valley, Tawa, Grenada Village, Glenside, Horokiwi, Churton Park, Newlands, Paparangi, Woodridge, Johnsonville, Ohariu
Wharangi/ Onslow-Western	Ngauranga, Broadmeadows, Khandallah, Ngaio, Crofton Downs, Kaiwharawhara, Makara, Makara Beach, Karori, Northland, Wilton, Wadestown
Paekawakawa/ Southern	Mornington, Vogeltown, Kingston, Owhiro Bay, Island Bay, Berhampore, Newtown, Southgate, Brooklyn

Greater Wellington Regional Council - (GWRC)

Election of five (5) members to represent the Wellington Constituency.

Election of two (2) members to represent the Porirua-Tawa Constituency.

There is a separate candidate handbook for the GWRC election available from the GWRC electoral officer, Warwick Lampp. See Electoral Staff section for contact details.

Hutt Mana Charitable Trust - (HMCT)

Election of one (1) trustee to represent North Wellington on the Trust.

Formed following the dissolution of the Hutt Mana Energy Trust in 2004, the Hutt Mana Charitable Trust has the following objectives:

1. The promotion of energy efficiency, including assisting with the insulation of existing homes so they use less power to keep warm.
2. Supporting the community through grants and building capacity in the voluntary sector.

Refer to page 12 for more information on this election.

Capital & Coast District Health Board - (CCDHB)

Election of seven (7) Members of the Capital & Coast District Health Board.

There are seven members to be elected at large across the CCDHB area. There is a separate candidate handbook for the CCDHB available from the DHB electoral officer, Warwick Lampp. See Electoral Staff section for contact details.

Population Statistics

WCC Wards	No. Councillors	Est Resident Population as at 30 June 2018
Motukairangi/Eastern	3	39,700
Pukehinau/Lambton	3	53,500
Takapū/Northern	3	48,700
Wharangi/Onslow-Western	3	45,000
Paekawakawa/Southern	2	29,400
	14	216,300

Community Boards	No. Members	Est Resident Population as at 30 June 2018
Makara/Ohariu	6	900
Tawa	6	13,350
	12	14,250

City Leaders Information

Ngā whakamahuki ā ngā Pou Kaunihera

Remuneration

Role of Remuneration Authority

The remuneration rates, the level of allowances and the reimbursement of expenses payable to local government elected members are set by the Remuneration Authority. This is a statutory body whose members are appointed by the Government.

The Remuneration Authority has proposed that the following base salaries will apply for the elected members of Wellington City Council from 1 July 2019 and will remain in effect until the day the new Council assumes office following the election. The salaries for the Deputy Mayor, City Strategy Committee chairperson and portfolio leaders comprise the base councillor salary as well as an additional responsibilities allowance that reflects the higher workload of these roles.

Mayor and Councillors – until 2019 local election

Position	Base salary
Mayor	\$177,632
Deputy mayor	\$121,388
Chairperson, City Strategy Committee	\$107,573
Portfolio leader (12)	\$99,914
Councillor	\$91,446

Mayor and Councillors – from 2019 local election

After the election, the Remuneration Authority is implementing a new approach to elected member remuneration. Each council will be allocated a “governance pool” based on the size of the Council. The governance pool will provide the total amount that can be paid in remuneration to councillors at each council, including councillor base salaries. Mayoral remuneration is set independently of the pool. The whole pool must be used.

The Remuneration Authority is consulting and receiving feedback from local authorities on the forthcoming Local Government Members 2019/20 Determination, which will confirm the size of the governance pool for each council. The figures listed below are therefore indicative only and subject to change until the Determination has been published. This is expected to take place in late June/early July 2019.

After the election, each council will need to decide:

- how it wants to allocate its pool according to its own priorities and circumstances (including the incoming council’s governance structure)
- a “base remuneration” for councillors who have no additional responsibilities
- the roles which attract additional remuneration and the level of additional remuneration to which the holder will be allocated

These decisions are subject to the Remuneration Authority’s confirmation.

Position	Base salary
Mayor	\$180,500
Councillor – minimum remuneration level (14)	\$86,874
Governance pool to be allocated (excludes minimum councillor remuneration)	\$368,916

Community Boards

Like the Mayor and councillors, community board members are remunerated at a level determined by the Remuneration Authority. After the election, the Council may recommend additional remuneration for community boards but this must be drawn from the overall governance pool, recognising that additional work by community board members relieves councillors of this work. No additional responsibilities allowance was provided for Tawa or Makara/Ohariu Community Boards in the 2016–19 triennium.

Indicative salaries for community board members for the period from 1 July 2019 until the election and for the period after the election are yet to be confirmed. The table below shows community board remuneration as of May 2019.

Community Board members – until 1 July 2019

Position	Base salary
Tawa Community Board – chair	\$18,441
Tawa Community Board – member	\$9,220
Makara/Ohariu Community Board – chair	\$9,429
Makara/Ohariu Community Board – member	\$4,716

Tax Status of Elected Members

The IRD views the relationship between an elected member and the Council as a statutory relationship of service. The IRD does not view it as an employer/employee relationship. Therefore, elected members are not employees of the Council for income tax purposes.

Consequences of income tax status of elected members

This means that remuneration paid to elected members is taxable but is not classed as 'salary or wages' under the Income Tax Act. Instead, it is classified as a 'withholding payment' and the Council is required by the Withholding Payments Regulations to deduct tax at 33% at the time of payment unless an exception applies.

Because of the nature of their relationship with the Council, elected members are entitled to deduct expenses incurred in earning their remuneration from the Council. This means that they can deduct home use expenses, miscellaneous expenses and vehicle expenses if they incur these in the course of earning their Council remuneration. Election expenses are not tax deductible.

Elected members are also responsible for paying their own accident compensation levies.

Purpose of Local Government

The Local Government Act 2002 outlines the purpose of Local Government in New Zealand. The Act:

- provides a framework and powers for local authorities to decide which activities they undertake and how they will undertake them;
- promotes the accountability of local authorities to their communities; and
- provides for local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services and performance of regulatory functions.

Treaty of Waitangi

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 of the Local Government Act provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.

Roles and Responsibilities of Elected Members

Territorial authorities

Elected members, acting as the Council, are responsible for governance, including:

- the development and adoption of Council policy;
- monitoring the performance of the Council against its stated objectives and policies;
- prudent stewardship of Council resources; and
- employment of the chief executive.

Elected members are also responsible for representing the interests of the residents and ratepayers of the city or district.

Unless otherwise provided in the Local Government Act 2002 or in the Council's standing orders, the Council can only act by majority decisions at meetings. Any individual member (including the Mayor) has no authority to act on behalf of the Council unless provided for by statute or the Council has expressly delegated such authority.

Elected members are expected to attend the meetings of the Council, as well as the committees and subcommittees, working parties, and external organisations to which they are appointed. An elected member who is unable to attend a meeting should advise the chair or chief executive as soon as possible.

Each council must adopt a code of conduct for its members. Each elected member must comply with the code of conduct. A copy of Wellington City Council's Elected Member Code of Conduct is reproduced on pages 9 to 13 of this handbook.

The Mayor

The Mayor is elected by the district as a whole and, as one of the elected members, shares the same responsibilities as other members of the Council. The Mayor also has the following roles:

- presiding at council meetings including ensuring the orderly conduct of business during meetings (as determined by standing orders);
- advocating on behalf of the community involving the promotion of the community and representation of its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- spokesperson for the Council;
- ceremonial head of the Council;
- providing leadership and feedback to other elected members on teamwork and chairing of committees;
- fulfilling the responsibilities of a Justice of the Peace (while the Mayor holds office);
- lead the development of the Council's plans (including long-term plan and annual plan), policies and budgets for consideration by members of the territorial authority;
- appoint the Deputy Mayor;
- establish committees of the council and appoint the chairperson of each committee established.

The Deputy Mayor

The Deputy Mayor may be either appointed by the Mayor or elected by the members of the Council at the first meeting of the Council if no appointment has been made. The Deputy Mayor exercises the same roles as other elected members, and if the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of the Council.

Committee chairpersons

The Council may create one or more committees (this includes subcommittees) of the Council. A committee chairperson presides over all meetings of the committee, ensuring that the committee acts within the powers delegated by Council. Committee chairpersons may be called on to act as official spokespersons on issues within the terms of reference for their committees. Chairpersons may be removed from office by resolution of Council. Council may also appoint deputy chairpersons of committees, who shall fulfil the functions of the chair when the chairperson is absent.

Portfolio leaders

The Mayor may appoint one or more councillors as portfolio leaders. Portfolio leaders provide political policy leadership, external representation and communication, and liaise with Council staff in projects and policies in an identified portfolio area. They play a key role in insuring Council makes progress towards and achieves its strategic objectives. Portfolio leaders may be called on to act as official spokesperson on issues within their portfolio area.

Community boards

Community boards provide a level of representation below city and district councils. The role of each community board includes:

- representing the interests of its community;
- considering and reporting on matters referred to it by the Council of interest or concern;
- maintaining an overview of Council services to the community;
- preparing an annual submission to the Council for its annual plan;
- communicating with community organisations and special interest groups;
- undertaking any other responsibilities that are delegated to it by the Council.

Each community board must consist of not fewer than four and no more than 12 members; must include at least four elected members; and may include appointed members. The number of appointed members must be less than half the total number of members.

Community boards will at their first meetings appoint chairpersons and deputies.

Time commitment

Depending on the role (Mayor, Deputy Mayor, committee chair, Councillor, Community Board chair or Community Board member), the time commitment can be significant. Many official meetings and briefings are scheduled during the day, and can take two to three full days out of the average working week. Depending on the role, there will also be a number of night-time meetings to attend, not to mention invitations to a range of evening functions and events. Around all this, elected members will need to find time to deal with correspondence and communication from residents, and carry out the necessary reading to prepare for upcoming meetings.

At the beginning of the new term a new governance structure may be decided upon which may change when meetings are held and the number of committees etc.

The organisation offers support through the Democracy Services business unit to elected members to assist them in their duties.

Elected members need to be aware of the impact that can occur on families as a result of being elected as Mayor, a Councillor or Community Board member. This can range from needing to take time off work to attend meetings, to attending night meetings, receiving telephone calls at various times of the day and night, or being asked to address issues when shopping at the supermarket, watching sport or walking the dog.

Some members of the community see elected members as being available 24 hours, 7 days a week. This may often depend on the issue currently before the Council or a community board, but generally most citizen contact with elected representatives is done at a reasonable time and in a reasonable manner.

Skills and experience

While there are no formal qualifications needed to stand as a candidate for election to a community board or the city council, there are certain formal requirements such as the requirement to be a New Zealand Citizen (outlined on page 17). However, given the nature of the role of an elected member there are a number of skills which would be helpful in undertaking the role.

These include:

- analysing written material and oral presentations,
- time management,
- listening,
- relationship building,
- influencing and negotiating,
- understanding financial information,
- communicating with and through the media.

Experience in business, the public sector environment, with community or voluntary groups, in decision-making through meetings and working with people of diverse backgrounds and interests, would also be useful.

The Democracy Services business unit runs an induction and training programme to assist elected members to improve their skills in these areas.

Representation Review

At least every six years councils must review their representation arrangements (i.e., whether councillors are elected from wards or the city as a whole, how many councillors, whether to have community boards, the boundaries of communities, etc.) The Wellington City Council will conduct this review in the 2016 – 2019 term with a determination made by the Local Government Commission in time for the 2019 elections.

Code of Conduct for Elected Members of Wellington City Council

All councils are required to have an elected members' code of conduct under Schedule 7, clause 15 of the Local Government Act 2002.

The code provides guidance on the standards of behaviour that are expected from the Mayor and elected members of Wellington City Council. It applies to elected members in their dealings with each other, the chief executive, Council employees, the media and the general public.

The code of conduct is based on the following general principals of good governance:

- Public interest
- Honesty and integrity
- Objectivity
- Accountability
- Openness
- Personal judgment
- Respect for others
- Duty to uphold the law
- Stewardship
- Leadership

The code, in its entirety, can be viewed at <https://wellington.govt.nz/~media/your-council/mayor-and-councillors/files/elected-codeofconduct.pdf>. This version of the code was agreed in 2015. A review of the code is under way and it is expected that the incoming Council will consider a revised code in early 2020.

Members' Interests

Candidates should be aware of the requirements of the Local Authorities (Members' Interests) Act 1968.

Under Section 3 of the Act, elected members may not be concerned or interested in contracts made by the Council when payments made for the contracts entered into during a particular year exceed \$25,000 including GST. That amount may only be exceeded if the Council has either obtained the prior approval of the Audit Office or, in special circumstances, obtained retrospective approval. When payments exceed \$25,000 or any other approved amount, the elected member concerned is automatically disqualified from office. He or she also commits an offence if they continue to act as a member.

Under Section 6 of the Act, elected members may not discuss or vote on any matter in which they have a pecuniary interest when it is being considered by the Council or a committee. Elected members failing to observe this prohibition commit an offence and can be prosecuted. Conviction leads to disqualification from office.

When a matter is raised at a meeting of the Council or a committee in which a member has a pecuniary interest, the member prohibited from voting or discussing the matter must declare the pecuniary interest. The fact of that disclosure and abstention from discussion and voting on it is also recorded in the minutes. While it is not necessary to withdraw from the meeting, it is good practice to do so.

Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 (the Act) is part of a reform package aimed at reducing the number of serious work-related injuries and deaths in New Zealand by at least 25 percent by 2020. It came into force on 4 April 2016.

The Act is a new way of thinking about health and safety for New Zealand. The Act is designed to:

- Ensure everyone has a role to play
- Make everyone's responsibilities clear
- Focus on managing risk
- Require those who create the risk to control the risk
- Require businesses to engage with their workers and enable them to participate on an ongoing basis
- Allow flexibility in managing health and safety risks.

For elected members, the most significant implication is the introduction of the role of officer and the requirement for officers to meet due diligence duties.

What is an officer and what do they need to do?

An officer is a person who holds a very senior leadership position, and has the ability to significantly influence the management of a business. At WCC this includes elected members and the CEO.

Officers must ensure the business is meeting its health and safety responsibilities by doing due diligence to ensure the business understands and manages its key risks. To do this officers must take reasonable steps to:

- Keep up-to-date knowledge of health and safety
- Understand the operations of the business
- Ensure and check that their business has appropriate resources and processes for health and safety.

Elected members of a council are not required to exercise due diligence over a Council Controlled Organisation (CCO) providing they are not officer of that CCO (e.g. an elected member will be an officer of a CCO if they are on the Board of the CCO).

WCC and elected members as officers under the Act

WCC is proactively partnering with elected members to ensure WCC and its officers can meet their responsibilities under the Act.

Liabilities of officers under the Act

Under the Act there are a raft of offences that can be committed which carry fines (which need to be paid in some cases by the organisation and in some cases personally by the officer) and in extreme cases even jail sentences. Elected members as officers have an exemption under the Act from some of these offences. Offences that elected members as officers can be liable for include offences such as failure to comply with an improvement notice. This can be a fine of up to \$50,000 for an individual or \$250,000 for a body corporate. Insurance is not available to cover the cost of such fines.

Inaugural Meeting

The successful candidates will take office on the day after the electoral officer gives their official notification of the result of the election. However, no person is permitted to act as a member of the Council before making a declaration. This declaration will be made at the inaugural meeting, which is expected to be held in late October or early November 2019. Elected members will be contacted by staff with the key dates.

The business to be conducted at that meeting will include:

- The making and attesting of declarations required of the Mayor and councillors. Traditionally, this has been a ceremonial occasion,
- A general explanation of the Local Government Official Information and Meetings Act 1987 and other laws affecting elected members,
- The fixing of the date and time of the first ordinary meeting of the council, or the adoption of the schedule of ordinary meetings,
- Election of the Deputy Mayor (if not already appointed by the mayor).

The declaration required to be made by the Mayor and councillors is as follows. The declaration may be made in English or Te Reo Māori.

Declaration by Mayor and Councillors (English)

I declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of Wellington City Council, the powers, authorities, and duties vested in or imposed upon me as mayor (or as a member) of the Wellington City Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Declaration by Mayor and Councillors (Te Reo Māori)

Ko taku kupu tēnei. Ka tutuki i ahau, ki tāku e pono nei, ngā kawenga katoa, hei painga mō te Tāone o Pōneke i runga i te mana kua riro mai i ahau, hei mema (Kahika / Koro Matua) o Te Kaunihera o te Tāone o Pōneke, i raro i te Ture Kāwanatanga ā-Rohe 2002, te Ture Pārongo, Huinga Ōkawa Kāwanatanga ā-Rohe 1987, me ētahi atu ture rānei.

Community Board members are required to make a similar declaration but in relation to their board.

Pre-election Report

All councils must prepare a pre-election report. The report is prepared by the chief executive independently of the Mayor and councillors.

Section 99A of the Local Government Act 2002 sets out the information that must be included in the report and its timing. The report includes information previously published in other council documents including long-term plans, annual plans and annual reports. As such the information reflects the policy and service delivery direction of the current council.

The pre-election report has a particular focus on how the Council is performing financially, including the current financial position and key spending issues over the coming years. It provides historic information for the past three years, an overview of the current election year and council's planned financial position for the next three years. It also outlines council's broader financial goals, which are included in its long term plan.

The pre-election report will be available from the Council's website in July 2019. Candidates are advised to read the report when it becomes available.

Hutt Mana Charitable Trust

The Hutt Mana Charitable Trust (the Trust) is a registered charitable entity and an incorporated board under the Charitable Trusts Act 1957, administered under the provisions of its Trust Deed and the Charities Act 2005. The Deed provides for a board of 5 elected trustees with elections held every three years in conjunction with the triennial local body elections. The trustees are elected on the following basis:

- 1 trustee to represent the northern area of Wellington City (Broadly, the suburbs of Broadmeadows, Johnsonville, Newlands, Churton Park, Tawa and surrounding areas)
- 1 trustee to represent the area of Porirua City
- 1 trustee to represent the area of Upper Hutt City
- 2 trustees to represent the area of Lower Hutt City

The Trust manages a trust fund around \$40 million, initially derived from the wind up of the former Hutt Mana Energy Trust. The Trust supports projects related to energy efficiency as well as general charitable purposes.

The Trust meets monthly, with additional meetings scheduled if necessary. Trust meetings are typically held in the morning at the offices of Kendons, 69 Rutherford Street, Lower Hutt. Meetings typically start at 7.30am and generally last up to 2 hours. Additionally, the Trust has an AGM in September and holds functions to present grants to community groups.

Trustees are paid a current annual salary of \$17,560. Remuneration levels are set by the Trustees and are reviewed annually at the AGM. Expenses for travel and other expenses incurred on approved Trust business are also reimbursed.

Candidates for election to the board of the Hutt Mana Charitable Trust need to live within the Trust District area and must be a New Zealand citizen and enrolled as a parliamentary elector. They must be nominated by two electors who also reside within the Trust area the candidate is seeking election for.

Additionally, section 5.4 of the Trust Deed lists the following restrictions on trustee eligibility:

The following persons may not hold office as a Trustee:

- (a) *A bankrupt who has not obtained a final order of discharge or whose order of discharge has been suspended for a term not yet expired, or is subject to a condition not yet fulfilled.*
- (b) *A person who has been convicted of any offence punishable by a term of imprisonment of two or more years.*
- (c) *A person who has been convicted of any offence punishable by imprisonment for a term of less than two years and has been sentenced to imprisonment for that offence.*
- (d) *A person to whom an order made under sections 382, 383, or 385 of the Companies Act 1993 applies.*
- (e) *A person who is mentally disordered within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992.*
- (f) *A person who resides outside the District.*

Further information is available on the Trust website www.hmct.org.nz or from the Secretary at secretary@hmct.org.nz or by phone (04) 569 6113.

Electoral Systems

Pūnaha Pōti

For Wellington City voters one electoral system will operate for the 2019 Local Government Elections. This is:

- Single Transferable Voting (STV).

Organisations using STV in 2019 are:

- Wellington City Council
- Greater Wellington Regional Council
- Capital & Coast District Health Board
- Hutt Mana Charitable Trust.

Briefly, the STV electoral system consists of the following:

- Voters receive a single (transferable) vote irrespective of the number of vacancies.
- Voters rank the candidates in order of preference by writing a “1” next to the name of their most preferred candidate, then a “2” next to the name of the next preferred candidate and so on.
- Voters can rank as few or as many candidates as they wish.
- To be elected, a candidate must reach a “quota” of votes, which is based on the number of vacancies and the number of valid votes.
- When votes are counted, all the first preferences are allocated first.
- A candidate who reaches the quota first is elected. If there is more than one vacancy, and a candidate gets more votes than the quota, a proportion of each vote for that candidate is transferred to the voter’s second preference. If, as a result, another candidate gets more votes than the quota, a proportion is transferred to the third preferences, and so on.
- If insufficient candidates reach the quota after the first preferences are allocated and any surplus votes are transferred, then the candidate who received the fewest votes is eliminated and each vote for that candidate is transferred to the voter’s second preference. This process is repeated until enough candidates reach the quota to fill all the vacancies.

More information on STV can be accessed from the Department of Internal Affairs website www.stv.org.nz.

Electoral Roll

Rārangi Pukapuka Pōti

The preliminary electoral roll will be compiled during July 2019. Copies of the preliminary electoral roll for the election will be available for public inspection from Friday 19 July 2019 to 5pm Friday, 16 August 2019 at the following venues within Wellington City:

- Wellington City Council City Service Centre, 12 Manners Street, Wellington
- All branch libraries throughout Wellington City.

Any alterations to the residential roll, should be made:

- By completing the appropriate form at any Post Shop or
- By telephoning 0800 ENROLNOW (0800 36 76 56) or
- By accessing the Electoral Enrolment Centre website on www.elections.org.nz.

A hard copy of the preliminary electoral roll may be purchased from the electoral officer for \$20 per ward (ratepayer roll included) or \$80 per set, plus GST.

The final electoral roll is produced once the preliminary electoral roll closes on 16 August 2019. The final electoral roll is the roll used for issuing voting papers. Copies of this roll may be purchased as above.

Details appearing in the electoral roll are electors’ names (surname, then first names) listed alphabetically, the qualifying address, postal address, occupation and voting entitlements.

Information contained on the electoral roll is not available from the electoral officer in an electronic form.

In limited circumstances, an electronic listing of resident electors is available from the Electoral Commission (provided the criteria of section 114 of the Electoral Act 1993 is met). An application form is required to be completed, and these are available upon request direct from the Electoral Commission. The contact person is Ben Cline on (04) 806 3560.

Prior to the close of voting candidates or a scrutineer can request a list of persons from whom voting documents have been received. The cost of this will be \$30 per separate list.

Candidate Eligibility

Te Paearu Kaitono

A candidate for local authority elections must be:

1. Enrolled on a **parliamentary electoral roll** somewhere in New Zealand; and
2. A **New Zealand citizen** (either by birth or naturalisation ceremony) (Section 25, Local Electoral Act 2001).

Restrictions on candidates for local authority elections:

- a. A candidate may not seek nomination for more than one ward of Council (Section 57A Local Electoral Act 2001).
- b. A candidate may seek nomination for mayor and/or council and/or a community board but **may not also** seek nomination for Greater Wellington Regional Council, i.e. a candidate may stand for Wellington City Council **or** the Greater Wellington Regional Council, not both (Section 58 Local Electoral Act 2001).
- c. A candidate may seek nomination for mayor and/or a ward of council, but in the event that they are elected as mayor and a ward member then they must be treated as having vacated the ward office (Section 88 Local Electoral Act 2001).
- d. A candidate may seek nomination for councillor and community board member but in the event they are elected as a councillor and a community board member within the same district of a territorial authority, they must be treated as having vacated the office of community board member (Section 88A Local Electoral Act 2001).
- e. A candidate **cannot** be a person concerned or interested in contracts over \$25,000 with the territorial local authority (Section 3(1) Local Authorities (Members' Interests) Act 1968). This restriction is waived if prior approval from the Office of the Auditor General (OAG) is obtained.

Further information from the OAG is available on their website here: www.oag.govt.nz/2010/lamia.

Under the Act there are a number of exceptions to the disqualification rule in section 3. Certain types of contracts will not disqualify a candidate from election. A candidate who has a contract that falls within any of the following categories will not be disqualified:

- Before the election, all of the candidate's obligations (or candidate's company's obligations) in respect of the contract have been performed and the amount to be paid by the council has been fixed (whether or not it has been paid); or
- Although the candidate's obligations (or candidate's company's obligations) under the contract have not been performed before the election, the amount to be paid by the council is already fixed (subject to amendments and additions as allowed for in the contract), whether or not it has been paid; or

- Although the candidate's obligations (or candidate's company's obligations) under the contract have not been performed before the election, either:
 - The contract's duration does not exceed 12 months; or
 - The contract is relinquished (with the authority's consent) within a month of the candidate becoming a member and before he or she starts to act as a member.

Further information on application of these points should be made with the Office of the Auditor General - at lamia@oag.govt.nz or ph (04) 917 1500.

- f. An employee of Wellington City Council who is elected to Wellington City Council as Mayor or councillor **must resign** from his/her position as an employee of the council before taking up his/her elected position. (Section 41 (5) Local Government Act 2002).

Notes:

- i. Candidates for mayor may also stand for council and/or a community board if they wish (and vice versa).
- ii. If they wish, a candidate may stand for more than one community board.
- iii. Candidates are required to record on the nomination paper if they are standing for election in any other elections in New Zealand.
- iv. Candidates need not necessarily be a resident or ratepayer of the ward or community board in which they are seeking election, or for that matter, Wellington City, but candidates are required to record on the nomination paper if they reside in the election area or not.
- v. Section 60 of the Local Electoral Act 2001 states:

If the Electoral Officer receives advice before the close of nominations that a candidate is, or has become, incapable under any Act of holding the office for which he or she is a candidate, that candidate's nomination must be treated in all respects as if it had not been made.
- vi. There are no longer restrictions applying specifically to Police employees wishing to stand in Council elections.

For CCDHB candidate eligibility please refer to the separate candidate handbook for the CCDHB, but a candidate for mayor and/or council and/or a community board may also seek nomination to the CCDHB.

Evidence of NZ Citizenship

It is now a requirement of the nomination process that all candidates provide evidence of their NZ citizenship.

This is to be provided at the time of candidate nomination. Candidates should bring their NZ Passport, NZ birth certificate, or NZ citizenship documentation to be sighted (but not retained) by the electoral official processing their nomination.

Nominations

Te Pūnaha Tautapa

Nominations open on **Friday 19 July 2019** and close at **12 noon on Friday 16 August 2019**.

Each candidate must be nominated on the official nomination paper available during normal office hours from:

- Wellington City Council Service Centre, 12 Manners Street, Wellington
- By phoning the Wellington City Council on (04) 499 4444
- From the Council's website www.wellington.govt.nz

Completion of Nomination Paper

Each nomination paper must have the consent of the candidate and be nominated by **two** electors whose names appear on the electoral roll for the ward, community board or charitable trust. (e.g. if a person wishes to stand for election to a ward, then that person must be nominated by two electors from the ward).

A candidate **cannot** nominate himself/herself.

If a candidate is unable to sign the nomination paper (e.g. absent overseas), a letter of consent signed by the candidate is acceptable to attach to the nomination paper. A scanned copy of a completed nomination paper will also be accepted, provided the nomination deposit payment (or evidence thereof) is received in time.

Other Names

If a candidate is commonly known in the community by a slightly different name (e.g. Edward Smith is commonly known as Ted Smith) and has been known by this name for at least the last six months (to the satisfaction of the electoral officer), the commonly known name may appear on the voting paper. The candidate's full name will still need to be on the nomination form.

Titles

Titles (i.e. Dr, JP, Sir, Dame etc) are **not** permitted next to the candidate's names on the voting paper or profile statement, but can be included as part of the candidate's 150-word profile statement if desired.

Residency in Area

A candidate must declare if they reside in the area of election or not. This is shown at the top of the profile statement but does not count as part of the 150 word limit.

Standing in Other Elections in New Zealand

A candidate must declare if they are standing for any other elections in New Zealand at these triennial elections. This is shown at the top of the profile statement but does not count as part of the 150 word profile.

Affiliation

The nomination paper provides for a party affiliation or other designation.

Individual candidates not part of a political party may wish to nominate their designation as "Independent" or leave as blank (if left blank, nothing will show alongside the name on the voting paper).

A candidate requiring a specific party affiliation must have authority to adopt the affiliation from the party concerned (i.e. a party letterhead or letter of consent are acceptable). This is a safety measure to avoid any illegal adoption of party affiliations.

No party affiliation or other designation that is offensive in nature, likely to confuse or mislead electors or encroach on another party's affiliation will be accepted.

Submitting the Nomination Documents

Completed nomination documents for Wellington City Council and Capital & Coast DHB elections **must** be delivered to:

- Electoral Office
Arapaki Manners Library and Service Centre
Wellington City Council
12 Manners Street, Wellington

or posted to:

- The Electoral Office
Wellington City Council
PO Box 2199
Wellington 6140

or can be emailed to the DEO at dominic.tay@wcc.govt.nz

Wellington City Council's office hours for lodgement are:

Mon–Fri 8.00 am to 5.00 pm, except on **16 August when 12 noon** is the cut-off time for lodgement.

- All nomination documents must be submitted at the same time, i.e. nomination paper, candidate profile statement, evidence of NZ citizenship, photo, and nomination deposit. A nomination will not be accepted if any components are missing.
- Nomination papers for the Greater Wellington Regional Council elections must be lodged at the GWRC office, Level 2, 15 Walter Street, Te Aro, Wellington. **These nomination papers cannot be lodged with Wellington City Council.**
- Nomination papers for the Hutt Mana Charitable Trust must be lodged with the Hutt City Council office, 30 Laings Road, Lower Hutt. **These nomination papers cannot be lodged with Wellington City Council.**

Once lodged, nomination papers are checked to ensure the candidate is eligible (name appears on a parliamentary roll) and the nominators are two electors whose names appear on the electoral roll for the relevant ward and city as a whole.

Should a nomination paper be lodged late on the morning nominations close, and/or be incorrectly completed or ineligible nominators are provided, there may not be enough time to correct the situation and the nomination paper could be invalidated.

Candidate Details

Confirmed candidate details will be made available from the Council website. The details will be updated on a regular basis throughout the nomination period and will include at least the candidate name and any affiliation claimed.

As soon as possible after nominations have closed a file of candidate contact details will be available for download from the council's website. Candidates may be contacted by journalists, advertisers, pollsters and other groups interested in election matters.

Nomination Deposits

Each nomination paper lodged, requires a deposit of **\$200** (including GST). If an election is required the deposit is refunded if the candidate polls greater than **25%** of the lowest successful candidate for each election issue. The deposit is also refunded if no election is required.

Payment of the nomination deposit can be made by cash, EFTPOS or online banking. Should an online banking transaction be dishonoured or declined, the nomination becomes invalid as the deposit has not lawfully been made. If this occurs after the close of nominations, then the nomination is invalid and the candidate will be withdrawn.

Cheque or credit payments of nomination deposits will not be accepted.

Payment can be made by online banking. Details for the payment of the deposit by online banking are shown on page 2 of the nomination paper. If paying by online banking, evidence of the transaction **must** be provided at the time the nomination documents are submitted, i.e. a print out of the transaction receipt. The nomination paper also sets out the reference and code details required for each online payment.

Nomination papers, with the deposit, evidence of NZ citizenship, candidate profile statement and photograph, can be sent to the electoral officer or deputy electoral officer by mail or email, but should they be received after the close of nominations, the nomination is invalid.

Nomination documents can be scanned as pdfs and emailed to the EO, including evidence of the \$200 deposit if made by online banking. Photos are to be scanned as jpgs.

It is the responsibility of the candidate to ensure all nomination documents are submitted together and that they are all correct.

The lodgement of nomination documents should not be left to the last minute.

Nominations close at 12 noon, Friday 16 August 2019.

Candidate Withdrawals

Te Maunu Kaitono

A candidate can withdraw their nomination by application to the Electoral Officer up to the close of nominations, i.e. 12 noon, Friday 16 August 2019.

Candidates cannot strategically or politically withdraw their nomination once nominations have closed. Candidates may only withdraw after the close of nominations for medical reasons, i.e. incapacity.

A medical certificate must be provided for a withdrawal notice to be accepted by the Electoral Officer. An application can be made by a candidate or an agent on their behalf.

Candidate Profile Statements

Ngā Kōrero whaitake a te Kaitono

The Local Electoral Act 2001 allows for candidate profile statements of up to 150 words to be provided by each candidate with the completed nomination form. If an election is required these are then collated by the electoral officer and forwarded to electors in a booklet with the voting papers. Refer also to the notes listed in **Appendix 1** for word limits and translation requirements.

Candidate profile statements must be provided electronically via email or on a media device, in a Microsoft Word document that has been spell checked. As the electoral officer could receive dozens of profiles, consistent format of delivery and content is required (refer to guidelines below).

Candidate profile statements can be submitted in English and Māori. The information contained in each language must be substantially consistent with the information contained in the other language. Both have a limit of 150 words. If a candidate submits a profile statement in another language or a combination of languages (e.g. English and Mandarin there must only be 150 words in total).

Candidate profile statements are governed by Sections 61 and 62 of the Act.

If the nomination forms are being personally delivered, a hard copy format of the profile or a media device must be provided at the same time. Handwritten profiles will not be accepted.

Format of Candidate Profile Statements

The format requirements for profiles are:

The English text must be plain text, in paragraphs, with no special formatting, i.e.

- No bold, italic, underlining etc.
- No tabs
- No quote marks
- No accent marks (this restriction is in English text only)
- No bullet points

The profiles will be loaded into software provided by the printer that will automatically apply the required font, type size, line spacings, etc. If there is no profile statement or photo from a candidate, then "No Profile Statement and/or Photo provided." text or similar will be printed in the profile book.

Any non-English candidate profile content must be supplied with the following formatting:

- Font—Times New Roman (or Equivalent)
- Point Size—9 point size, 11 point line spacing
- No special formatting of text – e.g. no bolding, no italics, no underlines, no quote marks, etc.

Translations

The following contact details are provided for translation companies, for those candidates who are unable to prepare the translation image themselves or do not know anyone to do this for them:

The Translation Service

PO Box 805, Wellington,
Phone: 0800 TRANSLATE (0800 872 675),
Email: translate@dia.govt.nz
Website: www.translate.govt.nz

NZTC International

68 Dixon Street,
PO Box 27312 Wellington,
Phone: (04) 384 5047,
Fax: (04) 384 8554,
Email: sales@nztcinternational.com.
Website: www.nztcinternational.com

The translation service will provide the translations in the above format to meet the requirements of the printer, the cost of which is to be met by the candidate.

Candidate Photos

Candidates may also submit a recent (less than 12 months) colour photograph for inclusion with the candidate profile statement in the booklet to accompany the voting papers. Photos should also be provided electronically, on a media device or as an attachment to an email to the electoral officer.

If hard copy photographs are provided, then two copies of each photo should be provided with the candidate's name clearly printed on the rear of each photograph (care needs to be taken when labelling hard copies of photos to ensure the photo image is not damaged in the process). Photos will not be returned to candidates.

Format of Candidate Photos

Candidate photos are to be a head and shoulders shot only, with nothing else in the photo, i.e. no hats, sunglasses, pets, external objects or impediments, or other people. They should be in colour. If necessary the EO will crop the photo accordingly but the onus is on the candidate to provide a photo of the candidate only that complies with this format.

Electronic copies of photos should be scanned as a jpeg at a minimum of 600 dpi.

Any queries regarding the format of photos and profiles are to be made to the EO.

Note: The onus is on the candidate to ensure that all nomination documents including the profile and photo are submitted to the electoral officer by 12 noon, Friday 16 August 2019.

Correctness of Profile Statements

The candidate is responsible for ensuring that the candidate profile statement contains correct grammar, spelling, punctuation, etc. The electoral officer may make corrections to the statement without affecting content but accepts no responsibility to make any correction. The candidate should ensure the statement is correct when submitted and not expect any corrections to be applied.

The electoral officer is not required to verify or investigate any information included in a candidate profile statement.

The electoral officer will take no responsibility for the accuracy of the content. A disclaimer concerning the accuracy of the information contained in the statements will be published in the profile statement booklet.

If the profile statement or photo does not comply with the legislative requirements, the electoral officer will as soon as practicable, return the statement to the candidate and specify his/her concerns and the reasons therefore. The candidate will then have up to three (3) days to submit an amended candidate profile statement to the electoral officer.

A candidate is to be treated as having failed to provide a candidate profile statement, if the candidate:

- Fails to submit an amended candidate profile statement within the requested period, or
- Submits an amended candidate profile statement that, in the opinion of the electoral officer, does not comply with the requirements.

Where the electoral officer is not satisfied that the candidate profile statement complies and cannot reach agreement with the candidate within the period specified, but the candidate has submitted a suitable photograph, the electoral officer will act as if the written part of the statement was never received but still publish the photograph in the candidate profile booklet to be included with the voting paper sent to each elector, as well as a message to the effect that a statement was not supplied.

Signs and Hoardings

Ngā Tohu Pōti

Council Guidelines for Temporary Signs in Public Areas

An electoral sign (also known as a hoarding) is considered to be a temporary freestanding sign that promotes the election of a candidate or party. Such temporary signs are subject to the Council's Public Places Bylaw (Wellington Consolidated Bylaw 2008, Part 5) and District Plan requirements.

Candidates placing electoral signs and hoardings in public areas should be aware of the following guidelines:

- The hoardings must be soundly constructed, not exceed an area of 3 square metres and a maximum height of 4 metres, and be securely fixed and braced in place clear of mown areas.
- Road signs or street nameplates must not be obscured.
- Hoardings must be sited as not to distract or obstruct driver or pedestrian visibility.
- Signs must not be placed closer than 6 metres from an intersection and must be placed at a greater distance if visibility for pedestrians or drivers is obscured.
- Unless otherwise stated, signs must not be placed closer than 1.5 metres from the edge of the road and must be clear of all pedestrian routes and accessways.
- Signs and hoardings must not be erected earlier than 6 weeks prior to the day voting closes and must be removed from all sites the day before voting closes. For this election, the first day a sign may be erected is Saturday 31 August and signs must be removed by 11:59pm, Friday 11 October.
- Should any sign or hoarding suffer damage, it must be repaired immediately or removed from the site.
- All hoardings must contain an authorisation statement as per section 113 of the Local Electoral Act 2001.

In order to erect hoardings on public areas written approval must be obtained from Wellington City Council in accordance with clause 9 of the Public Places Bylaw. Wellington City Council has prepared in advance a list of public sites for where approval to erect hoardings may be granted. Any approval granted will be subject to conditions which reflect these guidelines. To apply to erect electoral hoardings on land owned by Wellington City Council, see <https://wellington.govt.nz/services/consents-and-licences/signs-and-posters>.

It is an offence under the Local Government Act 2002 to breach a Council bylaw.

Election Signage on Private Property

Hoardings should only be erected on private property (including fences) with the consent of the property owner and kept within the confines of that property. Hoardings on private land are subject to the Council's District Plan requirements.

The same rules with respect to area (3 square meters), height (4 meters above the ground) and timeframes (Saturday 31 August until Friday 11 October) apply to electoral signs on private property.

NZTA Guidelines for Managing Election Signage on State Highways

In Wellington, State Highway 1 moves northward from Wellington International Airport along Calabar Road, part of Cobham Drive, part of Wellington Road, Ruahine Street, Paterson Street, part of Rugby Street, Sussex Street, Buckle Street, and Arthur Street, continuing along the Wellington Inncity Bypass and Wellington Urban Motorway toward Porirua.

State Highway 2 moves northward from the Wellington Urban Motorway onto Hutt Road toward Petone.

NZTA has provided guidance in relation to election signs and hoardings which states that signs must:

- Generally not be located on rural state highway reserves (unless exceptional circumstances have been approved by NZTA stage highway managers)
- Not be reflectorised or illuminated
- Be located well clear of intersections, other signs and generally giving consideration to visibility and traffic safety
- Not be on or adjacent to motorways
- Not be erected in a manner that will create distraction or danger to road users
- Not imitate any official traffic signs.

NZTA is responsible for managing election signs on rural state highway reserves. Wellington City Council is responsible for managing signs on property adjoining rural state highways and on urban state highway reserves and adjoining property. (Urban areas relate to state highways with speed limits of 70 km/h or less.)

The full NZTA Election Signage Guidelines are contained within Appendix 3B of the State Highway Control Manual (online at <https://www.nzta.govt.nz/assets/resources/state-highway-control-manual/docs/sm012.pdf>).

Campaigning, Council Resources and Social Media

Whakahaeretia, Rauemi Kaunihera, Pae Pāpāho Pāpori

Election campaigning can commence anytime but should cease by the close of voting, i.e. 12 noon, Saturday 12 October 2019. Election signs must be removed by midnight on Friday 11 October.

There are generally no rules around conduct of campaigning by candidates, although there are certain election offences, which are detailed for your information in this guide, see Appendix 6. Please refer to them for your own protection.

No election material can contain:

- Any untrue statement defamatory of any candidate and calculated to influence the vote of any elector.
- An imitation voting paper which has the names of the candidates with any direction or indication as to the candidate a person should vote for, or in any way contains such direction or indication likely to influence the voter.

Voting papers should not be collected from electors by candidates or their assistants. Each elector is required by law to post or deliver his or her own voting paper to the electoral officer or official voting boxes located at Wellington City Council service centres or libraries.

Council Resources

Candidates are not permitted to use council resources for campaigning purposes. Council resources includes but are not limited to council's logo and branding, website, Facebook page, twitter account, any forms of social media, computers, email, mobile phones, faxes, stationery, photocopiers, printers, stamps, cars, meeting rooms and venues (except those available for public hire).

Election Advertising and Authorisation on Campaign Material

Election advertising, using any media, including social media, must identify the person under whose authority they have been produced, as per sections 113-115 of the Local Electoral Act 2001.

This means that for posters, adverts, billboards, flyers, vehicle signage, websites, Facebook pages etc, each advertising item must have a sentence at the bottom saying that it is authorised by the candidate or agent, i.e. "Authorised by Joe Citizen, 20 Main St, Tinseltown." This authorisation must be clearly visible on any campaigning material including signs and billboards

Please note: a physical address must be provided in any authorisation text, i.e. it cannot be a PO Box, Private Bag or a rural delivery number. There must be a reasonable expectation that anyone wishing to discuss the advertising can do so with the candidate or their agent at the address listed. The use of a council building address is not permitted in the authorisation address.

Advertising Standards Code for Campaign Material

Candidates are reminded to be socially responsible and truthful with the content of their campaign material. Campaign advertisements are subject to the Advertising Standards Authority (ASA) Code. Wherever facts are quoted, the Code is strict that the facts must be correct, however, where a person holds a broad view or opinion, the Code allows them to do so. The ASA settles disputes during elections within two to three days, and take complaints from electoral officers and the public. The usual penalty for breaches of the code is for the advertising to be removed.

N.B. The cost of framing to hold up an election sign is not an item of campaign expenditure.

Advertising Standards

Electoral advertisements fall within the jurisdiction of the Advertising Standards Authority (the ASA). This means that advertisements placed by candidates (in any media) must comply with the Advertising Standards Code (the Code).

The Code sets out the following principles for advertising in New Zealand:

- Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.
- Advertisements must be truthful, balanced and not misleading.

Each principle is accompanied by rules and guidelines. The full text of the Code can be viewed at www.asa.co.nz/wp-content/uploads/2019/03/Advertising-Standards-Code-2018.pdf.

Anyone can make a complaint to the ASA about any advertisements. Complaints must be received using the online complaints form at www.asa.co.nz/complaints, by email at asa@asa.co.nz or posted to PO Box 10675, Wellington 6143.

Campaign Expenditure Limits

Candidates have campaign expenditure limits and are required to file a return to the electoral officer after the election.

Campaign expenditure is all expenses relating to the campaign from the period 3 months before election day, i.e. all expenditure from **12 July 2019 to 12 October 2019** plus any apportioned costs of any election campaigning carried out prior to 12 July 2019 (refer S.112 LEA 2001).

If a candidate is standing for more than one position (e.g. mayor and councillor) then the higher limit applies (not both combined).

The campaign expenditure levels for Wellington City are:

1. Mayoralty

The total electoral expenses (inclusive of goods and services tax) of a candidate must not exceed \$60,000 if any local government area over which the election is held has a population larger than 200,000 and smaller than 249,999.

The population of Wellington City is estimated to be 216,300 (Statistics New Zealand–2018).

City-wide Issues	Est Resident Population as at 30 June 2018	Expenditure Limit (inc GST)
Mayoralty	216,300	\$60,000

2. Wards

The total electoral expenses (inclusive of goods and services tax) of Wellington City ward candidates are:

WCC Wards	Est Resident Population as at 30 June 2018	Expenditure Limit (inc GST)
Motukairangi/ Eastern Ward	39,700	\$20,000
Pukehinau/ Lambton Ward	53,500	\$30,000
Takapū/Northern Ward	48,700	\$30,000
Wharangi/Onslow- Western Ward	45,000	\$30,000
Paekawakawa/ Southern Ward	29,400	\$20,000

3. Community Boards

The total electoral expenses (inclusive of goods and services tax) for community board candidates in Wellington City are:

WCC Community Boards	Est Resident Population as at 30 June 2018	Expenditure Limit (inc GST)
Makara-Ohariu	900	\$3,500
Tawa	15,350	\$14,000

4. Other Elections

The total electoral expenses (inclusive of goods and services tax) of a candidate must not exceed **\$30,000** if any local government area over which the election is held has a population larger than 40,000 and smaller than 59,999.

Election Issue	Est Resident Population as at 30 June 2018	Expenditure Limit (inc GST)
Hutt Mana Charitable Trust	49,540	\$30,000

However, if a candidate is a candidate for more than one election held at the same time, (i.e. mayor and ward), the total electoral expenses (inclusive of GST) of that candidate must not exceed the highest amount permitted under subsection (1) in respect of any one of the elections for which the person is a candidate, i.e. **\$60,000** for a mayoral and ward candidate.

Local government area population	Expenditure limit
up to 4,999	\$3,500
5,000 – 9,999	\$7,000
10,000 – 19,999	\$14,000
20,000 – 39,999	\$20,000
40,000 – 59,999	\$30,000
60,000 – 79,999	\$40,000
80,000 – 99,999	\$50,000
100,000 – 149,999	\$55,000
150,000 – 249,999	\$60,000
250,000 – 999,999	\$70,000
more than 1,000,000	a separate calculation applies

Return of Electoral Expenses

Each candidate is required to keep a record of all campaign election expenses, and must furnish a return to the Electoral Officer within 55 days of the election result being declared, estimated to be no later than Wednesday 18 December 2019.

The return of electoral expenses and electoral donations form once returned becomes a public document and can be inspected by any person for a period of 7 years after receipt. The Electoral Officer is required to make the expenditure return and any supporting documents available on Council's website for seven years.

A model election expenses return form is attached as Appendix 2. The relevant sections of the Local Electoral Act 2001 on election expenses is attached as Appendix 3.

Note:

- 1) Candidates are required to keep evidence of any election expenses for amounts exceeding \$200.
- 2) All candidates must submit a return of election expenses and donations form even if no expenses have been incurred or donations received (a nil return).

Candidate Expenses

Sec 104 of the Local Electoral Act lists the following definition of electoral expenses, in relation to a candidate at an election—

- (a) Means expenses that are incurred by or on behalf of the candidate in respect of any electoral activity; and
- (b) Includes expenses that are incurred by or on behalf of the candidate, before or after the applicable period before the close of polling day, in respect of any electoral activity; and
- (c) Includes the reasonable market value of any materials applied in respect of any electoral activity that are given to the candidate or that are provided to the candidate free of charge or below reasonable market value; and
- (d) Includes the cost of any printing or postage in respect of any electoral activity, whether or not the expenses in respect of the printing or postage are incurred by or on behalf of the candidate; but
- (e) Does not include the expenses of operating a vehicle on which election advertising appears if that vehicle is used in good faith by the candidate as the candidate's personal means of transport; and
- (f) Does not include expenses incurred by the candidate in preparing a candidate profile statement; and
- (g) Does not include the labour of any person that is provided to the candidate free of charge by that person; and
- (h) Does not include the cost of any framework (other than a commercial framework) that supports a hoarding on which an advertisement is displayed.

Note – the \$200 nomination deposit fee is not an electoral expense.

Definition of electoral donation

An electoral donation is a donation of money, goods or services that is made for use in a candidate's election campaign (section 103A LEA). Electoral donations and contributions to donations, of more than \$1500 incl. GST are required to be declared in the candidate's return of donations and expenses. A series of donations made by one person that adds up to more than \$1500 must also be declared. An electoral donation includes:

- Where a candidate is provided with goods or services free of charge that have a reasonable market value greater than \$300
- Where a candidate is provided with discounted goods or services and the reasonable market value of the goods or services is greater than \$300, the difference between the contract or agreed price and the reasonable market value of those goods and services is a donation
- Where a candidate sells over-valued goods or services, the difference between the price paid and the reasonable market value is a donation, for example a fundraising auction or dinner.

The following are not candidate donations:

- Volunteer labour
- Goods or services provided free of charge to a candidate, or to any person on the candidate's behalf that have a reasonable market value of \$300 or less
- Money provided by the candidate for his or her own campaign.

If a person or organisation gives or pays for goods or services that would otherwise be candidate election expenses, the reasonable market value of those items, whatever their value, should be recorded as an election expense. If the reasonable market value of the items exceeds \$300 it should also be recorded as a donation.

Donations made up of contributions

Donations to candidates can be made up of pooled funds contributed by more than one person (referred to in the Act as donations funded from contributions). These types of donations include, for example, campaign donations made through a trust, or where there is a fundraising collection for a candidate's campaign (section 103A LEA). The total proceeds of a collection are treated as a donation under the Act. The person who collects the money will normally be the donor. The individuals who contribute to the collection are contributors for the purposes of the Act. If an electoral donation, other than an anonymous donation, is made up of contributions, the transmitter or donor must tell the candidate:

- The name and address of the donor
- Whether the donation is made up of contributions
- The total amount of individual contributions of \$1500 or less
- In the case of individual contributions greater than \$1500, the name, address, and contribution of each contributor.

If the candidate knows, or has reasonable grounds to believe, that the donor has failed to supply information about contributions, the whole donation must be returned to the donor.

Transmitted donations

A donation can be made either directly by the donor to the candidate or indirectly by a transmitter who transmits a donation to the candidate on someone else's behalf, for example via a lawyer's trust fund. Any person who receives a candidate donation on the candidate's behalf must transmit it to the candidate within 10 working days. When transmitting a donation, the transmitter must tell the candidate:

- That the donation is being transmitted on behalf of a donor
- The name and address of the donor
- Whether the donation is made up of contributions
- The total amount of contributions of \$1500 or less
- In the case of contributions greater than \$1500, the name, address, and contribution of each contributor.

Where a transmitter does not disclose the name and address of the donor, the donation must be treated as an anonymous donation (see below).

Anonymous donations

Candidates are not permitted to retain anonymous donations exceeding \$1500. An anonymous donation is a donation made in such a way that the candidate who receives the donation does not know the identity of the donor and could not, in the circumstances, reasonably be expected to know the identity of the donor (section 103A LEA). If a candidate receives an anonymous donation greater than \$1500, he or she may retain \$1500 of that donation. The balance of the donation must, within 20 working days of receipt, be paid to the electoral officer for payment into the general fund of the local authority.

Applicable period for donations

There is no provision within the Local Electoral Act 2001 or its regulations specifying a period for recording or declaring donations. On that basis, all qualifying donations contributed for use in a candidate's election campaign for the 2019 triennial local body elections should be recorded and included in the candidate's return of election expenses and donations.

Wellington City Council's Social Media Guidelines for Candidates

Candidates must comply with the following guidelines for web and social media use and presence related to campaigning.

Things to be aware of:

- During the lead up to elections, the current Mayor and councillors may be used in social media posts where it is appropriate and is considered 'business as usual' to use them. This may be in images or quotes.
- Election advertising, using any media, including social media, must identify the person under whose authority they have been produced, as per sections 113-115 of the Local Electoral Act 2001. This means in your profile photo/bio, you must have a statement saying that all content/images on your social media channel are authorised by you or your agent. You must include a physical address in the authorisation statement (not a PO Box, private bag or rural number), and you must not use the Council's main office address.
- The Council's social media accounts (listed below), including but not limited to Facebook, Twitter, Instagram, LinkedIn and Neighbourly, are not permitted to be used as a communications channel by anyone (candidates or members of the public) for promotion, electioneering or campaigning. This also applies to all social media accounts owned by Council-controlled organisations.
- The Council's social media accounts are constantly monitored and any campaign related or electioneering content will be removed immediately.
- If Wellington City Council already follows your public social media accounts, please note you will be unfollowed 3 months prior to the election date. This protocol is in line with the Local Electoral Act 2001.
- Any social media post – positive or negative – made by any individual specifically relating to their own – or someone else's – nomination, intention to run for Council, or election campaign, will be removed immediately.
- Candidates cannot reply to the Council's social media posts or share with a comment encouraging people to like or follow their own social media accounts or any other electioneering tool. Any posts that do this will be removed immediately.
- Candidates must not link their own social media accounts (if they are used for campaigning purposes) to the Council's social media accounts.
- Candidates cannot rate, review, check-in or tag the Council's social media channels.
- The Council's social media accounts will remain neutral. Wellington City Council will promote elections and the importance of voting but will not associate these posts with any candidates.

For the sake of clarity, Wellington City Council's web and social media channels are:

Facebook

The Council has a number of Facebook pages including:

- Wellington City Council
- ASB Sports Centre
- Wellington Gardens
- Churton Park Community Centre
- Island Bay Community Centre
- Karori Swimming Pool
- Keith Spry Pool
- Kilbirnie Recreation Centre
- Miramar Community Centre
- Nairnville Recreation Centre
- Newlands Community Centre
- Tawa Library
- Tawa and Linden Community Centres
- Tawa Pool and Recreation Centre
- Toi Pōneke Arts Centre
- Toward 2040: Smart Green Wellington
- Wellington City Libraries
- Wellington City Pacific Advisory Group
- Wellington City Youth Council
- Wellington Region Emergency Management Office
- Wellington Regional Aquatic Centre

Flickr

Flickr is a free image-hosting website that allows users to share photographs. Wellington City Council uses Flickr to display photographs of Wellington, which you can use for non-commercial purposes as long as you attribute them to Wellington City Council.

- www.flickr.com/wgtnc

Instagram

- www.instagram.com/wgtnc

Neighbourly

- <https://www.neighbourly.co.nz/organisation/wellington-city-council-1>

Snapchat

- WgtnCC

Twitter

- [@WgtnCC](http://www.twitter.com/WgtnCC)

YouTube

- www.youtube.com/wgtnc

Council organisations and Council-controlled organisations

Council organisations and Council-controlled organisations have their own social media channels. Like channels operated directly by the Council, these are equally unable to be used by candidates for political purposes. A list of Council organisations and Council-controlled organisations follows:

- Basin Reserve Trust
- Wellington Water
- Wellington Regional Economic Development Agency (WREDA)
- Venues Wellington
- Wellington Cable Car Ltd
- Experience Wellington – Wellington Museums Trust
- Wellington Regional Stadium Trust
- Wellington Zoo Trust
- Karori Sanctuary Trust

Voting and Processing of Votes

Te Pōti me te Whakarite i ngā Pōti

Order of Candidates on the Voting Papers

Wellington City Council has resolved pursuant to Regulation 31 of the Local Electoral Regulations 2001 that the names of the candidates will appear in random order on the voting papers. This means that the candidate names will appear in a different order on each separate voting paper. Barcodes will be printed beside each candidate name for counting purposes.

Special Voting

Special voting documents are available to electors:

- Whose names do not appear on the final electoral roll, but who qualify as electors
- Who did not receive a voting paper previously posted to them
- Who spoil or damage a voting paper previously posted to them.

Special voting documents will be available from Friday 20 September 2019 to 12 noon, Saturday 12 October 2019 at the Wellington City Council Service Centre, 12 Manners Street, Wellington.

Special voting documents can be posted directly out to electors. The completed voting paper however, must be in the hands of the electoral officer or the deputy electoral officer by noon on election day, i.e. 12 noon, Saturday 12 October 2019.

Special voters must complete a statutory declaration. This is a legal requirement and a protection for electors against possible duplicate voting.

If an elector requests a special vote and is not on the parliamentary roll (e.g. just turned 18 years of age), the person must enrol on the parliamentary roll by Friday 11 October 2019. An application for registration as a parliamentary elector may be obtained:

- From any Post Shop or
- By telephoning 0800 ENROLNOW (0800 36 76 56) or
- By accessing the Electoral Enrolment Centre website on www.elections.org.nz.

After voting closes, special vote declarations are forwarded to Registrars of Electors for verification that the elector is eligible and has enrolled as a parliamentary elector.

Special voting documents cannot be collected by candidates or their assistants for distribution to electors.

Early Processing of Returned Voting Papers

The electoral officer has decided pursuant to Section 80 of the Local Electoral Act that returned voting papers will be opened and processed during the voting period before the close of voting.

Voting papers for Wellington City Council are being processed by council's election contractor, *electionz.com Ltd.* *electionz.com* will be processing approximately 600,000 voting papers for 42 councils at its processing centre in Christchurch.

The early processing of voting papers involves the following functions:

- Opening of envelopes
- Extracting of voting papers
- Checking for informal or duplicate votes
- Electronic capture of valid votes
- No tallying of votes is undertaken until after the close of voting (12 noon, Saturday 12 October 2019).

The early processing functions are undertaken within strict security measures. One or more Justices of the Peace observe all early processing functions, and sign a statement at the end of the processing that all functions were undertaken correctly and conformed with the legal and secrecy requirements.

Candidates' scrutineers are not permitted to observe the early processing functions (refer to Appendix 4).

Election Results

The counting of votes takes place as soon as practicable after 12 noon on Saturday 12 October 2019.

An election result will be released on Saturday 12 October. The final result is expected to be declared by Friday 18 October.

Results will be released to candidates and media via email and www.wellington.govt.nz.

There are three types of results.

1. Progress Results

Not all ordinary votes have been counted yet, those votes received on the last morning will still be in transit to the Electoral Officer. Progress results are expected to be available on Saturday 12 October from 2pm as reconciliations and quality assurance checks are completed. Results could change.

2. Preliminary Results

All ordinary voting papers have been received and counted, but not all special votes. These will be announced later on Saturday evening or Sunday after we receive the last ordinary voting papers that were delivered to council offices prior to the close of voting. Results could change.

3. Official Results

All ordinary and special votes have been counted. These will be released by Thursday 17 October, once special votes are confirmed. Results are final.

Recounts and Petitions for Inquiry

A recount can be requested by a candidate within 3 working days after the public declaration of the final election results. This sometimes happens when a result is very close, i.e. less than 5-10 votes, depending on the size of the election.

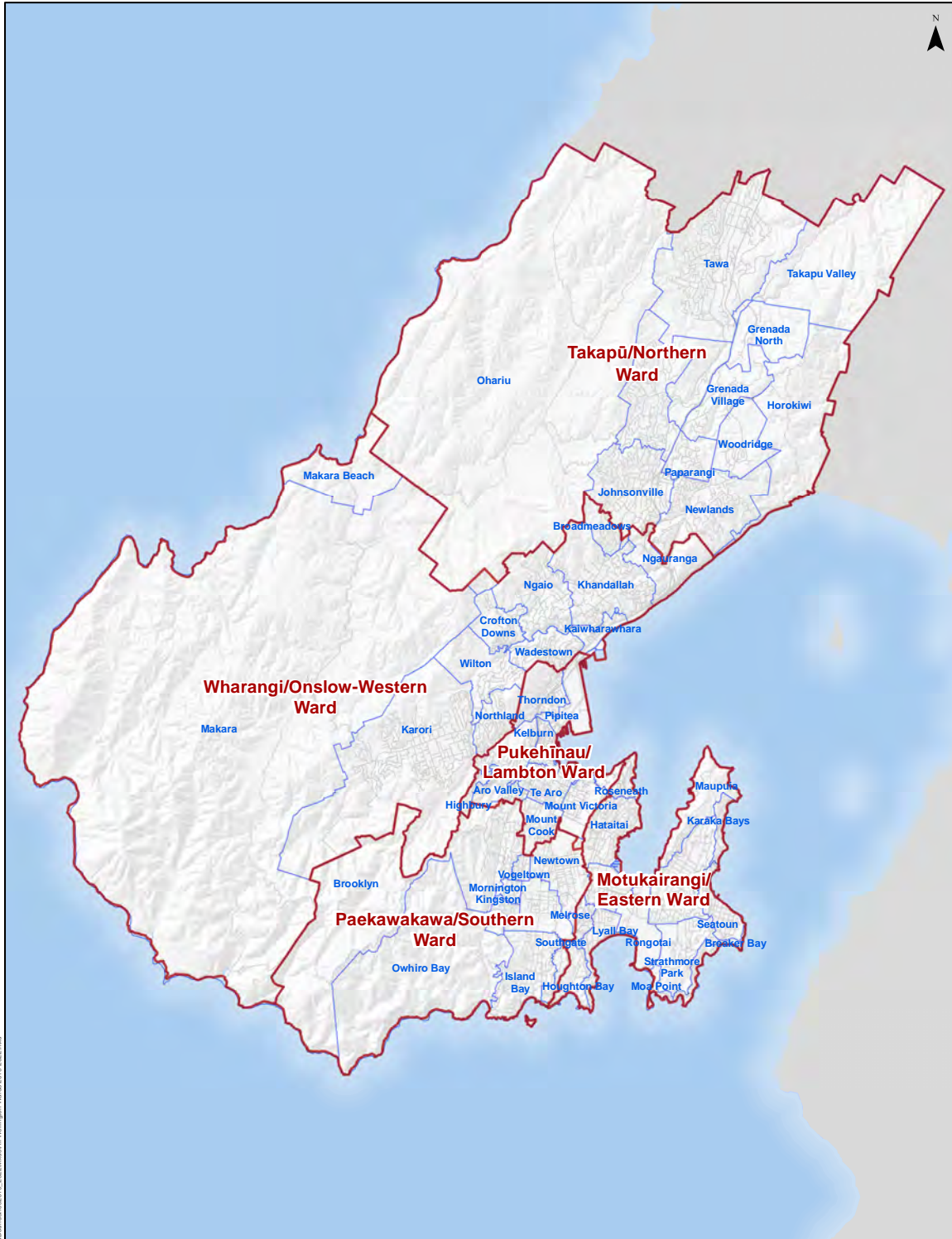
A candidate must make application to the District Court along with the payment of a \$750 deposit. This is usually lodged with the court by a solicitor, so legal advice may be required. The application usually states the reason why a recount should be granted by the Judge. In recent times it has been demonstrated that just because a result is close, that is not necessarily enough of a reason for a recount.

A Petition for Inquiry can be applied for by a candidate or a minimum of 10 electors, if in their opinion the election result is incorrect or may have been compromised. This also has to be made by application to a District Court Judge upon payment of a \$750 deposit within 21 days of the official result declaration. Legal advice should be sought by anyone contemplating a Petition for Inquiry.

Boundary Maps

Ngā Mahere ā Rohe

Wellington City Council Wards



Wellington City Wards: 2019 - 2022 Triennium
as determined by the Local Government Commission

0 1,000 2,000 3,000 4,000 5,000
Meters
scale 1:130,000

Property boundaries Land Information NZ Licence WN0853547/2 CROWN COPYRIGHT RESERVED. Accuracy in urban areas: +/-1m. Accuracy in rural areas: +/-30m. Topographic data: Wellington City Council WCC copyright reserved. Accuracy: +/- 30cm. Any contours displayed are only approximate and must not be used for detailed engineering design. Colour Orthophotography 1:500 flown March 2006 or Feb 2008 owned by Wellington City Council. Other data has been compiled from a variety of sources and its accuracy may vary.

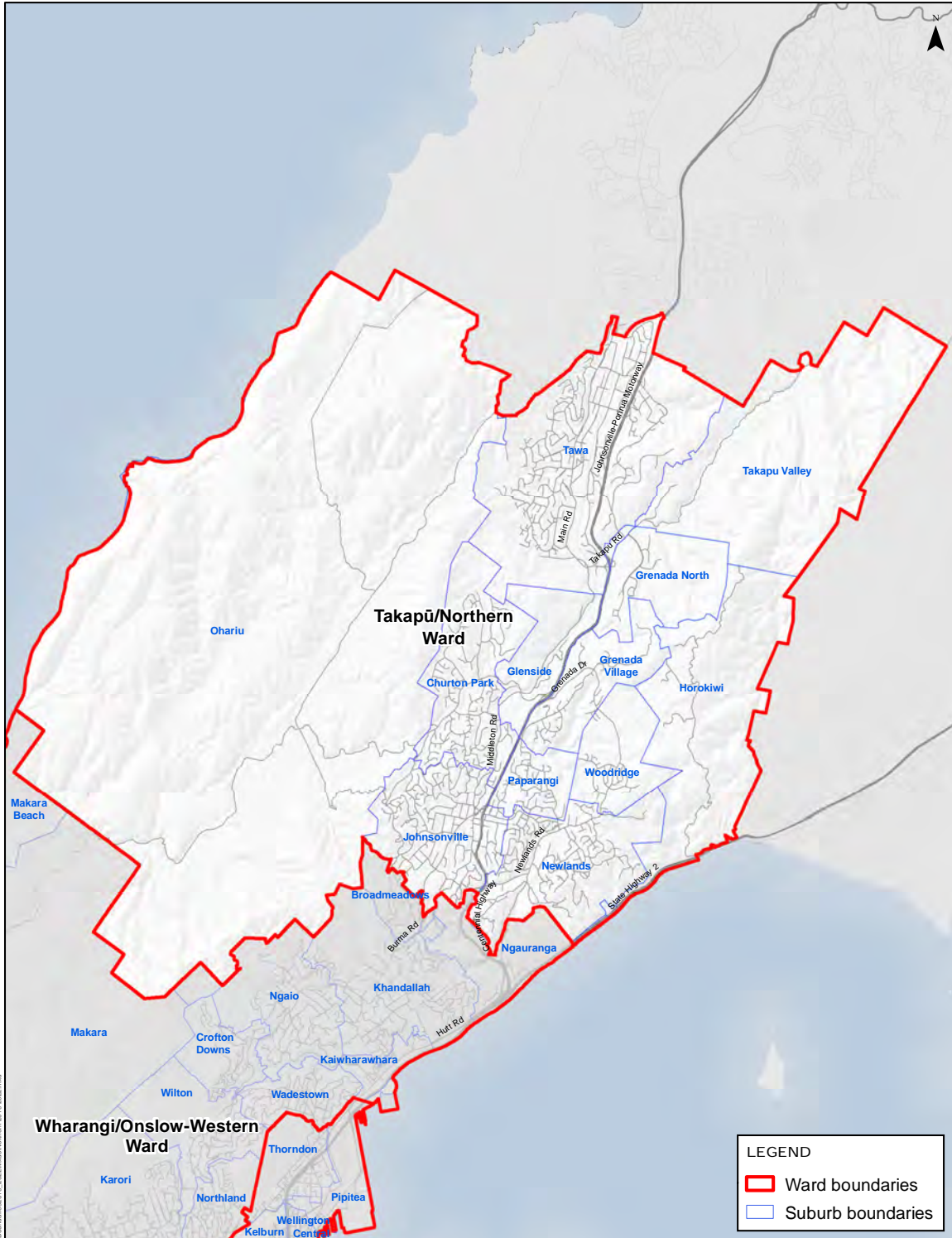
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Wellington City Council
12 Manners Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: martin2o
DATE: 7/06/2019

Absolutely Positively
Wellington City Council
He Haka Ki Te Haka

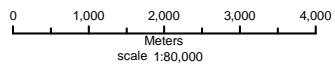
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Takapū/Northern Ward



LEGEND

- Ward boundaries
- Suburb boundaries



Wellington City Takapū/Northern Ward: 2019 - 2022 Triennium as determined by the Local Government Commission

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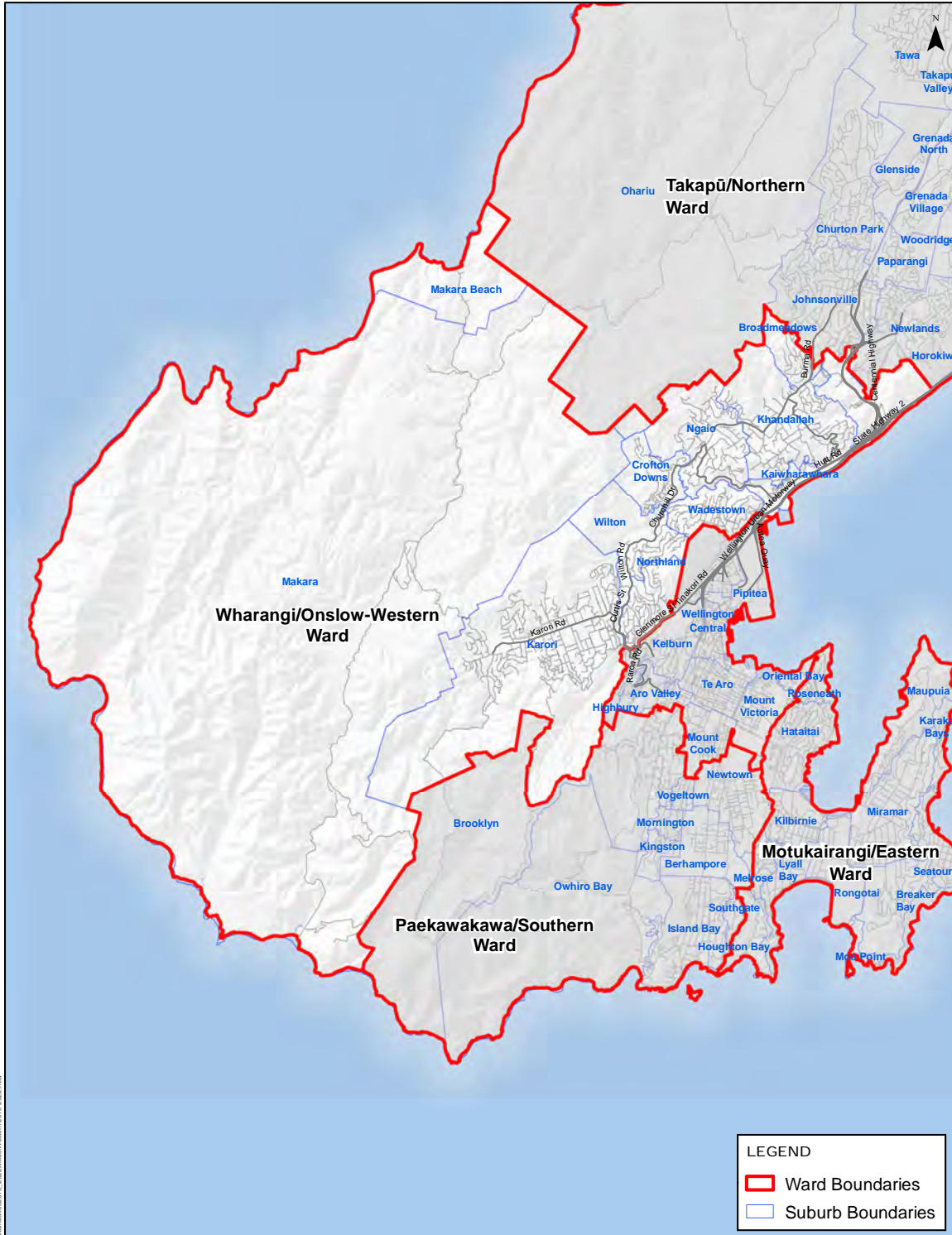
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ORIGINAL MAP SIZE: A4
AUTHOR: martin20
DATE: 7/06/2019

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Filepath: Z:\GIS Services\Projects\9038_WardBoundaries2019_2022\Map\Northern 2019-2022.mxd

Wharangi/Onslow-Western Ward



Wellington City Wharangi/Onslow-Western Ward: 2019 - 2022 Triennium as determined by the Local Government Commission

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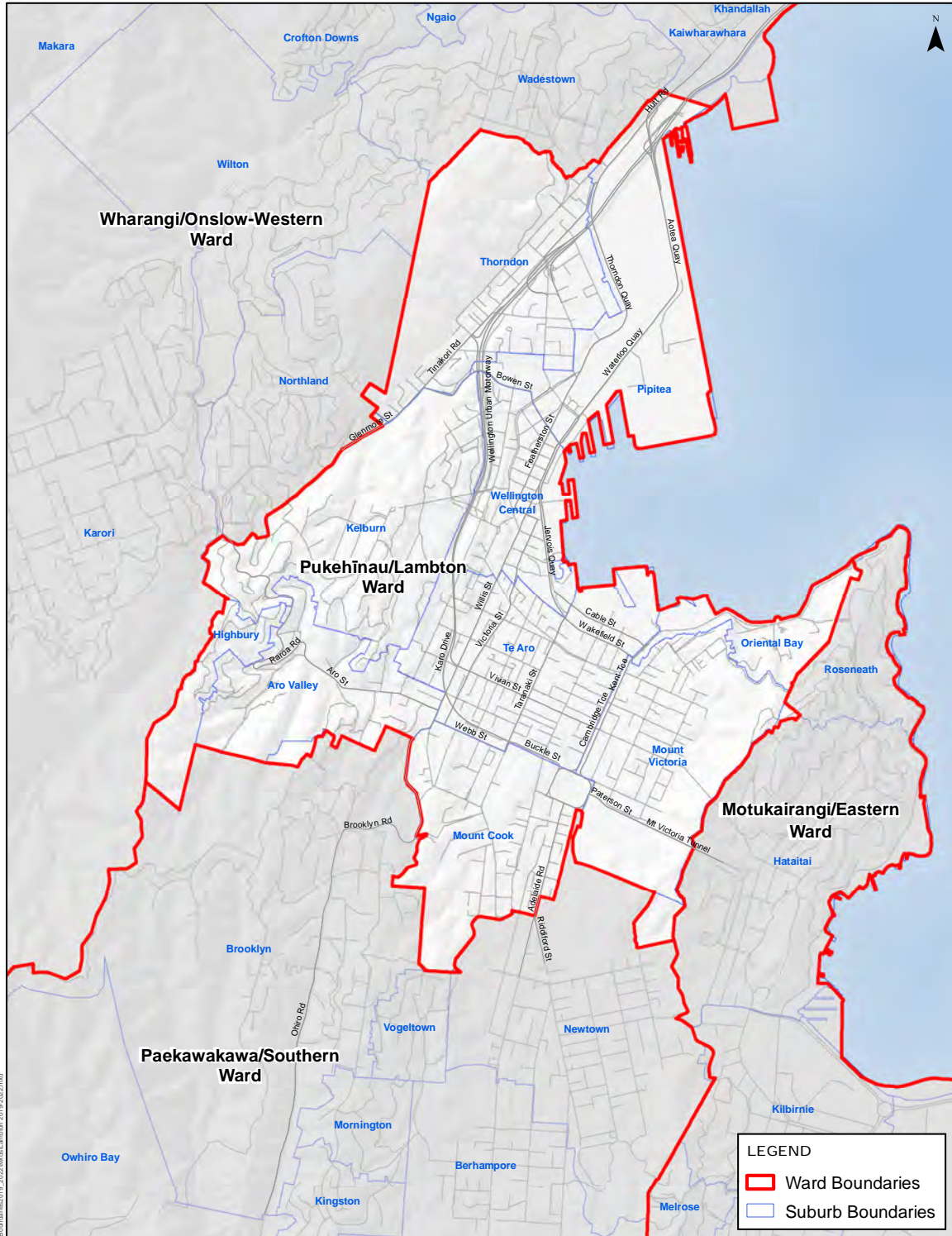
ORIGINAL MAP SIZE: A4
AUTHOR: martin2o
DATE: 6/06/2019

0 1,000 2,000 3,000 4,000
Meters
scale 1:100,000

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Ma Heke Kō Pōhiri

Filepath: Z:\GIS Services\Projects\9208_WardBoundaries2019_2022\Kororua\Wellington_2019_92022.mxd

Pukehinau/Lambton Ward



Wellington City Pukehinau/Lambton Ward: 2019 - 2022 Triennium as determined by the Local Government Commission

Property boundaries Land Information NZ Licence WN0853547/2 CROWN COPYRIGHT RESERVED.
 Accuracy in urban areas: +/-1m. Accuracy in rural areas: +/-30m. Topographic data: Wellington City Council WCC copyright reserved. Accuracy: +/- 30cm. Any contours displayed are only approximate and must not be used for detailed engineering design. Colour Orthophotography 1:500 from March 2006 or Feb 2008 owned by Wellington City Council. Other data has been compiled from a variety of sources and its accuracy may vary.

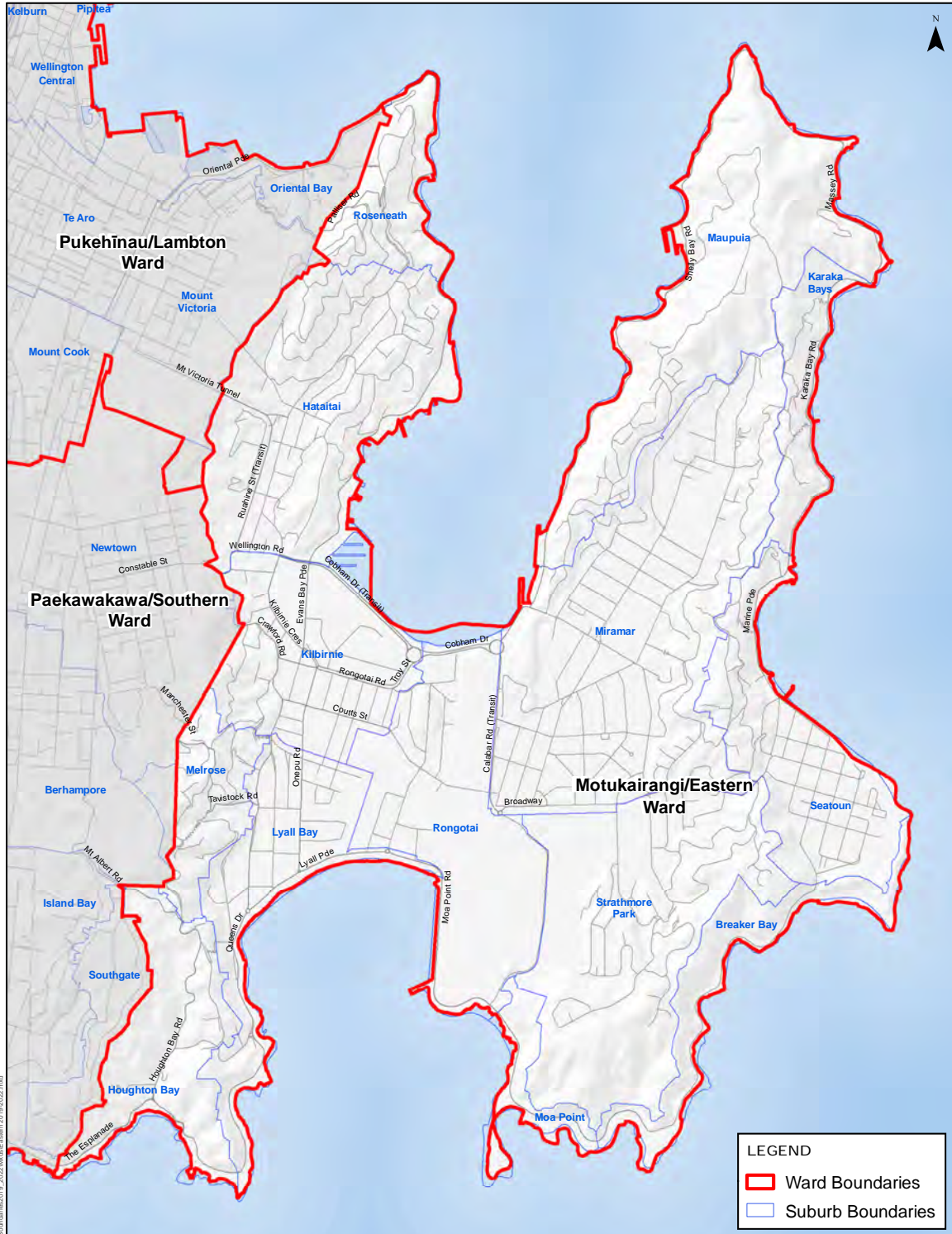
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 Wellington City Council
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 WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
 AUTHOR: martin2o
 DATE: 7/06/2019

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Filepath: Z:\GIS_Services\Projects\2019_2022\WardBoundaries2019_2022\MakaraLambton 2019_2022.mxd

Motukairangi/Eastern Ward

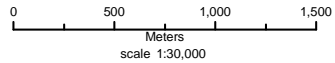


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Wellington City Motukairangi/Eastern Ward: 2019 - 2022 Triennium as determined by the Local Government Commission

LEGEND

- ▭ Ward Boundaries
- ▭ Suburb Boundaries



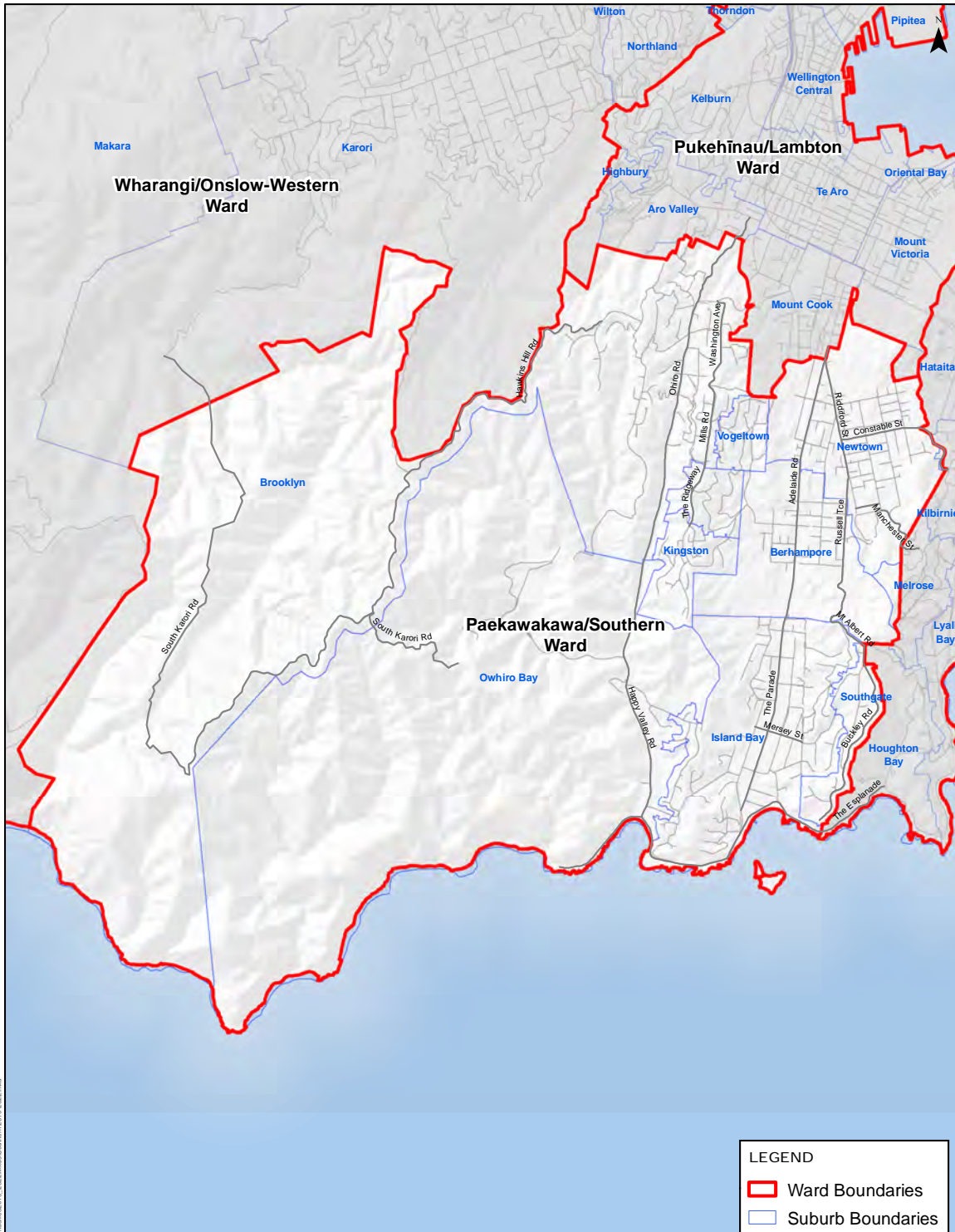
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AUTHOR: martin2o
DATE: 7/06/2019

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Paekawakawa/Southern Ward



Wellington City Paekawakawa/Southern Ward: 2019 - 2022 Triennium as determined by the Local Government Commission

Property boundaries Land Information NZ Licence WN0853547/2 CROWN COPYRIGHT RESERVED. Accuracy in urban areas: +/-1m. Accuracy in rural areas: +/-30m. Topographic data: Wellington City Council WCC copyright reserved Accuracy: +/- 30cm. Any contours displayed are only approximate and must not be used for detailed engineering design. Colour Orthophotography 1:500 flown March 2006 or Feb 2008 owned by Wellington City Council. Other data has been compiled from a variety of sources and its accuracy may vary.

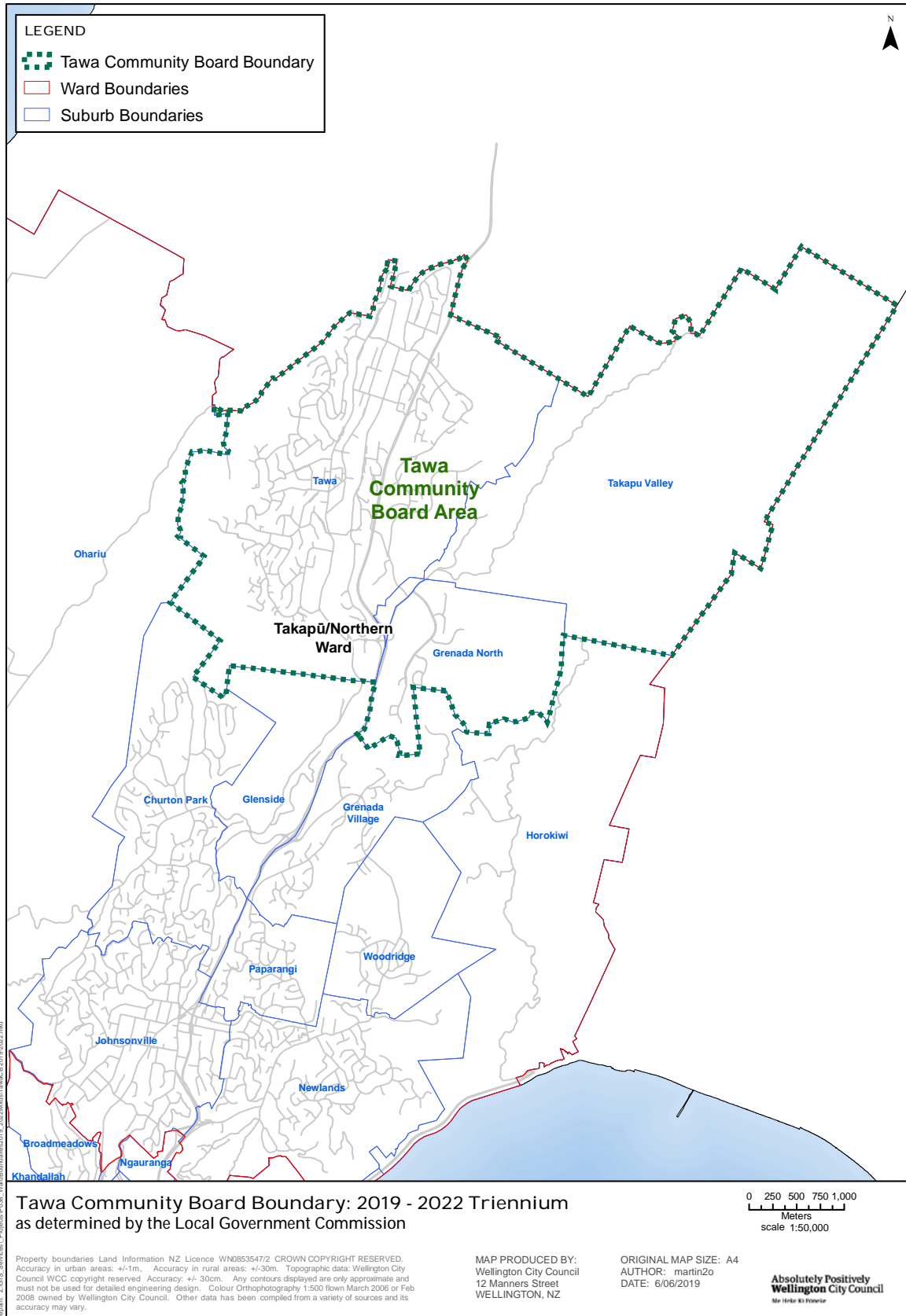
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ORIGINAL MAP SIZE: A4
AUTHOR: martin2o
DATE: 6/06/2019

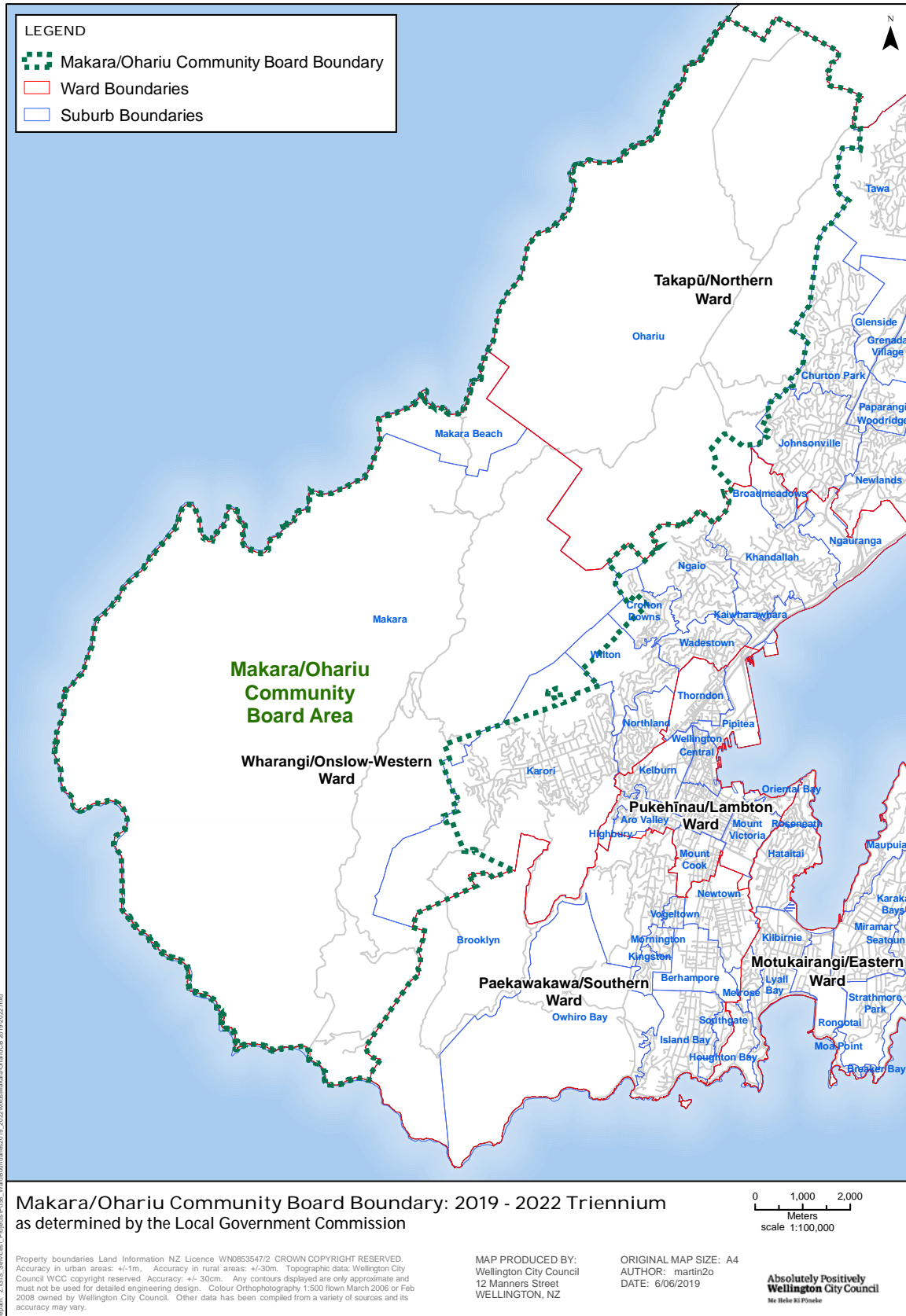
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Wellington City Council
Ma Heke Kō Pōwhiri

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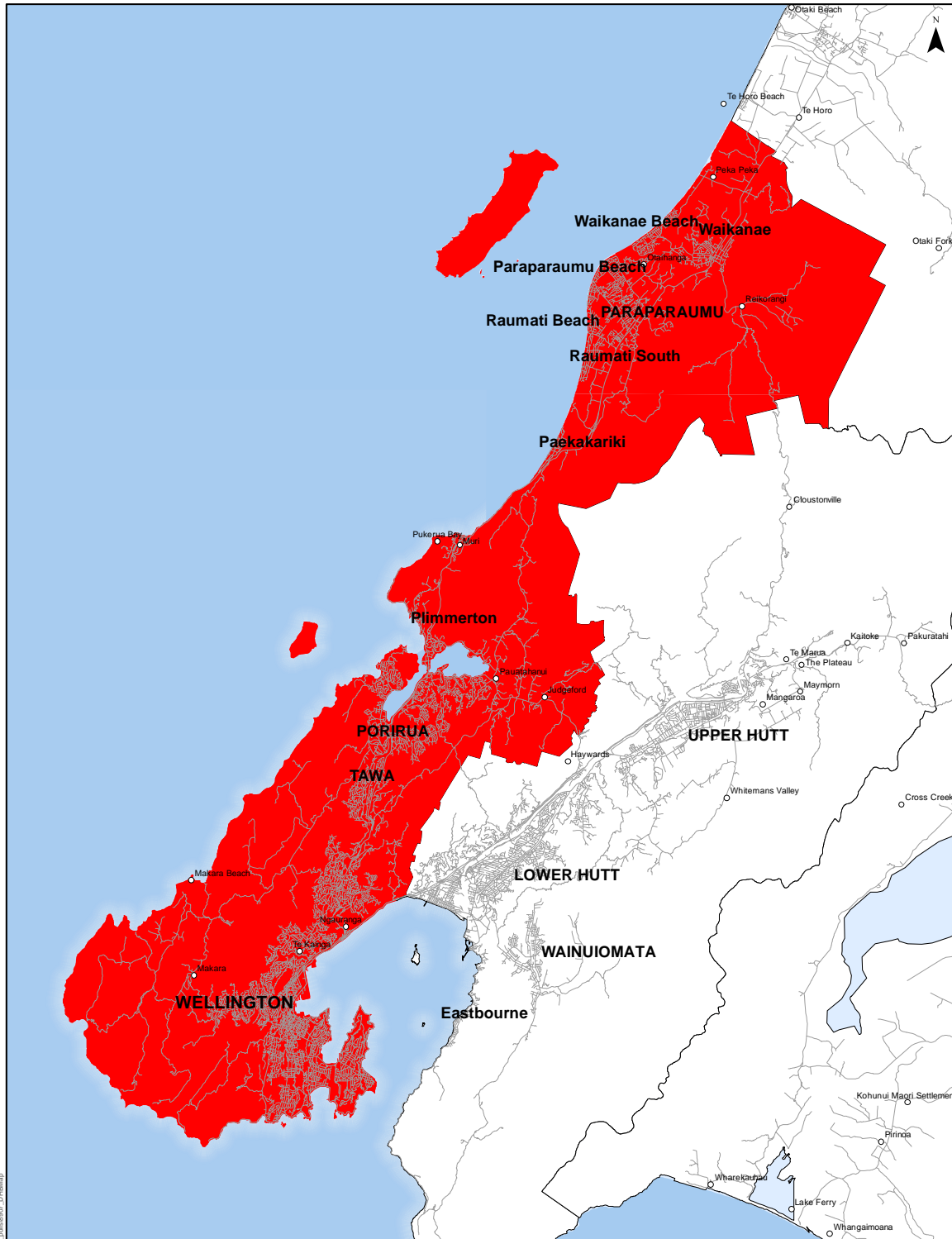
Tawa Community Board



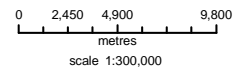
Makara/Ohariu Community Board



Capital and Coast District Health Board



Extent of the Capital and Coast District Health Board



Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

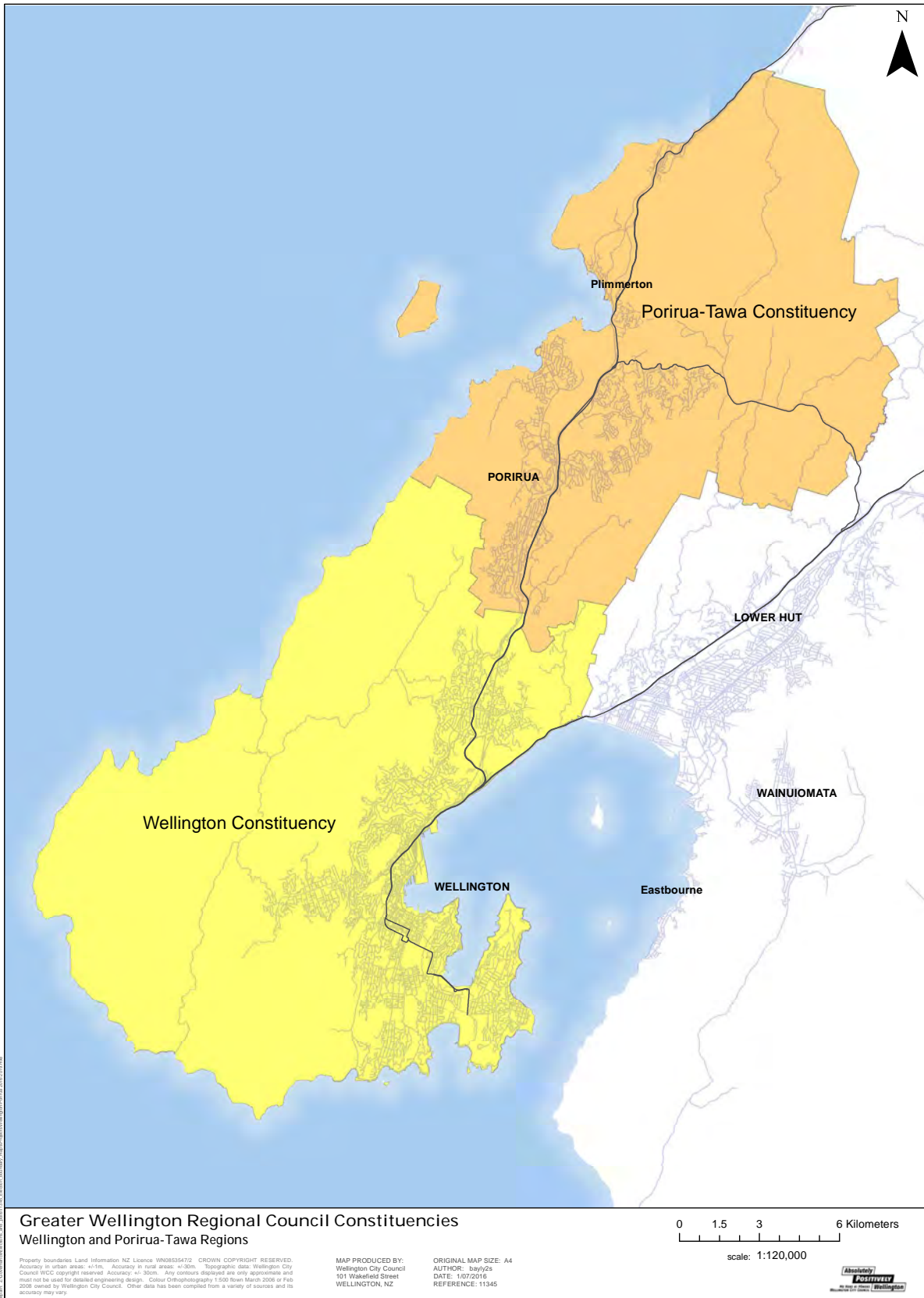
MAP PRODUCED BY:
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ORIGINAL MAP SIZE: A4
AUTHOR: martin2o
DATE: 17/06/2019

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Research/Local/COSS/Governance/Elections_and_polls/07_DHM/Map

Greater Wellington Regional Council



Greater Wellington Regional Council Constituencies
Wellington and Porirua-Tawa Regions

0 1.5 3 6 Kilometers
scale: 1:120,000

Property boundaries Land Information NZ Licence VN0863472 CROWN COPYRIGHT RESERVED.
Accuracy in urban areas: +/-1m. Accuracy in rural areas: +/-30m. Topographic data: Wellington City Council WCC copyright reserved Accuracy: +/- 30cm. Any contours displayed are only approximate and must not be used for detailed engineering design. Colour Orthophotography 1:500 from March 2006 or Feb 2008 owned by Wellington City Council. Other data has been compiled from a variety of sources and its accuracy may vary.

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WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: bay/2s
DATE: 1/07/2016
REFERENCE: 11345



Hutt Mana Charitable Trust



Appendix 1

Candidate Profile Statements

Ngā Korero Whaitake o ngā Kaitono

Local Authority Elections 2019

Right to submit a Candidate Profile Statement (CPS)

Every candidate for election to a local authority may submit a CPS with their nomination (Section 61, Local Electoral Act). This is a permissive right – it is not mandatory to submit a CPS.

Where a candidate is standing for two or more offices, e.g. mayor and councillor – he/she may submit a CPS for each office (Regulation 26, Local Electoral Regulations).

Candidate Profile Statement conditions

- Under Section 61(2)(a) and (3) of the Act and Regulation 27 of the Regulations, a CPS
 - if in English or Māori or both, must not exceed 150 words in each of the languages used in the CPS. The information contained in each language must be substantially consistent with the information contained in the other language;
 - in any other language other than English or Māori, must not exceed 150 words, or their equivalent, if symbols are used rather than words. This includes any translation of those words into another language provided by the candidate. Where a CPS is in a language other than English or Māori, then the candidate must provide a CPS in English or Māori.
- Every CPS must be submitted with the candidate's nomination form.
- The content of a CPS, under Section 61(2)(c), must be confined to information:
 - concerning the candidate or any group or organisation the candidate claims affiliation to under S 55(4) of the LEA;
 - on the candidate's policies and intentions if elected.
- A CPS **cannot** be used to comment on the policies, performance, etc of any other candidate.

A candidate may include with their CPS a recent hard copy photograph of the candidate alone which has been taken within 12 months of the candidate's date of nomination.

Note: Soft (electronic) versions of the candidate photos may be submitted with the CPS. These should be either copied onto a media device or emailed to the deputy electoral officer, at dominic.tay@wcc.govt.nz.

Photos must be submitted at the same time as all nomination documents and by the close of nominations i.e. on or before 12 noon, Friday 16 August 2019. [Section 61(2)(c) and Clause 28].

(Refer to page 15 for the production specifications for the CPS and candidate photograph).

Duties, Powers and Responsibilities of Electoral Officers

Where an electoral officer is not satisfied that a CPS complies with Section 61(2) and (3), he/she must, under Section 61(4), return the CPS to the candidate specifying the concerns and reasons for them and the period within which an amended CPS may be resubmitted.

A candidate will be treated as having failed to provide a CPS if Section 61(4) applies and he/she fails to submit an amended CPS within the period specified by the electoral officer or submits an amended CPS, which in the electoral officer's opinion, still fails to comply with Section 61(2) and (3).

It is important to note that under Section 61(6), the electoral officer is not required to verify or investigate any information in a CPS may include in or with any CPS a disclaimer concerning the accuracy of the information therein.

The EO is not liable in relation to:

- any statement in or omitted from a CPS; or
- the work of a prudently selected translator; or
- the exercise of the powers and functions conferred on the electoral officer under Section 61.

Distribution of Candidate Profile Statement

- Section 62 of the Act and Regulation 29 of the Regulations requires the electoral officer to send to each elector with the voting documents, all CPSs that comply with Section 61, for each candidate in the election for a local government area or subdivision. In addition, a local authority may display CPSs at its offices, or service centres, and publish them on its website as soon as they are ready after nominations have closed.
- Any failure of an electoral officer to comply with Section 62 will not invalidate the election.

Examples of CPSs

A	English					= 150 words
B	Māori					= 150 words
C	English	+		Māori		= 300 words
(must be substantially consistent with each other)						
D	1 Other Language (Non English / Māori)	+	English Translation	OR	Māori Translation	= 150 words
E	2 Other Languages (Non English / Māori)	+	English Translation	OR	Māori Translation	= 150 words
F	3 + Other Languages (Non English / Māori)	+	English Translation	OR	Māori Translation	= 150 words

Appendix 2

Return of Electoral Donations and Expenses

Whakahokia o ngā Pōtitanga Koha Utu Whakahaere

RETURN OF ELECTORAL DONATIONS AND EXPENSES

electionz.com
voting made easy



I

was a candidate for the following election(s) held on 12 October 2019 (Election/Ward/Issue name):

and make the following return of all electoral expenses incurred by me or on my behalf at the election and of all electoral donations made to me or to any person on my behalf.

Notes and Definitions of Donations and Expenses:

1. All candidates in elections held under the provisions of the Local Electoral Act 2001 must file a return of electoral donations and expenses. If no donations were received or expenses incurred, a Nil return must be made.
2. All candidates are required to keep proper records of donations received and expenses paid for election work. These do not have to be filed with this return but must be available to support enquiries about the return if required.
3. Donations can be monetary or physical goods or services supplied or a combination thereof.
4. Donations to a candidate of labour only or donations of goods and services that have a fair market value of \$300 or less do not have to be declared – see S103A of the LEA 2001.
5. Candidates must declare donations from each contributor that exceed \$1500 in value. Where a contributor has made donations in instalments that sum to more than \$1500 in value, each contributing donation needs to be listed in Section A2 and the aggregated sum shown.
6. If there is insufficient space provided in any section, attach a separate sheet with the additional detail.

Section A1: Candidate Donations (Anonymous)

List here details of any **anonymous** (identity of donor is unknown to yourself or any officials engaged on your behalf) donations that **exceed** \$1500:

Date Received	Amount	Description of Contribution	Date Paid to Electoral Officer	Amount Paid to Electoral Officer

Section A2: Candidate Donations (Other)

List here details of any other donations received that **exceed** \$1500:

Date Received	Name of Contributor	Address of Contributor	Description of Contribution	Amount

Section B: Candidate Expenses

List here details of any election expenses paid for (inclusive of GST):

Date Paid	Name of Party Paid	Description of Payment Made	Amount

Dated at (place) this day of 20

Candidate's Signature

Appendix 3

Electoral Expenses & Donations

Ngā Koha me ngā Utu Whakahaere Pōti

The following sections of the Local Electoral Act 2001 cover requirement provisions for electoral donations, expenses and returns which all candidates should be aware of.

111 Maximum amount of electoral expenses

- 1) The total electoral expenses (inclusive of goods and services tax) of a candidate must not—
 - (a) exceed \$3,500 if any local government area over which the election is held has a population smaller than 5 000;
 - (b) exceed \$7,000 if any local government area over which the election is held has a population smaller than 10 000 and larger than 4 999;
 - (c) exceed \$14,000 if any local government area over which the election is held has a population smaller than 20 000 and larger than 9 999;
 - (d) exceed \$20,000 if any local government area over which the election is held has a population smaller than 40 000 and larger than 19 999;
 - (e) exceed \$30,000 if any local government area over which the election is held has a population smaller than 60 000 and larger than 39 999;
 - (f) exceed \$40,000 if any local government area over which the election is held has a population smaller than 80 000 and larger than 59 999;
 - (g) exceed \$50,000 if any local government area over which the election is held has a population smaller than 100 000 and larger than 79 999;
 - (h) exceed \$55,000 if any local government area over which the election is held has a population smaller than 150 000 and larger than 99 999;
 - (i) exceed \$60,000 if any local government area over which the election is held has a population smaller than 250 000 and larger than 149 999;
 - (j) exceed \$70,000 if any local government area over which the election is held has a population smaller than 1 000 000 and larger than 249 999;
 - (k) exceed the sum referred to in subsection (1A) if any local government area over which the election is held has a population of 1 000 000 or more.
- 1A) The sum is—
 - (a) \$100,000 plus the amount prescribed under section 139(1)(ha) for each elector; or
 - (b) \$100,000 plus 50 cents for each elector, if no amount is prescribed under section 139(1)(ha).
- 2) Despite subsection (1), if a candidate is a candidate for more than 1 election held at the same time, the total electoral expenses (inclusive of goods and services tax) of that candidate must not exceed the highest amount permitted under subsection (1) in respect of any one of the elections for which the person is a candidate.

112 Apportionment of electoral expenses

- 1) If any activity of the kind described in paragraphs (a) to (d) of the definition of the term electoral activity (as set out in section 104) is, in relation to a candidate at an election, carried on both before and within the applicable period before the close of polling day,—
 - (a) the expenses incurred in respect of the activity (being expenses incurred by or on behalf of the candidate) must be properly apportioned so that a fair proportion of those expenses is attributed to the carrying on of the activity in the applicable period before the close of polling day; and
 - (b) the fair proportion of those expenses are electoral expenses.
- 2) If any election activity relates exclusively to campaigns for the election of 2 or more candidates, any electoral expenses in respect of that electoral activity must be apportioned equitably in relation to each of those candidates.

112AA Offence to pay electoral expenses in excess of relevant prescribed maximum

- 1) This section applies to any candidate or other person who directly or indirectly pays or knowingly aids or abets any person in paying for or on account of any electoral expenses any sum in excess of the relevant maximum amount prescribed by section 111.
- 2) The candidate or person commits an offence and is liable on conviction—
 - (a) to a term of imprisonment not exceeding 2 years, or a fine not exceeding \$10,000, if he or she knew the payment was in excess of the relevant prescribed maximum amount; or
 - (b) to a fine not exceeding \$5,000 in any other case, unless he or she proves that he or she took all reasonable steps to ensure that the electoral expenses did not exceed the relevant prescribed maximum amount.

112A Return of electoral donations and expenses

- 1) Within 55 days after the day on which the successful candidates at any election are declared to be elected, every candidate at the election must file a return of electoral donations and expenses.
- 2) However, in any case where a candidate is outside New Zealand on the day on which the successful candidates are declared to be elected (election result day), the return must be filed within 76 days after election result day.
- 3) The return of electoral donations and expenses must set out—
 - (a) the details specified in subsection (4) in respect of every electoral donation (other than a donation of the kind referred to in paragraph (c)) received by the candidate that, either on its own or when aggregated with all other donations made by or on behalf of the same donor for use in the same campaign, exceeds \$1,500 in sum or value; and

- (b) whether any donation is funded from contributions, and if so, and to the extent known or ascertainable from the information supplied under section 103D, the details specified in subsection (5) in respect of every contribution that, either on its own or when aggregated with other contributions by the same contributor to the donation, exceeds \$1,500 in sum or value; and
 - (c) the details specified in subsection (6) in respect of every anonymous electoral donation received by the candidate that exceeds \$1,500; and
 - (d) details of the candidate's electoral expenses.
- 4) The details referred to in subsection (3)(a) are—
- (a) the name of the donor; and
 - (b) the address of the donor; and
 - (c) the amount of the donation or, in the case of aggregated donations, the total amount of the donations; and
 - (d) the date the donation was received or, in the case of aggregated donations, the date that each donation was received.
- 5) The details referred to in subsection (3)(b) are—
- (a) the name of the contributor; and
 - (b) the address of the contributor; and
 - (c) the amount of the contribution or, in the case of aggregated contributions, the total amount of the aggregated contributions.
- 6) The details referred to in subsection (3)(c) are—
- (a) the date the donation was received; and
 - (b) the amount of the donation; and
 - (c) the amount paid to the electoral officer under section 103J(1) or (2) and the date that payment was made.
- 7) Every return filed under this section must be in the form prescribed in Schedule 2.
- 8) It is the duty of every electoral officer to ensure that this section is complied with.
- 9) In this section, file in relation to a return, means to send the return to the electoral officer responsible for the conduct of the election.

112B Nil return

If a candidate considers that there is no relevant information to disclose under section 112A, the candidate must file a nil return under that section.

112C Failure to file return of electoral donations and expenses

- 1) A candidate who fails, without reasonable excuse, to comply with section 112A commits an offence and is liable on conviction to—
 - (a) a fine not exceeding \$1,000; and
 - (b) if he or she has been elected to office, a further fine not exceeding \$400 for every day that he or she continues to hold office until the return is filed.

112D Filing a false return of electoral donations and expenses

- 1) A candidate who files a return under section 112A that is false in any material particular commits an offence and is liable on conviction—
 - (a) to a term of imprisonment not exceeding 2 years, or a fine not exceeding \$10,000, if he or she filed the return knowing it to be false in any material particular; or
 - (b) to a fine not exceeding \$5,000 in any other case, unless the candidate proves that—
 - (i) he or she had no intention to misstate or conceal the facts; and
 - (ii) he or she took all reasonable steps in the circumstances to ensure the information in the return was accurate.

112E Obligation to retain records necessary to verify return

- 1) A candidate must take all reasonable steps to retain all records, documents, and accounts that are necessary to enable a return under section 112A to be verified.
- 2) The records, documents, and accounts must be retained until the expiry of the period within which a prosecution may be commenced under this Act in relation to the return or to any matter to which the return relates.
- 3) A candidate who fails, without reasonable excuse, to comply with subsection (1) commits an offence and is liable on conviction to a fine not exceeding \$5,000.

112F Return to be open for public inspection

- 1) The electoral officer must keep every return filed under section 112A in the electoral officer's office, or at some other convenient place to be appointed by the chief executive of the local authority, for a period of 7 years after the date of the election to which it relates (the public inspection period).
- 2) During the public inspection period the electoral officer must—
 - (a) publish, electronically or in any other manner the electoral officer considers appropriate, every return filed under section 112A; and
 - (b) make available for public inspection a copy of every return filed under section 112A; and
 - (c) provide to any person upon request a copy of 1 or more returns filed under section 112A, subject to the payment of any charges that may be made under the Local Government Official Information and Meetings Act 1987.

113 Advertisements for candidates

- 1) No person may publish or cause to be published in any newspaper, periodical, notice, poster, pamphlet, handbill, billboard, or card, or broadcast or permit to be broadcast over any radio or television station, any advertisement that is used or appears to be used to promote or procure the election of a candidate at an election, unless subsection (2) or subsection (4) applies.
- 2) A person may publish or cause or permit to be published an advertisement of the kind described in subsection (1) if—
 - (a) the publication of that advertisement is authorised in writing by the candidate or the candidate's agent or, in the case of an advertisement relating to more than 1 candidate, the candidates or an agent acting for all of those candidates; and
 - (b) the advertisement contains a statement setting out the true name of the person or persons for whom or at whose direction it is published and the address of his or her place of residence or business.
- 3) A candidate is not responsible for an act committed by an agent without the consent or connivance of the candidate.
- 4) A person may publish or cause or permit to be published an advertisement of the kind described in subsection (1) if—
 - (a) the publication of the advertisement is endorsed by an organisation or body representing residents or ratepayers in the community or district in which the advertisement is published; and
 - (b) the advertisement contains a statement setting out—
 - (i) the true name of the person or persons for whom or at whose direction it is published and the address of his or her residence or place of business; and
 - (ii) the true name of the organisation or body that has endorsed the publication of the advertisement and the address of the place of business of that organisation or body.
- 5) This section does not restrict the publication of any news or comments relating to an election in a newspaper or other periodical, or on the Internet, or in any other medium of electronic communication accessible by the public, or in a radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989.
- 6) A person who wilfully contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding \$1,000.

138 Duty to take action in respect of offences

- 1) Subsection (2) applies if an electoral officer—
 - (a) receives a written complaint that an offence has been committed under—
 - (i) Part 5; or
 - (ii) Part 5A; or
 - (iii) this Part; or
 - (b) believes for any other reason that an offence has been committed under either of the Parts specified in paragraph (a).
- 2) If this subsection applies, the electoral officer must—
 - (a) report the complaint or belief to the Police; and
 - (b) provide the Police with the details of any inquiries that he or she considers may be relevant.
- 3) Subsection (2) does not prevent any person from reporting an alleged offence to the Police.
- 4) Despite subsection (2), an electoral officer is not required to report the failure by a candidate to file a return under section 112A if the candidate files the return promptly after being required to do so by the electoral officer.

Appendix 4

Scrutineers

Ngā Kaititiro

Role of Scrutineers

- The Local Electoral Act 2001 (LEA) and the Local Electoral Regulations 2001 (LER) do not specify in detail the role of scrutineers. However, the general role of scrutineers is to oversee and observe certain election or poll procedures to ensure they are undertaken fairly and that votes are counted consistently and accurately.
- The election or poll procedures which scrutineers are statutorily permitted to oversee and observe are:
 - **Scrutineering of Roll** (Sections 81 and 83 LEA and Clause 55 LER). This involves comparing the rolls used at the election or poll upon which there is recorded the fact that an elector has voted. The objective is to establish any dual voting which is disallowed.
 - **Preliminary and Official Counts** (Section 84 LEA, and Clauses 59, 60 and 62 LER). The preliminary count involves the first count of votes immediately following close of voting. The outcome is the preliminary result announced on polling day. The official count follows the preliminary count and includes any remaining special votes. It can commence on polling day and due to special voting issues is usually completed on the Monday or Tuesday following polling day.

Note: With electronic processing, the count processes are computerised tasks undertaken once required reconciliations have been completed. Both counts (preliminary and official) are likely to take several minutes to complete.
 - **Recount** (Section 91 LEA). A recount takes place on the order of a district court judge following an application from a candidate. When required, it involves a recount of the relevant voting documents.
- In observing the processes above, it is lawful for a scrutineer to pass on information to any person of the names of persons who have voted (Section 68 LEA). The passing on of any other information is not permitted – see offences later in this booklet.
- Given that the practice has been for all local authority elections to be conducted by postal voting and not by booth voting as per parliamentary elections, scrutineers are less involved in the local elections process than for parliamentary elections.
- Scrutineers are not entitled or empowered to interfere with the conduct of an election or poll or raise questions of procedure or law with electoral officials. If a scrutineer believes that electoral procedures are not being followed, he or she should draw the matter to the attention of the electoral officer.

Appointment of Scrutineers

- For a local authority election a candidate may appoint one or more scrutineers (Section 66 LEA).
- In relation to a local authority poll, 10 or more electors, who are either in favour of or opposed to the proposal being polled, may appoint 1 or more scrutineers (Section 67 LEA).
- Every scrutineer appointed under Sections 66 or 67 of the Act must be appointed in writing (a model letter of appointment is contained in the back of this section).
- An appointment as scrutineer is not valid unless a copy of the notice of appointment is delivered by the candidate or the 10 electors to the electoral officer. The electoral officer **must** receive this notice not less than **24 hours** before the close of the voting period. The deadline is **Friday 11 October 2019** in the case of this year's local authority elections (Section 68(1) LEA). It is suggested that a scrutineer should always carry a copy of this notice when undertaking scrutineering duties.
- Section 68(3) of the Act contains three restrictions on who may be appointed a scrutineer. No person can be a scrutineer if they are:
 - A candidate in the elections; or
 - A member or employee of any local authority or community board for whom the election or poll is being held; or
 - Under 18 years of age.

Declaration

- No person appointed as a scrutineer can carry out scrutineering duties until he or she has completed a declaration (Section 14(2) LEA and Regulation 91 LER).
- The key obligations for a scrutineer arising from the declaration is that he or she:
 - will well and truly serve in the office of scrutineer; and
 - will not directly or indirectly disclose any fact coming to his or her knowledge at the election or poll that he or she is required by the Act not to disclose.
- A person appointed as a scrutineer must report to the electoral officer or deputy electoral officer on the first day on which he or she is to undertake any scrutineering duty to complete the required declaration. Upon completing the declaration, the scrutineer will be given a 'scrutineer' nametag. This nametag must be returned to the electoral officer when the scrutineer leaves the premises where he or she is acting as a scrutineer.

Information to be Supplied by Electoral Officer

- As soon as practicable following the appointment of a scrutineer, the electoral officer will advise that person of:
 - Arrangements for the election or poll process that he or she has been appointed for
 - What restrictions apply to scrutineers; and
 - How that person is expected to conduct themselves.

Arrangements for Roll Scrutiny, Preliminary and Official Counts and any Recount

- The electoral officer will advise the scrutineer:
 - where he or she should go, and at what time, to complete the required declaration before any scrutineering duties can be undertaken
 - when and where any planned briefing of candidates and scrutineers about election processes is to be held
 - when and where any planned briefing of electoral officials about the election or poll process is to be held
 - where the scrutiny of the roll will be conducted (address and office)
 - what days and time that the scrutiny of the roll will take place
 - that the preliminary count of voting documents will commence at 12 noon on Saturday 12 October 2019
 - when and where the official count will commence and take place and on what days it will extend over if there are special votes to clear with the Registrar of Electors
 - on how the preliminary and official counts will be undertaken – manually or electronically
 - if a recount has been ordered by a district court judge, where and when that recount will take place
 - that no remuneration will be paid to any scrutineer by the local authority for the undertaking of scrutineering duties.

Candidates should note that all vote processing will be carried out in Christchurch and that if they wish to appoint scrutineers all costs thereof are to be met by the candidate.

Restrictions on Scrutineers During Election and Poll Processes

- Pursuant to Section 80 of the Act, the EO will process voting documents during the voting period. Scrutineers are prohibited under Section 81 of the Act from being present during the early processing of voting documents. Early processing of voting documents does not involve counting or totalling votes for any candidate for election or for or against any proposal in a poll. Counting of votes can only commence for the preliminary count after the close of voting i.e. after 12 noon, Saturday 12 October 2019.
- It is permissible for a candidate in the case of an election, and for 10 electors in the case of a poll, to appoint more than one scrutineer. However, only one scrutineer for any candidate can be present at the same place to undertake scrutineering duties.
- It is permissible for scrutineers at any time to leave and return to the undertaking of the roll scrutiny, and after close of voting, the preliminary and official counts. Upon returning to the process, a scrutineer has no power or right to expect the electoral officer to go back for his or her benefit and repeat the activities in relation to voting documents that were dealt with in his or her absence. The same practice will apply if a scrutineer is late for the commencement of any of these processes.

Conduct of Scrutineer

- The general role of scrutineers is to oversee and observe that particular procedures at an election or poll are undertaken fairly and that votes are counted fairly and reasonably. As the emphasis in relation to the role of scrutineers is on overseeing and observing, it is expected that scrutineers must not talk to electoral officials involved in the roll scrutiny, the preliminary or official counts or in any recount. If a scrutineer believes that electoral procedures are not being followed he or she should draw the matter to the attention of the electoral officer. It should not be raised with other electoral officials.
- A scrutineer must also not seek from the electoral officer and other electoral officials any progressive voting trends during the preliminary count.
- The scrutiny and the preliminary and official counts are critical processes to the outcome of an election or poll and demand a high level of concentration from electoral officials. Accordingly, it is incumbent upon scrutineers not to distract, annoy, linger close by or talk loudly to one another so as to disrupt or upset any electoral officials.
- In keeping with the needs of electoral staff, scrutineers are not allowed to use or have mobile phones switched on within the area where scrutiny of the roll, the preliminary or official count or a recount is being conducted.
- The LEA and LER are silent on the display of any party affiliation by scrutineers. The adopted policy will be what normally applies to scrutineers at parliamentary elections. This provides for the following items, in party colours but without party name, emblem, slogan or logo, may be worn on the person or displayed in a vehicle:
 - Streamers
 - Ribbons
 - Rosettes (but see also the special rule about party lapel badges below)
 - Items of a similar nature.
- Party lapel badges may be worn anywhere on the person. A party lapel badge is any badge or rosette designed to be worn on the lapel and bearing a party name, emblem, slogan or logo. None of the above items may be displayed on bags or briefcases. Political parties will be asked to supply the electoral officer with a sample of their rosette prior to the commencement of the polling period. In the case of this years local authority elections, the polling period commences on Friday 20 September 2019.
- Scrutineers should also bring their own refreshments. The electoral officer will not provide meals and refreshments for scrutineers.

Offences

- Scrutineers can be present at election and poll processes, which will expose them to returned voting documents and information about voting. While scrutineers are permitted to tell any person the names of persons who have voted, under the declaration a scrutineer must not directly or indirectly disclose any fact coming to his or her knowledge at the election or poll that he or she is required by the Act or Regulations not to disclose.
- Should a scrutineer break their declaration and disclose information which is prohibited then they are likely to have committed an offence under one or more of the following provisions of the LEA:
 - Section 123, Offences in respect of official documents
 - Section 129, Infringement of secrecy
 - Section 130, Disclosing voting or state of election or poll.
- These three sections are reprinted in full later. Scrutineers are advised to become familiar with them before they complete their declaration and undertake any scrutineering duties.

Appendix 5

Appointment of Scrutineer

Whakaritenga o ngā Kaititiro

LETTER OF APPOINTMENT OF SCRUTINEER

electionz.com
voting made easy



I (candidate),

a candidate for the (council/DHB/LT):

(issue/ward/position):

appoint (full name):

to act as scrutineer at the following election processes (delete any not applicable):

1. Scrutiny of the roll

2. Preliminary Count

3. Official Count

4. Recount

Signed:

(candidate)

Notes for candidates:

1. A copy of this letter of appointment must be given to the electoral officer no later than 24 hours before the close of voting (i.e. by 12 noon Friday 11 October 2019).
2. Scrutineers should carry this letter at all times when undertaking their scrutineering duties.
3. At any of the election processes only one scrutineer for each candidate may be present at any one time.

Appendix 6

Election Offences

Ngā Hēanga Pōtitanga

The Local Electoral Act 2001 includes provisions relating to offences at elections. In particular, candidates are asked to note the following legal requirements:

- Ensure all election advertising includes a proper authorisation statement. Such a statement will include your name (or your agent's name) and the street address for the appropriate place of residence or business. A website or postal address does not suffice.
- Do not interfere or try to influence anyone who is about to vote. Do not offer to collect, post or deliver to the Council completed voting papers from any other elector.
- Do not give, as part of your campaign, any gift or item of value to any other person. An item of value is anything you would expect to pay for and typically may be useful to the recipient other than as election literature. Examples of such items in the lower value category might include pens, biros, message or note pads, rulers, fridge magnets, key-chains and the like.
- Do not, as part of your campaign, provide anyone with anything they can eat or drink, or with any entertainment or other provision. However, light refreshments provided **after** any meeting relating to an election does not amount to treating, but such light refreshments probably should not include alcoholic drinks.

The electoral process in New Zealand is jealously guarded and electoral law is written in such a way so as to reinforce this through prescribing high standards for electoral behaviour.

The penalties for election offences differ. For unauthorised advertisements, the penalty is a fine up to \$1,000. Other offences could result in a larger fine or imprisonment and, in some cases, loss of office as an elected member.

If the Electoral Officer receives any formal complaint about an offence, or become aware of an offence, the matter will be referred the matter to the Police, as required by the Local Electoral Act 2001. The Electoral Officer generally does not have discretion to refuse to report offences.

Information on advertising and election offences is set out in full below, or in other parts of this handbook for advertising, donations and expenses. The detailed law is a little complex in some instances, so the statements presented above are a simplification of the law and should not be regarded as a substitute for reading the statutory provisions.

Candidates are requested to read the following sections of the Act carefully and to ensure that there is no infringement of these provisions either prior to or during the election:

Local Electoral Act 2001

121 Illegal nomination, etc

Every person commits an offence, and is liable on conviction to a fine not exceeding \$2,000, who—

- (a) consents to being nominated as a candidate for an elective office knowing that he or she is incapable under any Act of holding that office; or
- (b) signs a nomination paper purporting to nominate as a candidate a person who is, to the knowledge of the person signing, incapable under any Act of holding that office; or
- (c) signs a nomination paper purporting to nominate another person as a candidate knowing that he or she is not qualified to vote at the election of the person named in the nomination paper as the candidate.

122 Interfering with or influencing voters

- 1) Every person commits an offence, and is liable on conviction to a fine not exceeding \$5,000, who—
 - (a) interferes in any way with any person who is about to vote with the intention of influencing or advising that person as to how he or she should vote:
 - (b) prints, publishes, distributes, or delivers to any person (using any medium or means of communication) a document, paper, notice, or message, being or purporting to be in imitation of any voting document to be used at the election or poll that,—
 - (i) in the case of an election, includes the name of a candidate or candidates, together with any direction or indication as to the candidate or candidates for whom any person should vote:
 - (ii) in the case of a poll, includes a statement or indication as to how any person should vote:
 - (iii) in any way contains or suggests any such direction or indication or other matter likely to influence how any person votes:
 - (c) prints, publishes, or distributes any instruction on the method of marking the voting document that differs in any material way from the instructions required by this Act or any regulations made under this Act to accompany the voting document.
- 2) Despite subsection (1)(b), it is not an offence under that subsection to print, publish, distribute, or deliver a card or leaflet (not being an imitation voting document) on which is printed—
 - (a) the names of all or any of the candidates and the elective offices for which they are candidates (with or without the name of the organisations or groups to which those candidates are affiliated, and including those who are independent); and
 - (b) nothing else.

- 3) Nothing in this section applies to—
- (a) any official statement or announcement made or exhibited under the authority of this Act or regulations made under this Act; or
 - (b) any candidate profile statement, published, displayed, or distributed under the authority of this Act or regulations made under this Act.

123 Offences in respect of official documents

- 1) Every person commits an offence who—
 - (a) intentionally removes, obliterates, or alters any official mark or official writing on any voting document, or other official document used at an election or poll;
 - (b) intentionally places any mark or writing that might be mistaken for an official mark or official writing on any voting document, or other official document used at an election or poll;
 - (c) forges, counterfeits, fraudulently marks, defaces, or fraudulently destroys any voting document, or other official document used at an election or poll, or the official mark on that document;
 - (d) supplies, without authority, a voting document to any person;
 - (e) obtains or has possession of any voting document, other than one issued to that person under this Act or any regulations made under this Act for the purpose of recording his or her vote, without authority;
 - (f) intentionally destroys, opens, or otherwise interferes with any ballot box or box or parcel of voting documents without authority.
- 2) Every person who commits an offence against subsection (1) is liable on conviction,—
 - (a) in the case of an electoral officer or other electoral official, to imprisonment for a term not exceeding 2 years;
 - (b) in the case of any other person, to imprisonment for a term not exceeding 6 months.

124 Voting offences

Every person commits an offence, and is liable on conviction to imprisonment for a term not exceeding 2 years, who—

- (a) votes or applies to vote more than once at the same election or poll; or
- (b) without authority, removes, deletes, or otherwise interferes with any voting document, or other record of a vote that has been cast.

125 Bribery

- 1) Every person commits the offence of bribery who, directly or indirectly, on that person's own or by another person,—
 - (a) gives, lends, agrees to give or lend, offers, promises, or promises to obtain any money or valuable consideration to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting; or

- (b) gives or obtains, agrees to give or obtain, offers, promises, or promises to obtain or to try to obtain any office or place of employment to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce the elector to vote or refrain from voting; or
- (c) corruptly does any act referred to in paragraph (a) or paragraph (b) on account of an elector having voted or refrained from voting; or
- (d) makes any gift, loan, offer, promise, or agreement referred to in paragraph (a) or paragraph (b) for, or with, any person in order to induce that person to obtain or try to obtain the election of any person or the vote of any elector; or
- (e) upon or as a consequence of any gift, loan, offer, promise, or agreement referred to in paragraph (a) or paragraph (b), obtains, or tries to obtain, the election of any person or the vote of any elector; or
- (f) advances or pays, or causes to be paid, any money to or for the use of any other person, intending that that money or any part of it will be used for bribery at any election or poll; or
- (g) knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or partly used for bribery at any election or poll.

- 2) An elector commits the offence of bribery if,—
 - (a) before or during the voting period at the election or poll, he or she, directly or indirectly, on his or her own or by another person, receives, or agrees or contracts for, any money, gift, loan, or valuable consideration, office, place, or employment for himself or herself or for any other person for voting or agreeing to refrain from voting;
 - (b) after the voting period at the election or poll, he or she directly or indirectly, on his or her own or by another person, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.
- 3) Every person who commits the offence of bribery is liable on conviction to imprisonment for a term not exceeding 2 years.

126 Treating

- 1) Every person commits the offence of treating who corruptly, before, during, or after an election or poll, and directly or indirectly, on that person's own or by another person, gives or provides, or pays wholly or in part the expense of giving or providing, any food, drink, entertainment, or provision to or for any person—
 - (a) for the purpose of influencing that person or any other person to vote or refrain from voting; or
 - (b) for the purpose of obtaining his or her election; or
 - (c) on account of that person or any other person having voted or refrained from voting, or being about to vote or refrain from voting.

- 2) Every holder of a licence under the Sale and Supply of Alcohol Act 2012 commits the offence of treating who knowingly supplies any food, drink, entertainment, or provision—
 - (a) to any person, if the supply is demanded for 1 or more of the purposes specified in subsection (1); or
 - (b) to any person, whether an elector or not, for the purpose of obtaining the election of a candidate or affecting the result of a poll, and without receiving payment for it at the time when it is supplied.
- 3) Every elector who corruptly accepts or takes any such food, drink, entertainment, or provision also commits the offence of treating.
- 4) Despite subsections (1) to (3), the provision of light refreshments after any meeting relating to an election or poll does not constitute the offence of treating.
- 5) Every person who commits the offence of treating is liable on conviction to imprisonment for a term not exceeding 2 years.

127 Undue influence

- 1) Every person commits the offence of undue influence—
 - (a) who, directly or indirectly, on that person's own or by another person, makes use of or threatens to make use of any force, violence, or restraint against any person—
 - (i) in order to induce or compel that person to vote or refrain from voting;
 - (ii) on account of that person having voted or refrained from voting;
 - (b) who, by abduction, duress, or any fraudulent device or means,—
 - (i) impedes or prevents the free exercise of the vote of any elector;
 - (ii) compels, induces, or prevails upon any elector either to vote or to refrain from voting.
- 2) Every person who commits the offence of undue influence is liable on conviction to imprisonment for a term not exceeding 2 years.

128 Personation

- 1) Every person commits the offence of personation who, at any election or poll,—
 - (a) votes in the name of some other person (whether living or dead), or of a fictitious person;
 - (b) having voted, votes again at the same election or poll;
 - (c) having returned a voting document, applies for or returns another voting document with the intention of returning an additional valid voting document or invalidating a vote already cast at the same election or poll (whether or not any voting document he or she returns is valid).
- 2) Every person who commits the offence of personation is liable on conviction to imprisonment for a term not exceeding 2 years.

129 Infringement of secrecy

- 1) Every electoral officer, deputy electoral officer, and other electoral official—
 - (a) must maintain and assist in maintaining the secrecy of the voting; and
 - (b) must not communicate to any person, except for a purpose authorised by law, any information likely to compromise the secrecy of the voting.
- 2) No person, except as provided by this Act or regulations made under this Act, may—
 - (a) interfere with or attempt to interfere with a voter when marking or recording his or her vote; or
 - (b) attempt to obtain, in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, any information as to any candidate for whom, or the proposal for or against which, the voter is about to vote or has voted; or
 - (c) communicate at any time to any person any information obtained in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, as to—
 - (i) any candidate for whom, or the proposal for or against which, the voter is about to vote or has voted; or
 - (ii) any number on a voting document marked or transmitted by the voter.
- 3) Every person present at the counting of votes must—
 - (a) maintain and assist in maintaining the secrecy of the voting; and
 - (b) must not, except as is provided by this Act or regulations made under this Act, communicate any information obtained at that counting as to any candidate for whom, or proposal for or against which, any vote is cast by a particular voter.
- 4) No person may, directly or indirectly, induce any voter to display or provide access to his or her voting document or any copy of that document after it has been marked or transmitted, so as to make known to any person the name of any candidate for or against whom, or proposal for or against which, the voter has voted.
- 5) Every person commits an offence who contravenes or fails to comply with this section.
- 6) Every person who commits an offence against subsection (5) is liable on conviction to imprisonment for a term not exceeding 6 months.

130 Disclosing voting or state of election or poll

- 1) Every electoral officer, deputy electoral officer, other electoral official, Justice of the Peace, or scrutineer commits an offence who—
 - (a) makes known for what candidate or candidates or for which proposal any particular voter has voted for or against, except as provided by this Act or regulations made under this Act; or
 - (b) before the close of voting, makes known the state of the election or poll or gives or pretends to give any information by which the state of the election or poll may be known.
- 2) Subsection (1)(b) does not prevent an electoral officer from disclosing the total number of voting documents so far returned at an election or poll at any time during the voting period.
- 3) A person who commits an offence against subsection (1) is liable on conviction to a fine—
 - (a) not exceeding \$5,000 for an electoral officer or deputy electoral officer;
 - (b) not exceeding \$2,000 for any other person.

131 Penalty for electoral officer, deputy electoral officer, and other electoral officials

Every electoral officer, deputy electoral officer, or other electoral official commits an offence, and is liable on conviction to a fine not exceeding \$2,000, who is guilty of any intentional or reckless act of commission or omission contrary to the provisions of this Act or regulations made under this Act in respect of any election or poll, and for which no other penalty is imposed by this Act or regulations made under this Act.

General Provisions**137 Property may be stated as being in electoral officer**

In any proceedings for an offence in relation to any voting documents or other official documents, files, records, instruments, or devices used officially for an election or poll, the property in those documents, files, records, and instruments is to be treated as that of the electoral officer at that election or poll.

138 Duty to take action in respect of offences

- 1) Subsection (2) applies if an electoral officer—
 - (a) receives a written complaint that an offence has been committed under—
 - (i) Part 5; or
 - (ii) Part 5A; or
 - (iii) this Part; or
 - (b) believes for any other reason that an offence has been committed under either of the Parts specified in paragraph (a).
- 2) If this subsection applies, the electoral officer must—
 - (a) report the complaint or belief to the Police; and
 - (b) provide the Police with the details of any inquiries that he or she considers may be relevant.
- 3) Subsection (2) does not prevent any person from reporting an alleged offence to the Police.
- 4) Despite subsection (2), an electoral officer is not required to report the failure by a candidate to file a return under section 112A if the candidate files the return promptly after being required to do so by the electoral officer.

Appendix 7

Results: 2016 Election and Subsequent By-Elections

2017 Southern Ward By-Election

The final result for the Wellington City Council by-election (Southern Ward) held on Friday 22 December 2017 is as follows.

Councillor – Southern Ward (1 vacancy)

Candidate	Status	Iteration	Votes
Fleur Fitzsimons	Elected	7	2,805.00
Laurie Foon	Excluded	7	2,473.00
Vicki Greco	Excluded	6	1,765.00
Mohamud Mohamed	Excluded	5	569.00
Merio Marsters	Excluded	4	295.00
Rob Goulden	Excluded	3	255.00
Thomas GP Morgan	Excluded	2	73.00
Don Newt McDonald	Excluded	1	61.00

Fleur Fitzsimons is declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 2,639. There were 13 informal votes and 4 blank votes.

The voter return was 30.90%, being 6,555 voting papers.

2017 Tawa Community Board By-Election

The final result for the Wellington City Council by-election (Tawa Community Board) held on Friday 17 February is as follows:

Member – Tawa Community Board (1 vacancy)

Candidate	Status	Iteration	Votes
Liz Langham	Elected	3	1,443.00
Damian Hewett	Excluded	3	652.00
Anna Scott	Excluded	3	525.00
Stacey Richardson	Excluded	2	413.00
Craig Robertson	Excluded	1	273.00

Liz Langham is declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 1,310. There were 6 informal votes and 4 blank votes.

The voter return was 27.39%, being 2,799 voting papers.

2016 Triennial Elections

The final result for the Wellington City Council elections held on Saturday 8 October 2016 is as follows.

Mayor (1 vacancy)

Candidate	Status	Iteration	Votes
Justin Lester	Elected	7	31,921.00
Nick Leggett	Excluded	7	24,697.00
Jo Coughlan	Excluded	6	15,844.00
Nicola Young	Excluded	5	5,532.00
Andy Foster	Excluded	4	3,718.00
Helene Ritchie	Excluded	3	2,733.00
Keith Johnson	Excluded	2	1,190.00
Johnny Overton	Excluded	1	620.00

Justin Lester is declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 28,309. There were 63 informal votes and 452 blank votes.

Councillors – Eastern Ward (3 vacancies)

Candidate	Status	Iteration	Votes
Sarah Free	Elected	1	3,711.00
Simon Swampy Marsh	Elected	1	3,044.00
Chris Calvi-Freeman	Elected	5	3,073.42
Lynda McGregor	Excluded	5	2,295.93
Rob Goulden	Excluded	3	1,269.14
Robert Murray	Excluded	2	594.62

Chris Calvi-Freeman, Sarah Free and Simon Swampy Marsh are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 2,804.93. There were 61 informal votes and 717 blank votes.

Councillors – Lambton Ward (3 vacancies)

Candidate	Status	Iteration	Votes
Iona Pannett	Elected	1	4,387.00
Nicola Young	Elected	4	2,934.60
Brian Dawson	Elected	9	2,913.97
Mazz Scannell	Excluded	9	2,153.97
Tony Jansen	Excluded	8	883.47
Milton Hollard	Excluded	7	664.97
Dave Gee	Excluded	5	487.37
Troy Mihaka	Excluded	3	420.11

Brian Dawson, Iona Pannett and Nicola Young are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 2,737.27. There were 23 informal votes and 863 blank votes.

Councillors – Northern Ward (3 vacancies)

Candidate	Status	Iteration	Votes
Malcolm Sparrow	Elected	1	3,730.00
Jill Day	Elected	4	3,153.97
Peter Gilberd	Elected	5	3,195.39
Graeme Sawyer	Excluded	5	2,678.75
Judith Gray	Excluded	3	1,837.27
John Apanowicz	Excluded	2	1,198.36

Jill Day, Peter Gilberd and Malcolm Sparrow are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 3,048.02. There were 22 informal votes and 925 blank votes.

Councillors – Onslow-Western Ward (3 vacancies)

Candidate	Status	Iteration	Votes
Andy Foster	Elected	1	5,608.00
Simon Woolf	Elected	1	4,206.00
Diane Calvert	Elected	6	3,677.75
Ray Chung	Excluded	6	2,736.87
Matthew Plummer	Excluded	5	1,967.20
Paul Douglas	Excluded	4	505.39
Thomas Gregory Phipps Morgan	Excluded	3	171.38

Diane Calvert, Andy Foster and Simon Woolf are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 3,658.93. There were 21 informal votes and 1,250 blank votes.

Councillors – Southern Ward (2 vacancies)

Candidate	Status	Iteration	Votes
Paul Eagle	Elected	1	4,785.00
David Lee	Elected	2	3,229.79
Brendon Bonner	Excluded	2	1,269.69
Brent Pierson	Excluded	2	619.59
Don Newt McDonald	Excluded	2	167.66

Paul Eagle and David Lee are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 2,718.58 There were 45 informal votes and 301 blank votes.

Tawa Community Board (6 vacancies)

Candidate	Status	Iteration	Votes
Graeme Hansen	Elected		
Robyn Parkinson	Elected		
Margaret Lucas	Elected		
Richard Herbert	Elected		
Jack Marshall	Elected		
Jill Day	Elected		

Jill Day, Graeme Hansen, Richard Herbert, Margaret Lucas, Jack Marshall and Robyn Parkinson are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 1,276. There were 6 informal votes and 4 blank votes.

Makara/Ohariu Community Board (6 vacancies)

Candidate	Status	Iteration	Votes
Christine Grace	Elected	1	141.00
Hamish Todd	Elected	1	79.00
Chris Renner	Elected	2	80.97
John Apanowicz	Elected	2	48.76
Wayne Rudd	Elected	3	48.60
Judy Liddell	Elected	5	47.29
Kath May	Excluded	5	22.01
Ray Chung	Excluded	5	13.90

John Apanowicz, Christine Grace, Judy Liddell, Chris Renner, Wayne Rudd, and Hamish Todd are declared elected.

The final absolute majority of votes (final quota) as determined at the last iteration was 45.66. There were 1 informal votes and 13 blank votes.

The voter return was 45.57%, being 64,659 voting papers.

