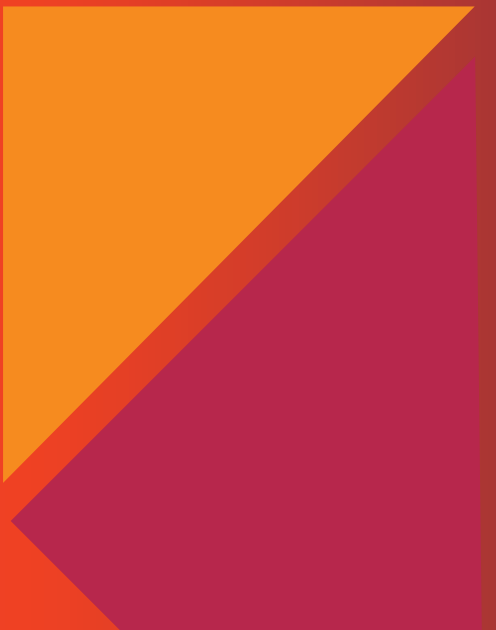




# Local Elections 2019

## Candidate information booklet





**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. Christchurch 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 viewed online at [www.legislation.govt.nz](http://www.legislation.govt.nz) or purchased at retail outlets that sell New Zealand legislation.

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# 1. Introduction

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Thank you for your interest in the 2019 Local Authority Elections. This booklet outlines information which you need to know as a candidate in the 2019 Christchurch City Council elections.

The elections will be conducted by postal vote, with voting closing on election day, Saturday 12 October 2019 at noon.

Local authority elections are conducted under the following legislation:

- **Local Electoral Act 2001**
- **Local Electoral Regulations 2001**
- **Local Government Act 2002**
- **New Zealand Public Health and Disability Act 2000**
- **Local Authorities (Members Interests) Act 1968**

Candidates are advised to familiarise themselves with relevant legislation. Acts and regulations referred to in this candidate information can be viewed at [legislation.govt.nz](http://legislation.govt.nz)

Local Government New Zealand Resources are also available on the Council website and at: [lgnz.co.nz/vote2019/candidates](http://lgnz.co.nz/vote2019/candidates)



## 2. Key contact details

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Jo Daly  
Electoral Officer (EO)  
Christchurch City Council  
Civic Offices, 53 Hereford Street, Christchurch  
PO Box 73 016, Christchurch 8154  
Phone: 941 8581  
Mobile: 027 236 9052  
Email: [elections2019@ccc.govt.nz](mailto:elections2019@ccc.govt.nz)

Anthony Morton  
Deputy Electoral Officer (DEO)  
electionz.com Ltd  
PO Box 3138, Christchurch 8140  
Phone: 0800 666 922  
Mobile: 021 326 021  
Email: [amorton@electionz.com](mailto:amorton@electionz.com)

[ccc.govt.nz/elections](http://ccc.govt.nz/elections)

# 3. Election timetable

12 July – 12 October 2019	Applicable period for election expense returns
From Wednesday 17 July	Public Notice of election
Friday 19 July	<b>Nominations open</b> , preliminary electoral roll open for inspection
Saturday 10 August	Temporary local election signage can be put up
Friday 16 August	<b>Nominations close at noon</b> , electoral roll closes
From Wednesday 21 August	Further public notice of election and candidates' names
By Friday 23 August	EO receives final electoral roll data
Monday 16 September	EO compiles and certifies final electoral roll
Friday 20 September	Delivery of voting documents starts Ordinary and special voting opens
Friday 20 September to 12 October at noon	<b>Voting period</b>
Friday 11 October	Last day of appointment of scrutineers by <b>noon</b>
by midnight Friday 11 October	Remove election signage
Saturday 12 October	<b>Election day – voting closes at noon</b> Progress results available as soon as practical after close of voting
Saturday 12 October to Thursday 17 October	Official count – processing of special votes
17 October – 23 October as soon as practical	<b>Final results announced</b> Public notice of official declaration of election result (as soon as practical)
Friday 13 December – approximately	Return of electoral donations and expenses form (55 days after declaration of results)

# 4. Electoral principles

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The electoral principles in section 4 of the Local Electoral Act 2001 are outlined below. These principles guide the conduct of any election or poll.

## 4 Principles

(1) The principles that this Act is designed to implement are the following:

- (a) fair and effective representation for individuals and communities:
- (b) all qualified persons have a reasonable and equal opportunity to—
  - (i) cast an informed vote:
  - (ii) nominate one or more candidates:
  - (iii) accept nomination as a candidate:
- (c) public confidence in, and public understanding of, local electoral processes through—
  - (i) the provision of a regular election cycle:
  - (ii) the provision of elections that are managed independently from the elected body:
  - (iii) protection of the freedom of choice of voters and the secrecy of the vote:
  - (iv) the provision of transparent electoral systems and voting methods and the adoption of procedures that produce certainty in electoral outcomes:
  - (v) the provision of impartial mechanisms for resolving disputed elections and polls.

(2) Local authorities, electoral officers, and other electoral officials must, in making decisions under this Act or any other enactment, take into account those principles specified in subsection (1) that are applicable (if any), so far as is practicable in the circumstances.

(3) This section does not override any other provision in this Act or any other enactment.

## Electoral Officer

The Electoral Officer has been appointed by the Council. The role of the Electoral Officer is to conduct the election in accordance with the legislation.

Once appointed, the Electoral Officer (as well as the deputy electoral officer and other electoral officials) is not subject to the direction of the local authority in exercising his or her powers and carrying out duties under the Local Electoral Act 2001 and Local Electoral Regulations 2001.

The general duties of the Electoral Officer are:

- **the compilation and certification of electoral rolls**
- **the publication of any public notice in relation to the election**
- **receiving nominations, candidate profile statements and deposits required to be paid and checking the legal requirements for these are met**
- **issuing and receiving ordinary and special voting documents and other official documents**
- **the processing and counting of votes**
- **the declaration of results**
- **receiving returns of electoral expenses and donations**
- **investigating and reporting alleged electoral offences to the Police**
- **completing all necessary post-election tasks, including necessary reports and statistics.**

At triennial general elections, the territorial authority Electoral Officer is responsible for the issuing and receiving of voting documents for all elections in the area (i.e. including for regional council, district health board and licensing trust elections).



# 5. Election positions

Christchurch City Council elections will be held in 2019 for:

## Mayor of Christchurch City Council

Sixteen councillors - one councillor from each of the following wards:

- Banks Peninsula Ward
- Burwood Ward
- Cashmere Ward
- Central Ward
- Coastal Ward
- Fendalton Ward
- Halswell Ward
- Harewood Ward
- Heathcote Ward
- Hornby Ward
- Innes Ward
- Linwood Ward
- Papanui Ward
- Riccarton Ward
- Spreydon Ward
- Waimairi Ward

## Members for seven Community Boards

Community Board	Ward or subdivision	Elected members
Banks Peninsula Te Pātaka o Rākaihautū	Wairewa Subdivision	1
	Akaroa Subdivision	2
	Mt Herbert Subdivision	2
	Lyttelton Subdivision	2
Coastal-Burwood Waitai	Coastal Ward	2
	Burwood Ward	2
Fendalton-Waimairi-Harewood Waimāero	Fendalton Ward	2
	Waimairi Ward	2
	Harewood Ward	2
Halswell-Hornby-Riccarton Waipuna	Halswell Ward	2
	Hornby Ward	2
	Riccarton Ward	2
Linwood-Central-Heathcote Waikura	Linwood Ward	2
	Central Ward	2
	Heathcote Ward	2
Papanui-Innes	Papanui Ward	2
	Innes Ward	2
Spreydon-Cashmere Waihoru	Spreydon Ward	2
	Cashmere Ward	2

Maps of wards and community boards are included later in this booklet and online at: [ccc.govt.nz/representation](http://ccc.govt.nz/representation)

**Note:** Section 88A of the Local Electoral Act 2001 provides that if a person is declared to be elected as a member of the Council, and that person is also declared to be elected as a member of a community board that person must be treated as having vacated office as a member of the community board. Any candidates in this situation therefore automatically vacate their position as a member of the community board in favour of the next highest polling candidate.

Elections will also be held for the Canterbury Regional Council, Environment Canterbury and the Canterbury District Health Board.

Information on the Environment Canterbury (ECan) elections and the ECan candidate handbook is available from the Environment Canterbury Electoral Officer. His details are:

Anthony Morton, electionz.com Ltd, PO Box 3138, Christchurch

Phone: 0800 666 048

Email: [ecan@electionz.com](mailto:ecan@electionz.com)

Website: [ecan.govt.nz/about-us/your-council/elections](http://ecan.govt.nz/about-us/your-council/elections)

Information on the Canterbury District Health Board (CDHB) elections and the CDHB candidate handbook is available from the Canterbury District Health Board Electoral Officer. His details are:

Anthony Morton, electionz.com Ltd, PO Box 3138, Christchurch

Phone: 0800 666 048

Email: [cdhb@electionz.com](mailto:cdhb@electionz.com)

Website: [cdhb.health.nz/about-us/board-committees/cdhb-board-elections-2019](http://cdhb.health.nz/about-us/board-committees/cdhb-board-elections-2019)



# 6. Electoral systems and voting

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## Electoral Systems

Two electoral systems will be operating side by side for the 2019 local government elections. These are:

- **First Past the Post (FPP)**
- **Single Transferable Voting (STV).**

Christchurch City Council and Environment Canterbury will use FPP for all elections. The Canterbury District Health Board will use STV. Information on STV is available at: [stv.govt.nz](http://stv.govt.nz)

## Order of candidates on voting papers

Christchurch City Council has resolved pursuant to regulation 31 of the Local Electoral Regulations 2001 that the names of the candidates will appear on voting papers in random order.

This means that candidate names will appear in a different order on each separate voting paper. Barcodes will be printed beside each candidate name for vote processing purposes.

## Voting

The election will be conducted by postal vote. Voting documents will be posted out to all electors whose names appear on the final electoral roll. New Zealand Post will deliver voting documents from Friday 20 September 2019, and all electors should have received them by Wednesday 25 September 2019.

Each elector, after receiving their voting document, should complete it, seal it in the return postage paid envelope and post or deliver it to the Electoral Officer.

If hand delivered, completed voting documents can be returned to Christchurch City Council Civic Offices, 53 Hereford Street, open Christchurch City Council libraries and service centres before noon on Saturday 12 October.

When posting, voting documents should be posted no later than 5pm on Tuesday 8 October to guarantee delivery before the close of voting, Saturday 12 October at noon.

## 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 have not received a voting document previously posted to them**
- **who spoil or damage a voting document previously posted to them**

Special voting documents will be available from 9am to 5pm Monday to Friday, from Friday 20 September 2019 until Friday 11 October, or by phoning or emailing the Electoral Officer:

- **Christchurch City Council Civic Offices, 53 Hereford Street**
- **Akaroa Service Centre, 78 Rue Lavaud, Akaroa**
- **Fendalton Service Centre, 4 Jeffreys Road, Fendalton**
- **Linwood Service Centre, Eastgate Mall, first floor, Corner Buckleys Road and Linwood Avenue**
- **Lyttelton Service Centre, 18 Canterbury Street, Lyttelton**
- **Beckenham Service Centre, 66 Colombo Street, Beckenham**
- **Te Hāpua Halswell Service Centre, 342 Halswell Road, Halswell**
- **Shirley Service Centre, 36 Marshland Road, Shirley**



On Saturday 12 October, special voting documents will also be available from Christchurch City Council Civic Offices, 53 Hereford Street, from 9am until the close of voting at noon.

Special voting documents can be posted out to electors. The completed voting paper must be returned to the Electoral Officer by noon on election day, Saturday 12 October.

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 (for example, they have just turned 18 years of age), the person must enrol 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: [vote.nz](http://vote.nz)

After voting closes, special vote declarations are forwarded to the Registrar 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.

On election day, Saturday 12 October votes can be returned to all open Christchurch City Council libraries and Christchurch City Council Civic Offices, until noon.

### Processing voting documents during voting period

Returned voting papers will be opened and processed during the voting period. The Electoral Officer made this decision under section 80 of the Local Electoral Act 2001.

Voting papers for Christchurch City Council are being processed by the Council's election service provider, electionz.com, at its secure processing centre in Christchurch.

The early processing of voting papers involves the following functions:

- opening envelopes
- extracting voting documents
- checking for informal or duplicate votes
- electronic capture of valid votes
- no tallying of votes will be undertaken until after the close of voting (noon, Saturday 12 October 2019).

Early processing is undertaken with strict security measures. One or more Justices of the Peace observe all early processing and sign a statement that all functions were undertaken correctly, in full compliance with the strict legal requirements.

Candidate scrutineers are not permitted to observe early processing.

### Scrutineers

For a local authority election a candidate may appoint one or more scrutineers (section 66 of the Local Electoral Act 2001). Refer to Appendix 4 for information regarding the appointment of scrutineers.



# 7. Electoral roll

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The preliminary electoral roll for Christchurch will be available for public inspection from Friday 19 July 2019 to Friday 12 August 2019, 9am to 5pm at the following locations:

- Christchurch City Council, Civic Offices, 53 Hereford Street
- Akaroa Library, 2 Selwyn Avenue, Akaroa
- Akaroa Service Centre, 78 Rue Lavaud, Akaroa
- Aranui Library, 109 Aldershot Street, Aranui
- Beckenham Service Centre and South Library, 66 Colombo Street, Beckenham
- Diamond Harbour Library, Waipapa Avenue, Diamond Harbour
- Fendalton Library and Service Centre, Corner Jeffreys and Clyde roads, Fendalton – reopening 29 July
- Hornby Service Centre and Library, 2/8 Goulding Avenue, Hornby
- Linwood Service Centre and Library, Eastgate Shopping Centre, first floor, Corner Buckleys Road and Linwood Avenue, Linwood
- Little River Service Centre and Library, 4236 Christchurch Akaroa Road
- Lyttelton Library and Service Centre, 18 Canterbury Street, Lyttelton
- Matuku Takotako: Sumner Centre, 14-16 Wakefield Avenue
- New Brighton Library, 213 Marine Parade, New Brighton
- Ōrauhata: Bishopdale Library and Community Centre, 13 Bishopdale Court, Bishopdale
- Papanui Library and Service Centre, Corner Langdons Road and Restell Street, Papanui
- Parklands Library, 46 Queenspark Drive, Parklands
- Redwood Library, 339 Main North Road, Redwood
- Riccarton Service Centre, 199 Clarence Street, Riccarton
- Shirley Library and Service Centre, 36 Marshland Road, Shirley
- Spreydon Library, 266 Barrington Street, Barrington
- Te Hāpua Halswell Centre, 341 Halswell Road, Halswell
- Tūranga, 60 Cathedral Square
- Upper Riccarton Library, 71 Main South Road, Sockburn.

Those eligible to vote are:

- **all residents enrolled on the parliamentary electoral roll within the Christchurch city area**
- **all non-resident ratepayers enrolled on the ratepayer electoral roll.**

People are qualified to be enrolled on the parliamentary electoral roll if they:

- **are a New Zealand citizen or a permanent resident of New Zealand; and**
- **are 18 years of age or over; and**
- **have at some time resided continuously in New Zealand for one year or longer; and**
- **are not disqualified under the Electoral Act 1993.**

Christchurch residents are enrolled automatically on the city's residential electoral roll if they are registered as parliamentary electors. There is no need to enrol separately for local government elections.



Ratepayers who are not Christchurch residents, but pay rates on property within the city, may be entitled to enrol on the ratepayer roll. Companies, businesses, trusts and societies that are ratepayers may also nominate an elector to vote on their behalf, provided any such elector resides outside the Christchurch City district or community board area, as the case may be. Information on this process is available on the Council website [ccc.govt.nz/elections](http://ccc.govt.nz/elections)

- **The preliminary electoral roll is in 16 books, one for each ward.**
- **Any alterations to the residential roll should be made by:**
  - visiting the Electoral Commission website [vote.nz](http://vote.nz) or
  - telephoning 0800 ENROLNOW (0800 36 76 56) or
  - completing the appropriate form at any PostShop.
- **Any alterations to the non-residential ratepayer electoral roll should be referred to the Electoral Officer.**
- **Hard copies of the preliminary electoral rolls may be purchased by candidates or their agents from the electoral officer for \$64 (including GST) for a full set (one for each ward) or \$4 (including GST) for one ward.**
- **The final electoral roll is produced once the preliminary electoral roll closes on Friday 16 August 2019. The final electoral roll is the roll used for issuing voting documents and comes into force on 16 September 2019. Copies of this roll may be purchased as above.**
- **Details appearing in the electoral rolls are electors' names (the surname, then first names) listed alphabetically and the qualifying address of the elector.**

Information contained in the residential electoral rolls is not available from the Electoral Officer in electronic form, but candidates or political parties may request an electronic listing of resident electors from Enrolment Services at the Electoral Commission (provided the criteria of section 114 of the Electoral Act 1993 are met). An application form is required to be completed – these are available on request from the Electoral Commission on 04 801 0710. Health Board will directly contact candidates to confirm their nomination.

# 8. Candidate qualifications

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## A candidate for local authority elections must be:

- Enrolled on a parliamentary electoral roll somewhere in New Zealand; and
- A New Zealand citizen (either by birth or naturalisation ceremony)

## Restrictions on candidates for local authority elections:

- A candidate may not seek nomination for more than one ward of Council (Section 57A Local Electoral Act 2001).
- A candidate may seek nomination for mayor and/or council and/or a community board but may not also seek nomination for Environment Canterbury, i.e. a candidate may stand for any position at Christchurch City Council or Environment Canterbury, not both (section 58 Local Electoral Act 2001).
- 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).
- 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).
- 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: [oag.govt.nz/2010/lamia](http://oag.govt.nz/2010/lamia)  
Under the Act there are a number of exceptions to the disqualification rule in section 3.
- An employee of Christchurch City Council who is elected to Christchurch 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:

- Candidates for mayor may also stand for council and/or a community board if they wish (and vice versa).
- If they wish, a candidate may stand for more than one community board, but not in more than one ward of a community board.
- Candidates are required to record on the nomination paper if they are standing for election in any other elections in New Zealand.
- 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, Christchurch City, but candidates are required to record on the nomination paper if they reside in the election area or not.
- 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.
- There are no longer restrictions applying specifically to Police employees wishing to stand in Council elections.

For Canterbury District Health Board (CDHB) candidate eligibility please refer to the separate candidate handbook for the Canterbury District Health Board, but a candidate for mayor and/or council and/or a community board may also seek nomination to the CDHB.

## Evidence of New Zealand citizenship

It is now a requirement of the nomination process that all candidates provide evidence of their New Zealand citizenship. This is to be provided at the time of candidate nomination. Acceptable evidence includes a copy of a New Zealand Passport, New Zealand birth certificate, or New Zealand citizenship documentation.



# 9. Nominations

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## Key dates

- Nominations open on Friday 19 July 2019 and close at noon on Friday 16 August 2019.
- Public notices calling for nominations will appear in local newspapers on Wednesday 17 July 2019 and Thursday 18 July 2019.

## Availability of nomination forms

Each nomination must be made on the appropriate nomination form. A separate nomination form is required for each position.

Nomination forms will be available from Friday 19 July at:

Christchurch City Council Civic Offices, 53 Hereford Street

Christchurch City Council Service Centres

- Akaroa Service Centre, 78 Rue Lavaud, Akaroa
- Beckenham Service Centre, 66 Colombo Street, Beckenham
- Fendalton Service Centre, Corner Jeffreys and Clyde Roads, Fendalton – reopening 29 July 2019
- Hornby Service Centre, 2/8 Goulding Avenue, Hornby
- Linwood Service Centre Eastgate Mall, first floor, Corner Buckleys Road and Linwood Avenue
- Little River Service Centre, 4236 Christchurch Akaroa Road, Little River
- Lyttelton Service Centre, 18 Canterbury Street, Lyttelton
- Papanui Library and Service Centre, Corner Langdons Road and Restell Street, Papanui
- Riccarton Service Centre, 199 Clarence Street, Riccarton
- Shirley Service Centre, 36 Marshland Road, Shirley
- Te Hāpua Halswell Centre, 341 Halswell Road, Halswell

Phone the Electoral Officer: 03 941 8581

Email: [elections2019@ccc.govt.nz](mailto:elections2019@ccc.govt.nz)

Website: [ccc.govt.nz/elections](http://ccc.govt.nz/elections)

## Completing nomination forms

Each nomination form must have the consent of the candidate and A candidate must be nominated by two electors whose names appear on the electoral roll for the city, ward or subdivision (for example, 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 (for example they are overseas) a letter of consent signed by the candidate can be attached to the nomination paper. A scanned copy of a completed nomination paper will also be accepted if provided with all nomination documents and nomination deposit payment (or evidence of).

## Name of candidate

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. A candidate who wishes to use their commonly known name on the voting document will be required to provide both their full name and the name they are commonly known by on their completed 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 candidate profile statement, but can be included as part of the candidate's 150 word candidate profile statement text 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 candidate profile statement but does not count as part of the 150 words.

## Standing in other elections in New Zealand

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

## Affiliation

The nomination form provides for a candidate to have a political party or group affiliation or other designation.

Individual candidates who are not part of a political party or group 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, organisation or group concerned (i.e. a party letterhead or letter of consent are acceptable). This is a safety measure to avoid any illegal adoption of party, group or organisation affiliations.

No party affiliation or other designation that is offensive in nature or likely to confuse or mislead electors will be accepted.

## Submitting the nomination documents

Nomination documents for Christchurch City Council elections can be lodged by:

- **Delivery to Christchurch City Council Civic Offices, 53 Hereford Street, Christchurch between 9am and 5pm, from 19 July 2019 to Friday 16 August, except on 16 August noon is the cut off for lodgement, not 5pm.**
- **By email to [nomination2019@ccc.govt.nz](mailto:nomination2019@ccc.govt.nz)**
- **By post to the Electoral Officer, Christchurch City Council, PO Box 73016, Christchurch 8154.**

All nomination documents must be submitted at the same time, i.e. nomination paper, candidate profile statement, photo, proof of New Zealand citizenship and nomination deposit or evidence of the deposit. A nomination will not be accepted if any components are missing.

Once lodged, nomination papers are checked to ensure the candidate is eligible (including that their 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. Formats of candidate profile statements are also checked.

Lodging nomination forms should not be left to the last minute. If a nomination form is lodged late on the morning that nominations close and is incorrectly completed or ineligible nominators are provided, there may not be enough time to correct the situation and the nomination paper could be invalidated. To avoid this, candidates should ensure their nomination forms are lodged in sufficient time to be checked and allow for correction if necessary.

Once accepted, nomination forms are a public document and are open for inspection.

The Electoral Officer for Christchurch City Council will also receive nomination documents and payments for Canterbury District Health Board elections. Receipt of nomination forms for these elections does not indicate acceptance of the nomination. The Electoral Officer for the Canterbury District Health Board will contact candidates to confirm their nomination.



## Candidate details

Confirmed candidate details will be made available on the Council website. These details will be updated on a regular basis throughout the nomination period and will include 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 external parties interested in election matters.

Candidate profile statements and photos will be publicly available after the close of nominations. These details will be on the Council website, and available through online channels and electronic applications.

## Nomination deposits

A deposit of \$200 (including GST) must accompany each nomination paper. If an election is required, the deposit is refunded if the candidate polls greater than 25 per cent of the lowest successful candidate for each position. The deposit is also refunded if no election is required. Deposits will not be refunded in cash.

The deposit can be paid by cash, EFTPOS or online banking. If a personal cheque or online banking transaction is 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.

Online banking details are below and also on the nomination form:

Deposit to be paid into:

**Account name: Christchurch CC**

**Bank: BNZ**

**Account number: 02 0800 0044765-00**

**Use the following deposit information:**

**Deposit reference: ELECTION FEE**

**Code: (Your surname)**

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 or copy 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, proof of New Zealand citizenship and the candidate profile statement and photograph, can be delivered to the Electoral Officer or sent by mail or email. The nomination is invalid if all documents are not received by the Electoral Officer or electoral official before noon on Friday 16 August 2019.

It is the candidate's responsibility 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.

## Candidate withdrawals or cancellations

A candidate can withdraw their nomination by written application to the Electoral Officer up until the close of nominations, noon on Friday 16 August 2019.

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

An application for cancellation of a nomination must be made by the two electors who nominated the candidate or an agent on the candidate's behalf. A medical certificate certifying the candidate is incapacitated must be provided for the application to be accepted by the Electoral Officer after the close of nominations.

## Candidate profile statements

The Local Electoral Act 2001 allows for candidate profile statements (CPS) of up to 150 words to be provided by each candidate with the completed nomination form. If an election is required the candidate profile statements are then collated by the Electoral Officer and sent to electors in a booklet with the voting papers. Refer to the information below and Appendix 1 for word limits and translation requirements.

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

Candidate profile statements must state whether the candidate's principal place of residence (where registered as a parliamentary elector) is within the area they are standing in and must specify each position they are seeking election for (including if standing in another council area). These statements are not included in the 150 word limit.

If a candidate is standing for more than one position, the candidate is allowed more than one candidate profile statement.

If the nomination documents are being personally delivered, a hard copy format of the candidate profile must be provided at the same time. Hand written profiles will not be accepted.

## Format of candidate profile statements

The format requirements for profiles are:

Text in English must be supplied in 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 that will automatically apply the required font, type size, line spacings etc. If a candidate does not supply a profile statement or photo, then "No Profile Statement and/or photo provided" text or similar will be printed in the profile book.

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

- **Font - Times New Roman (or equivalent)**
- **Point Size - nine point size, 11 point line spacing**
- **No special formatting of text - for example, no bold, no italics, no underlines, no quote marks, etc.**

## Translations

The following contact details are given for a translation company for candidates who are unable to prepare a translation themselves:

Pacific International Translations (NZ) Ltd, 4/203 Queen Street, Auckland.

Phone: 09 913 5290 Fax: 09 913 5291

Email: [info@pactrans.co.nz](mailto:info@pactrans.co.nz)

The translation service will provide the translations in the correct format at the candidate's expense.

## Candidate photos

Candidates may also submit a recent (less than 12 months) photograph for inclusion with the candidate profile statement in the booklet to accompany the voting papers. Photos should also be provided electronically, on CD, pen drive or as an attachment to an email to the Electoral Officer.

If hard copy photographs are provided, two copies of each photo should be provided with the candidate's name clearly printed on the back 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 should be a head and shoulders only, in colour and with nothing else in the photo, that is no hats, sunglasses, pets, external objects or impediments, or other people. If necessary the Electoral Officer will crop the photo to meet these requirements.

Electronic copies of photos should be scanned as a jpeg at a minimum of 600 dpi. Please direct any questions about the format of photos and statements to the electoral officer.

**Note:** Candidates must ensure all nomination documents, including the statement and photo, are with the Electoral Officer by noon on Friday 16 August 2019.

## Accuracy of profile statements

Candidates are responsible for ensuring their candidate profile statement contains correct grammar, spelling and punctuation. The Electoral Officer may make corrections to the statement without affecting the content, but accepts no responsibility to make any correction. Candidates should ensure the statement is correct when it is submitted and not expect any corrections to be made.

The candidate profile statement must be true and accurate. The Electoral Officer is not required to verify or investigate any information included in a candidate profile statement.

The Electoral Officer takes no responsibility for the accuracy of the content. A disclaimer concerning the accuracy of the information contained in the candidate profile statement will be published in the candidate profile booklet.

If the profile statement or photo does not comply with the legislative requirements, the Electoral Officer will return the statement to the candidate as soon as possible and specify her concerns. The candidate then has up to three days to provide an amended statement to the Electoral Officer

A candidate is treated as having failed to provide a candidate profile statement if they:

- **Do not submit an amended candidate profile statement within the requested period, or**
- **Submit an amended candidate profile statement that, in the Electoral Officer's opinion, does not comply with the requirements.**

When the Electoral Officer is not satisfied that the candidate profile statement complies, and agreement cannot be reached with the candidate within the period specified, the Electoral Officer will act as if the written part of the statement was never received. If a suitable photograph has been supplied, the photograph will still be published in the candidate profile booklet, as well as a message saying a statement was not supplied.





# 10. Campaigning guidelines

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## Campaigning

Election campaigning can start at any time but should end by noon on Saturday 12 October, when voting closes.

Election offences are set out in Appendix 6 of this information booklet (and refer to other offence sections and Part 7 of the Local Electoral Act 2001). Please ensure you understand what is required of you, to avoid committing an offence.

No election material can contain:

- **Any untrue statement defamatory of any candidate and circulated to influence the vote of any elector.**
- **An imitation voting paper that has the names of 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 documents must 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 document to the Electoral Officer or official voting boxes located at Christchurch City Council Civic Offices, and open libraries and service centres.

All election advertising in any medium must identify:

- **The true name of the person under whose authority they have been produced and**
- **The physical address (place of residence or business) of the person under whose authority they have been produced (section 113, Local Electoral Act 2001).**

## Council resources

Candidates are not permitted to use Council resources for campaigning purposes. Council resources include, but are not limited to, Council owned or-controlled property and other resources including the Council logo and branding; all Council marketing and communication channels (including social media); Council-supplied business cards, stationery, computers, email, mobile phones, addresses, photocopiers, Council venues (other than those available for hire to the general public), Council funds, and Council's human resources.

This applies to either sitting members or other candidates in any context that could reasonably be construed as campaigning for elections.



## Election advertising

All election advertising in any medium, including social media, must identify:

- **The true name of the person under whose authority they have been produced**
  - **The physical address (place of residence or business) of the person under whose authority they have been produced**
- As required in section 113, Local Electoral Act 2001.**

This means that for posters, adverts, billboards, flyers, stickers, vehicle signage, websites, Facebook pages etc, each advertising item must include a statement saying that it is authorised by the candidate or agent, for example “This advertising has been authorised by Joe Citizen, 20 Somewhere Street, Sampletown”. This authorisation must be clearly visible on any campaigning material including signs and billboards.

Please note a physical address must be provided on this authorisation, that is, 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.

# 11. Social media guidelines

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## Social media guidelines for candidates

Social media use requires sound judgement and common sense. You, and anyone acting on your behalf, are personally liable for the content you publish.

Social media sites are considered to be in the public domain. It is important to ensure you are confident of the nature of the information that you publish, as you could be quoted on it. Once published, content is almost impossible to control and may be used without your consent in ways you would prefer it was not. Familiarise yourself with the terms of service of any social media site and do not post any material that could leave you vulnerable.

Make use of privacy settings for information you do not want accessed by others. Be mindful of others' privacy and do not post private or confidential information about others, or situations involving named, pictured or otherwise identified people without their permission.

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

- Election advertising, using any media, including social media, must identify the person under whose authority they have been produced, as per section 113 of the Local Electoral Act 2001. This means that in your profile photography/biography, 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.
- Christchurch City Council's social media accounts (listed in Appendix 1), 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 Christchurch City Council already follows your public social media accounts, please note you may be unfollowed three months prior to the election date. This protocol is in line with the Local Electoral Act 2001.
- Any social media post on a Council page – 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.
- 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. Christchurch City Council will promote elections and the importance of voting but will not associate these posts with any candidates.

Christchurch City Council's social media accounts are listed:

### Christchurch City Council social media channel list

Facebook:

- Christchurch City Council
- Christchurch City Libraries
- What's On Christchurch
- KidsFest
- Botanic D'Lights
- Taiora QEII Recreation Centre
- Pioneer Recreation Centre
- Jellie Park Recreation Centre
- Graham Condon Recreation Centre
- Lianne Dalziel Christchurch Mayor
- The Breeze Walking Festival
- Christchurch Botanic Gardens
- Transport for Christchurch
- Christchurch Art Gallery Te Puna o Waiwhetu
- Canterbury Earthquake National Memorial

Twitter

- Christchurch City Council
- Transport for Christchurch

Instagram

- Christchurch City Council
- Christchurch City Libraries
- Christchurch Art Gallery
- Christchurch Botanic Gardens
- What's on Christchurch

Youtube

- Christchurch City Council Civic Offices - [youtube.com/user/ChchCityCouncil](https://www.youtube.com/user/ChchCityCouncil)
- Christchurch City Council - [youtube.com/channel/UCZETwErnCvvgvBbnnHfyxA](https://www.youtube.com/channel/UCZETwErnCvvgvBbnnHfyxA)

Linkedin

- Christchurch City Council

# 12. Guidelines for temporary local election signage

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This information summarises rules applying to candidate and party temporary local election signage in the Christchurch City Council area for the 2019 local authority elections. These rules come from a number of sources including the Christchurch District Plan, the Local Electoral Act 2001, Christchurch City Council and New Zealand Transport Agency (NZTA) bylaws, and the resource consent for the erection of temporary local electoral signage. Please refer to these documents for further detail.

The Local Electoral Act 2001 (section 113) details the requirements that all electoral advertising, including signage, must comply with. Temporary election signs must include a statement of authorisation or endorsement setting out:

- **The true name of the person or persons for whom or at whose direction the sign has been erected and the address of his or her residence or place of business; and**
- **The true name of the organisation or body that has endorsed the erection of the sign and the address of the place of business of that organisation or body.**

In 2019 polling day is Saturday 12 October. Temporary local electoral signage ( which might otherwise exceed the District Plan limits on size or number of signs) is permitted within the limits specified below for a period of nine weeks before polling day and must be removed by midnight before polling day. Therefore, this additional signage is authorised from Saturday 10 August until midnight Friday 11 October 2019.

It is the responsibility of the owner of each election sign to ensure that their sign and any supporting structure adhere to the legislation and rules. Council's Regulatory Compliance Unit may remove any sign that does not comply.

Questions regarding the content of local electoral signage and advertising should be made to the Electoral Officer  
Phone: 03 941 8581  
Email: [elections2019@ccc.govt.nz](mailto:elections2019@ccc.govt.nz)

## Landowner permission to display election signage

All signage displayed in any location must have the permission of the landowner (not the occupier) of the property on which it is displayed. This includes private, public, Council and Crown-owned land, and NZTA roads (motorways and state highways).

Signage without permission is not permitted to be erected on Council land, including roads, footpaths and berms, road structures and trees or in parks.

## Requirements for election signage

The District Plan has rules that control the area, height and number of all signs including temporary local election signs.

In the nine weeks leading up to polling day, from 10 August 2019, additional signage is authorised by a resource consent as summarised in this information. Queries regarding resource consent requirements if the following requirements are not met should be made to the Duty Planner, available on 03 941 8999, [dutyplanner@ccc.govt.nz](mailto:dutyplanner@ccc.govt.nz)  
Temporary local election signs may not be:

- **Reflectorised, illuminated, or have any moveable parts.**
- **Flashing or digitised unless they are on existing legally established billboards or digital displays.**
- **Similar to or the same as any traffic sign or controls in shape or colour.**
- **Captive balloons or blimps.**
- **An imitation or replication of a voting paper**

In the nine weeks leading up to polling day, the total number of temporary election signs per site is permitted within the maximum area and size of signs set out below:

- A maximum additional area of 3m<sup>2</sup> of signage per site may be placed in addition to any other legal signage existing, consented or permitted by the District Plan.
- In zones where more than 3m<sup>2</sup> of signage per site is permitted by the District Plan (for example, some commercial or industrial zones), temporary election signage may be placed up to the normal signage area limit or 3m<sup>2</sup> whichever is greater.
- The maximum height for any part of the sign is 4m above ground level or the façade height of any building, fence or structure it is attached to whichever is lower. Building consent is required for signs over 3m above ground level whether freestanding or attached to a building.
- No new individual temporary election sign may be more than 3m<sup>2</sup> in area.
- Election signage on protected heritage items or in heritage settings must meet more restrictive standards regarding placement, size and use of protective material.

## Location

When considering where to put election signage, there are certain restrictions that must be complied with:

- Election signage must not obscure or distract from traffic signals or other traffic safety signs and controls.
- Where a temporary sign, including a flag, extends over part of the road reserve, the lowest part of the temporary sign must be at least 2.6m above the ground.
- Election signs affixed to or on verandas or projecting from the face of a building must meet additional height and location controls.
- Signs cannot be affixed to any significant tree as defined in the District Plan and restrictions apply on earthworks for signage constructed within 10m of a significant tree.
- Freestanding temporary election signs may not be erected in certain areas identified in the District Plan as having special environmental or cultural values (for example, wahi tapu, sites of ecological significance, outstanding landscape features, etc.). Specific details of these areas are detailed in the District Plan.

## Election advertising on vehicles

Temporary party/candidate signs for the 2019 election on a vehicle are considered temporary local electoral signage. Election advertising on vehicles is permitted when the vehicle is being used for day-to-day transportation, and is being used in accordance with the Council's Traffic and Parking Bylaw 2017 and other traffic legislation. Use of a vehicle as a sign, which is, parked up for the purpose of electoral advertising as opposed to transportation, requires compliance with these temporary local electoral signage rules and the Council's Traffic and Parking Bylaw 2017 and Public Places Bylaw 2018.

Signage may be painted on or attached flush to vehicles, but should not protrude out from or above the vehicle body.

## Election signs on or adjacent to state highways

Restrictions apply to election signs erected on or adjacent to state highways under the control of the NZTA and within Christchurch district boundaries. Under NZTA bylaws, signs will not be permitted on a motorway or state highway road reserve where the speed limit is 70km/hour or above.

Contact NZTA with any questions about state highway requirements:

Jude Ward, New Zealand Transport Agency  
Network Technician/Corridor Manager, System Design & Delivery  
Phone: 03 964 2813  
Email: [jude.ward@nzta.govt.nz](mailto:jude.ward@nzta.govt.nz)



## Reference documents:

- District Plan: [ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/christchurch-district-plan](http://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/christchurch-district-plan)
- District Plan Property Search website for any location where signage is proposed: [districtplan.ccc.govt.nz/PropertySearch/PropertySearchContainer.html](http://districtplan.ccc.govt.nz/PropertySearch/PropertySearchContainer.html)
- Public Places Bylaw: [ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/public-places-bylaw-2018](http://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/public-places-bylaw-2018)
- Traffic and Parking Bylaw: [ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/traffic-and-parking-bylaw-2017](http://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/traffic-and-parking-bylaw-2017)
- New Zealand Transport Authority State Highway Bylaws: [www.nzta.govt.nz/roads-and-rail/highways-information-portal/technical-disciplines/state-highway-bylaws](http://www.nzta.govt.nz/roads-and-rail/highways-information-portal/technical-disciplines/state-highway-bylaws)
- Guidelines for Temporary Local election signs and signage - Technical references [ccc.govt.nz/assets/Documents/The-Council/How-the-Council-works/Elections-2019-GUIDELINES-FOR-TEMPORARY-LOCAL-ELECTION-SIGNS-AND-SIGNAGE-Technical-references.pdf](http://ccc.govt.nz/assets/Documents/The-Council/How-the-Council-works/Elections-2019-GUIDELINES-FOR-TEMPORARY-LOCAL-ELECTION-SIGNS-AND-SIGNAGE-Technical-references.pdf)



# 13. Electoral expenses and donations

## 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 three months before election day (all expenditure from 12 July 2019 to 12 October 2019) plus any apportioned costs of any election campaigning commencing before 12 July 2019 (refer to section 112 of the Local Electoral Act 2001).

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

Section 111 of the Local Electoral Act 2001 details the maximum amount of electoral expenses.

Below is a summary from section 111(1) of the Act of maximum amount of electoral expenses (inclusive of goods and services tax) that a candidate must not exceed:

Ward or Subdivision Population	Expenditure ( <i>inclusive of goods and services tax</i> ) must not exceed
Up to 4999	\$3,500
5000 to 9,999	\$7,000
10,000 to 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

Section 111(2) of the Local Electoral Act requires that if a candidate is a candidate for more than one 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. This means that if a candidate is standing for more than one position, the total electoral expenses must not exceed the highest amount applicable.

For campaigning purposes, the populations and population-to-membership ratios for each Christchurch ward and subdivision are as follows:

Ward	Estimated Population*	Councillors per ward	Community Board members per ward
Banks Peninsula	8,710	1	7 <i>from four subdivisions, refer table below</i>
Burwood	27,200	1	2
Cashmere	22,700	1	2
Central	25,800	1	2
Coastal	25,100	1	2
Fendalton	24,800	1	2
Halswell	27,400	1	2
Harewood	22,800	1	2
Heathcote	25,700	1	2
Hornby	24,300	1	2
Innes	24,700	1	2
Linwood	26,300	1	2
Papanui	25,100	1	2
Riccarton	28,000	1	2
Spreydon	26,000	1	2
Waimairi	24,000	1	2
<b>Estimated Total Population</b>	<b>388,500</b>	<b>16</b>	<b>37</b>

\* Estimated population figures June 2018 from Statistics New Zealand

The population that applies to mayoral candidates is the total population of Christchurch.

The populations and population-to-membership ratios for Banks Peninsula subdivision are as follows:

Banks Peninsula Subdivisions	Estimated Population*	Number of Community Board members per subdivision
Akaroa	1870	2
Wairewa	1140	1
Mt Herbert	2760	2
Lyttelton	2940	2
<b>Total</b>	<b>8223</b>	<b>7</b>

\* Estimated population figures June 2018 from Statistics New Zealand

# Return of electoral expenses

Each candidate is required to keep a record of all campaign election expenses, and must provide a return of electoral donations and expenses to the Electoral Officer within 55 days of the election result being declared, approximately 13 December 2019. However if a candidate is outside New Zealand on the election result day, they have 76 days after the election result day to provide their return.

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

A model election expenses form is attached as Appendix 2. An expenses form will be available on the Council website [ccc.govt.nz/elections](http://ccc.govt.nz/elections) or from the Electoral Officer from 19 July 2019.

The relevant sections of the Local Electoral Act 2001 on election expenses are attached as Appendix 3.

Please 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.**

## Candidate expenses

Section 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.

## Electoral donations

Definition of an electoral donation

An electoral donation is a donation of money, goods or services that is made to a candidate for use in a candidate's electoral campaign (section 103A of the Local Electoral Act). Electoral donations and contributions to donations, of more than \$1,500 including GST are required to be declared in the candidate's return of electoral expenses and donations. A series of donations made by one person that adds up to more than \$1,500 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 funding raising auction or dinner.**

The following are not candidate donations:

- **Volunteer labour**
- **Goods or services provided free of charge to a candidate, or 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 the 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 Local Electoral 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 of the Local Electoral Act). The total proceeds of a collection are treated as a donation under the Local Electoral 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 \$1,500 or less**
- **In the case of individual contributors great than \$1,500, 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 ten 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 \$1,500 or less**
- **In the case of contributors greater than \$1,500, 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 \$1,500. 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 of the Local Electoral Act). If a candidate receives an anonymous donation greater than \$1,500, he or she may retain \$1,500 of that donation. The balance of the donation must, within 20 working days, 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.



# 14. Governance responsibilities

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The Council's activities are governed by legislation framework established by Parliament.

The principal Acts under which the Council operates are the Local Government Acts 1974 and 2002; the Local Government (Rating) Act 2002; the Local Authorities (Members Interests) Act 1968; the Local Government Official Information and Meetings Act 1987; the Local Electoral Act 2001; the Building Act 2004; the Resource Management Act 1991; the Land Transport Act 1998; the Health Act 1956 and various other Acts of Parliament, including regulations and bylaws made under those Acts.

The Local Government Act 2002 (the Act) reflects a clear view that local authorities that are effective, responsible and accountable to the communities they represent are a fundamental part of our system of democratic governance, rather than merely a collection of assets and services.

The Act provides greater scope for communities to make their own choices about what local authorities do and the way they do these things. Local authorities have full capacity to undertake any act that promotes the purpose of local government, subject to other legislation.

The purpose of local government is set out in section 10 as follows:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

## Treaty of Waitangi and relationships with Māori

Local councils have statutory responsibilities, particularly in the Local Government Act 2002 to facilitate the participation by Māori in local authority decision-making processes. As a decision maker under the Resource Management Act 1991 the Council must take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The Council's Long Term Plan and Strategic Framework recognise that it has a responsibility for ensuring that its Treaty obligations to mana whenua and Māori are fulfilled.

The Council partnership with Papatipu Rūnanga reflects mutual understanding and respect, and a goal of improving the economic, cultural, environmental and social wellbeing for all. The Council's Te Hononga Council – Papatipu Rūnanga Committee supports the relationship between itself and Ngā Papatipu Rūnanga. Te Hononga Council – Papatipu Rūnanga Committee comprises representatives from the six Papatipu Rūnanga in our district, the Mayor and the Chairpersons of the Council's main committees and the Multicultural Subcommittee. The Committee is an important forum for collective discussion and actions on strategic matters.

The Council has a principal and a senior relationship advisor whose roles are to foster the working and strategic relationships between the Council and the Papatipu Rūnanga. We share common interests across Christchurch regeneration and beyond, where collaboration with Mana Whenua is both appropriate and a natural course to navigate in our relationships

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.

## Territorial authorities (city or district councils)

Territorial Authorities' responsibilities include provision of local services and detailed land use planning and sub divisional control in response to the needs of the local community. These functions include:

- **Regulatory – issuing and enforcing laws and rules in the district.**
- **Provision of local infrastructure, including water, sewerage, stormwater and roads.**
- **Providing community services, including libraries and parks.**
- **Environmental safety and health, including district emergency management and civil defence preparedness**

## Community boards

Community boards can be established as an additional council structure in any city or district in New Zealand, helping to make sure the interests of smaller groupings within the overall community are represented. Boards operate within city or district councils.

## Representation review

Local authorities are required to review their representation arrangements at least once every six years. As part of the representation review the Council can take a fresh look at the structure of its membership and the way they are elected. This could affect the total number of members, whether they come from a ward or 'at large' across the wider district, the boundaries of wards, whether the Council has community boards, the membership of these, and the names of the wards or community boards. The Christchurch City Council will next be required to undertake a representation review to take effect for the 2022 triennial local government elections.

## Role of elected members and governance structures

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 finances and resources**
- **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 Act 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, community boards, working parties, and external organisations to which they are appointed. An elected member, 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. Each of Council's community boards have also adopted the Council's current code of conduct.

## 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).**
- **Providing leadership to the other members of the council and the people of the area.**
- **Leading the development of the council's plans, policies, and budgets for consideration by the members of the council.**
- **Appointing the Deputy Mayor, establishing committees and appointing chairs of committees.**

## The Deputy Mayor

The Deputy Mayor is appointed by the Mayor. 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 mayor may establish committees of the council, and has the power to appoint chairpersons. In addition, 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 and powers delegated by the 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 the council. The council may also appoint deputy chairpersons of committees, who shall fulfil the functions of the chair when the chairperson is absent.

## Community boards

Community boards provide a level of representation below the council. They are unincorporated bodies but they are not a territorial authority and are not committees of the council.

The role of each 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 expenditure within the community**
- **communicating with community organisations and special interest groups**
- **undertaking any other responsibilities that are delegated to it by the council.**

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

The Council has delegated responsibilities and powers to its seven community boards, and adopted a partnership approach to governance with them.

## Membership of community boards

Christchurch City Council community board members are elected from the wards or subdivisions they represent. The Council also appoints the councillor representing the ward to community boards.

The Banks Peninsula Community Board has eight members, seven of these elected from the subdivisions in the ward and the councillor elected for the ward appointed to the Community Board by the Council.

The Coastal-Burwood, Papanui-Innes and Spreydon-Cashmere Community Boards each have six members, two members elected from each ward represented and the councillors for the wards appointed by the Council.

The Fendalton-Waimairi-Harewood, Halswell-Hornby-Riccarton and Linwood-Central Heathcote Community Boards will each have nine members, two members elected from each of the wards represented and the councillors for the wards appointed by the Council.

## Time commitment

The amount of time each elected member spends on Council, committee or community board business is personal and depends on their own circumstances. Depending on the role, the time commitment can be significant. Many official meetings and briefings are scheduled during the day, and can take two to three days out of the average working week. There will also be out of hours meetings to attend, and invitations to a range of functions and community 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 appointed.

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 at any time when in public. Some members of the community see elected members as being available 24 hours, seven days a week.

The mayor, deputy mayor and councillor roles are considered to be full time positions. The time requirements for community board chairperson is considered to be upwards of 20 hours per week, and members 10 to 20 hours per week.

The Council offers support through the Community Support, Governance and Partnerships Unit and other areas of the Council to support elected members in their duties.

### Skills and experience

While there are no formal qualifications needed to stand as a candidate for election to a community board or the Council, there are certain formal requirements such as the requirement to be a New Zealand Citizen.

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 Council induction and professional development programme will assist elected members in improving and developing their skills in these areas.

### Code of Conduct

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 of Conduct sets out the standards of behaviour expected from elected members of the Christchurch City Council in the exercise of their duties. Its purpose is to:

- **enhance the effectiveness of the Council and the provision of good local government of the Council's district**
- **ensure effective decision-making and community engagement**
- **promote the credibility and accountability of the Council to its communities; and**
- **develop a culture of mutual trust, respect and tolerance between the members of the Council and between the members and management.**

The Code of Conduct, adopted by the Council and community boards in 2017, is available at:

**[ccc.govt.nz/the-council/how-the-council-works/governance/codes-of-conduct](http://ccc.govt.nz/the-council/how-the-council-works/governance/codes-of-conduct)**

It is expected that the incoming Council and community boards will consider a revised code early in the term.

### Local Authorities (Members' Interests) Act 1968

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 per cent 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 Christchurch City Council 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).

### Christchurch City Council and elected members as officers under the Act

Christchurch City Council is proactively partnering with elected members to ensure the Council 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.



## Conflict of interest

Prospective candidates also need to be aware of the Auditor General's guidelines regarding conflicts of interest as they relate to the council.

A conflict of interest can occur where your responsibility as an elected member may be affected by some other interest you have. Examples of such other interests which may conflict are being on the executive of an organisation seeking funding from the council, something you have said on an issue in the past or a family relationship.

The law requires that public decisions be procedurally fair and that people, such as councillors and community board members, carry out their duties fairly and free from bias. A test of whether or not there is a conflict is to consider: *Would a reasonable, informed observer think your impartiality might have been affected?*

It is the appearance of a conflict, not proof of an actual conflict that is important. Whether or not a person believes they have a conflict is irrelevant. The Auditor-General notes that if a conflict of interest is not declared and properly managed then a court could invalidate a council or community board decision.

Conflicts of interest do arise from time to time and the management of these is important. If there is a conflict of interest, a way to manage this is by an elected member not taking part in the discussion or voting on a matter.

## Register of Interests

Christchurch City Council has adopted a Register of Pecuniary Interests and Other Specified Interests based on the model currently used by Members of Parliament. It has been signed by the Mayor, councillors and the Council's Executive Leadership Team. A register of community board member interests has also been compiled.

This register is designed to provide transparency in the governance of the Council to increase public confidence, to enhance the democratic process and to protect elected members in the event of scrutiny or public criticism.



# 15. Remuneration

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Remuneration for elected members is set by the Remuneration Authority in an annual determination for local government members. The Remuneration Authority is an independent body established by Parliament to handle the remuneration of key office holders, including local government members.

The 2019/20 determination sets the remuneration for the mayor and community board members from the day elected members come into office after the election until 30 June 2020. The determination also includes a change in the approach to councillor remuneration to take effect from the day elected members come into office.

The Council has been allocated of a governance pool of money to be used for councillor remuneration, based on the Council's size. The governance pool is to be used for remuneration for councillors, any additional remuneration for councillor positions with additional responsibility, for example a deputy mayor. The council may also consider using the governance pool for any additional remuneration to community board members who have been delegated significant powers and functions by their council, and where the council decides that additional remuneration is appropriate. The entire governance pool must be allocated.

The new council will be required to adopt a proposal for the allocation of the governance pool for councillor remuneration early in the new triennium. This will be considered by the Remuneration Authority and an amending determination issued.

To give an indication to prospective candidates in the local body elections, the Authority has set a base minimum remuneration for councillors. The amount paid to each councillor cannot be reduced from the base minimum remuneration.

Mayor and councillor annual remuneration effective from the elections is:

Position	Annual remuneration
Mayor	\$195,000
Councillor – minimum base remuneration	\$97,280

The total quantum of governance pool for remuneration of 16 councillors including positions of additional responsibility is \$1,843,200 per annum.

Community board member and chairperson annual remuneration effective from the elections is:

Position	Annual remuneration
Banks Peninsula Community Board member	\$9,864
Banks Peninsula Community Board chairperson*	\$19,726
Burwood-Coastal Community Board member	\$23,618
Burwood-Coastal Community Board chairperson*	\$47,236
Fendalton-Waimairi-Harewood Community Board member	\$23,297
Fendalton-Waimairi-Harewood Community Board chairperson*	\$46,595
Halswell-Hornby-Riccarton Community Board member	\$24,580
Halswell-Hornby-Riccarton Community Board chairperson*	\$49,160
Linwood-Central-Heathcote Community Board member	\$24,580
Linwood-Central-Heathcote Community Board chairperson*	\$49,160
Papanui-Innes Community Board member	\$23,618
Papanui-Innes Community Board chairperson*	\$47,236
Spreydon-Cashmere Community Board member	\$23,618
Spreydon-Cashmere Community Board chairperson*	\$47,236

\*Community board chairpersons receive twice the remuneration of members

Elected members may also be entitled to claim allowances and reimbursements as a contribution towards vehicle mileage, travel time, communication equipment and services and childcare within an expenses framework included in the Remuneration Authority determination.

Information about the Remuneration Authority and the 2019/20 determination is available at: [remauthority.govt.nz/clients-remuneration/local-government-elected-officials](http://remauthority.govt.nz/clients-remuneration/local-government-elected-officials)

### Tax status of elected members

The Inland Revenue Department (IRD) views the relationship between an elected member and a council as a statutory relationship of service. 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

Remuneration paid to elected members is taxable, but it is not classified 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 per cent 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 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.

# 16. Post-Election processes

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## Mayor, council and community boards

Successful candidates will take office on the day after the Electoral Officer gives her official notification of the result of the election. However, no person is permitted to act as a member of the Council or a community board before making a declaration. Declarations will be made at inaugural meetings.

The programme of inaugural meetings, induction and training is under development. The information below includes proposed key dates. Informal sessions with elected members and staff will also be scheduled.

## Inaugural meetings

The Council and community boards will hold inaugural meetings in October and November where they will:

- **make and attest the declarations required of the Mayor and Councillors**
- **community boards will elect a chairperson and make and attest the declaration required of the chairperson and community board members**
- **receive a general explanation of the Local Government Official Information and Meetings Act 1987 and other laws affecting elected members**
- **set a date and time for their first ordinary meeting, or adopt a schedule of ordinary meetings**

The following dates have been tentatively scheduled for Inaugural meetings:

- **Council Inaugural Meeting – Thursday 24 October.**
- **Community Board Inaugural Meetings – from 29 October.**

## Induction programme

The following events for the elected member induction programme are scheduled. Successful candidates will be required to attend these events:

- **Between Tuesday 15 October and Friday 18 October – Drop in clinics for elected members, days and times to be allocated.**
- **Tuesday 22 October and Wednesday 23 October – Half day (morning) induction workshops for all elected members.**
- **Community board orientation sessions will be held from Tuesday 29 October.**
- **Dates for future events will be communicated to successful candidates.**

## Equipment and technology

Elected members will be provided with the required information and support to perform their role. This will include a Council email address, electronic device and security access card. Important information for elected members will be available through online and electronic channels.

The Council operates in a paperless environment – Agendas, meeting documents and other information will be provided electronically to be accessed via the Council-supplied device. Training, technology and support will be available to all elected members.

## Ongoing professional development and training

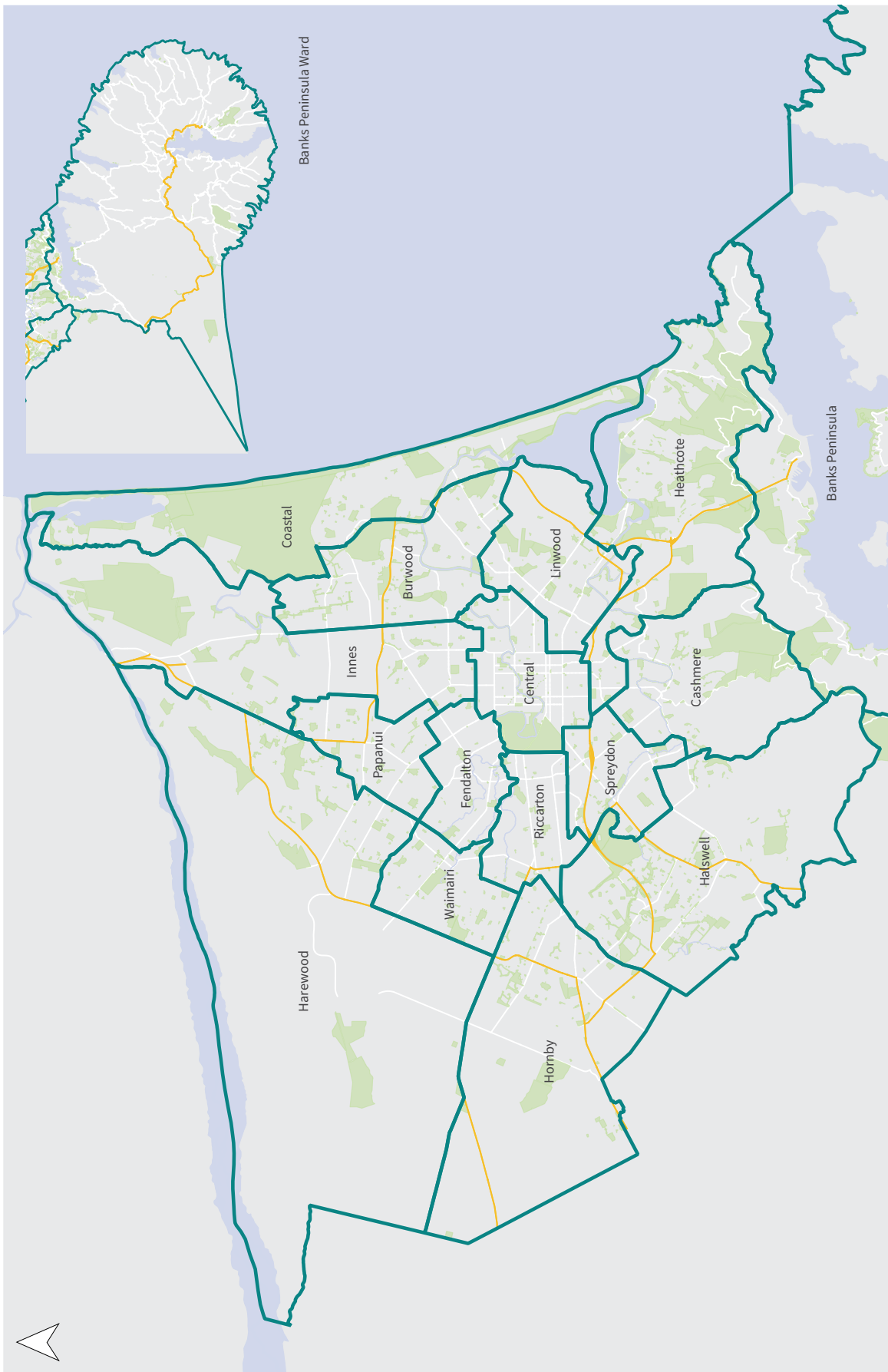
An ongoing professional development, training and information sharing programme will be developed for elected members.

# 17. Ward/community maps

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# Ward overview



**2019 Local Government Election**  
 Overview of Christchurch City Council ward arrangement

Ward Boundary

# Community board overview

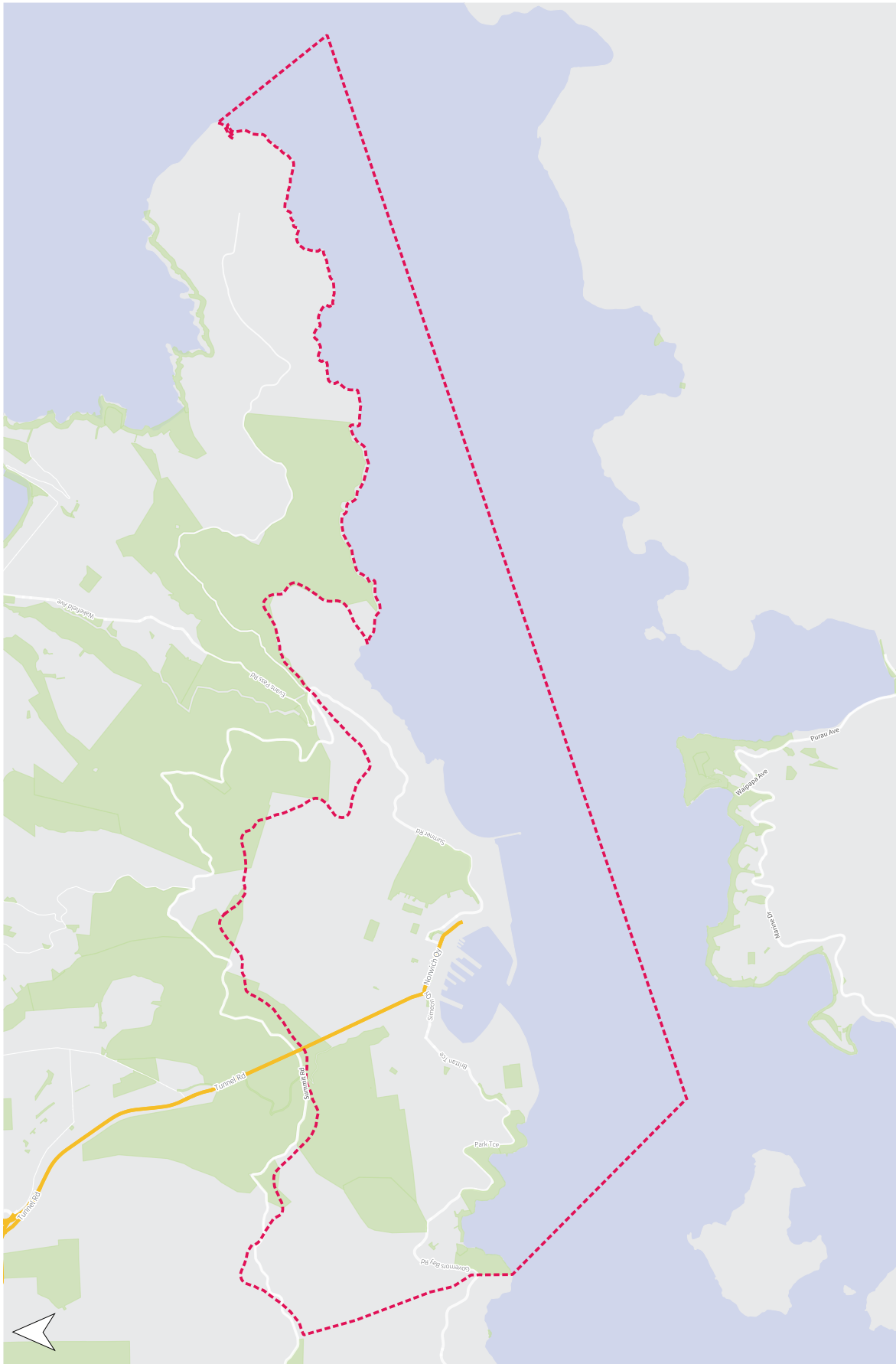


**2019 Local Government Election**  
Overview of Christchurch City Council community board arrangement





# Lyttelton subdivision, Banks Peninsula Ward

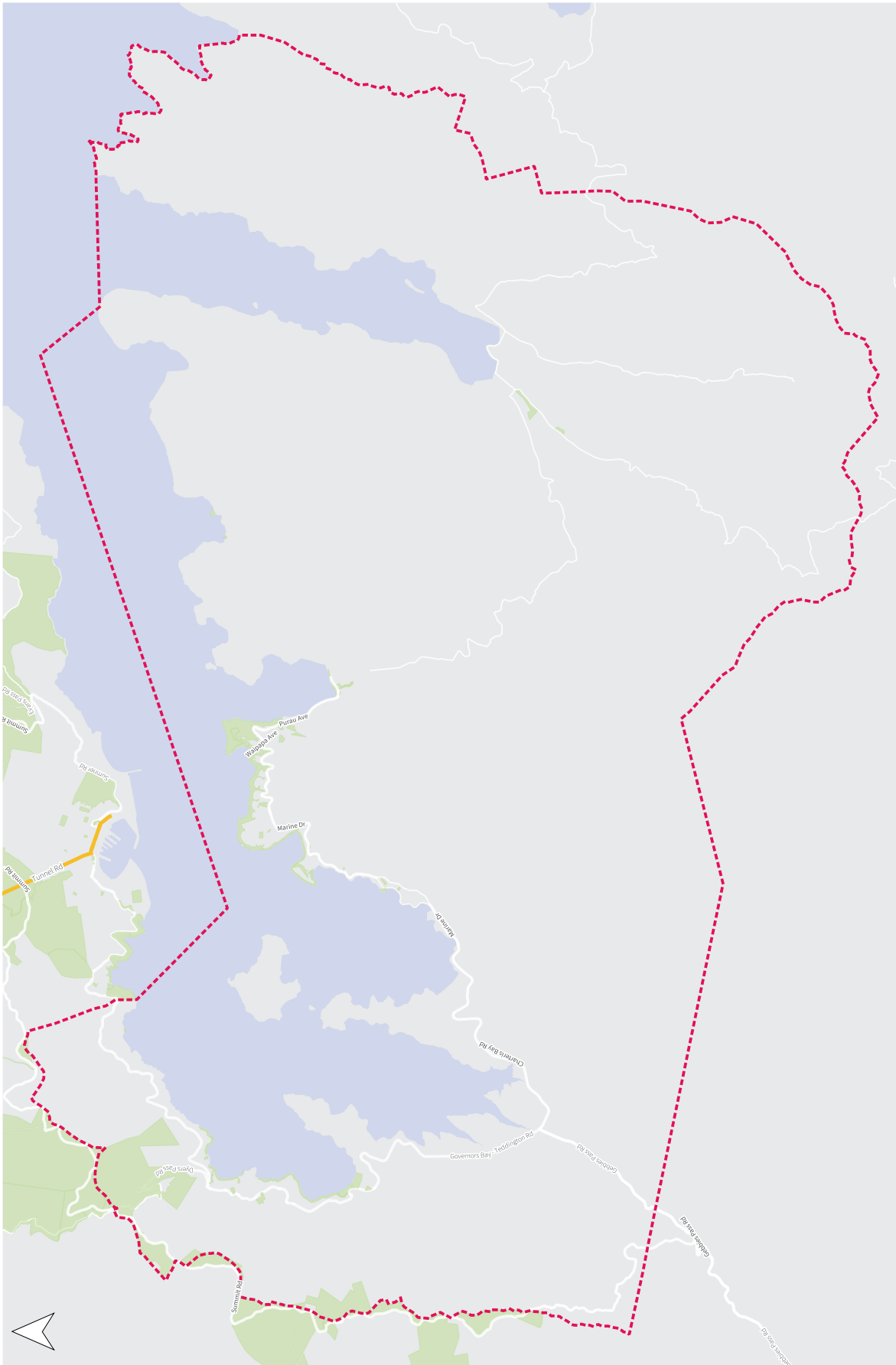


Subdivision Boundary

2019 Local Government Election  
Lyttelton Subdivision of the Banks Peninsula Community Board

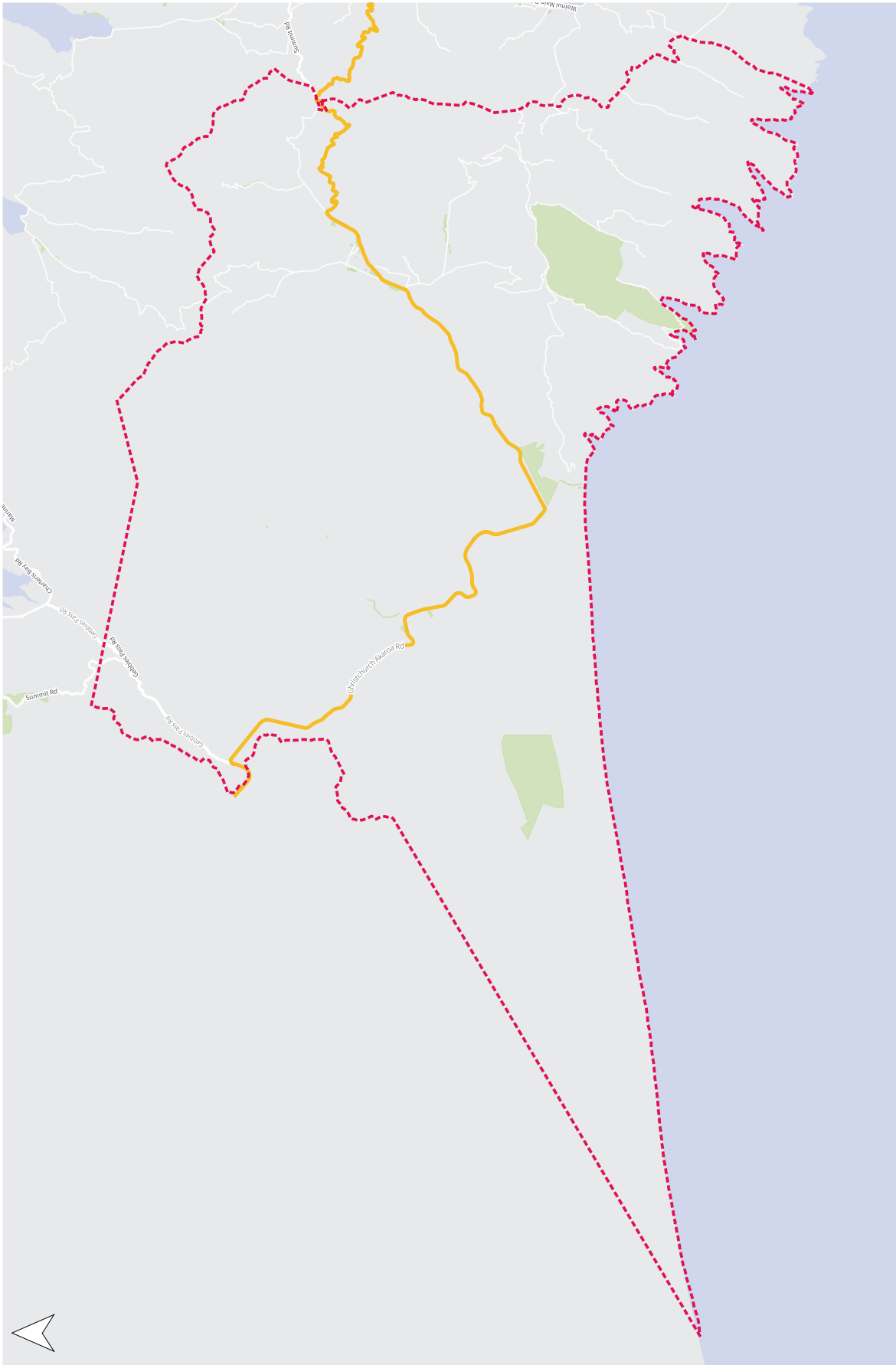


# Mt Herbert Subdivision, Banks Peninsula Ward



 Subdivision Boundary

# Wairewa Subdivision, Banks Peninsula Ward



Subdivision Boundary

2019 Local Government Election  
Wairewa Subdivision of the Banks Peninsula Community Board

# Burwood Ward

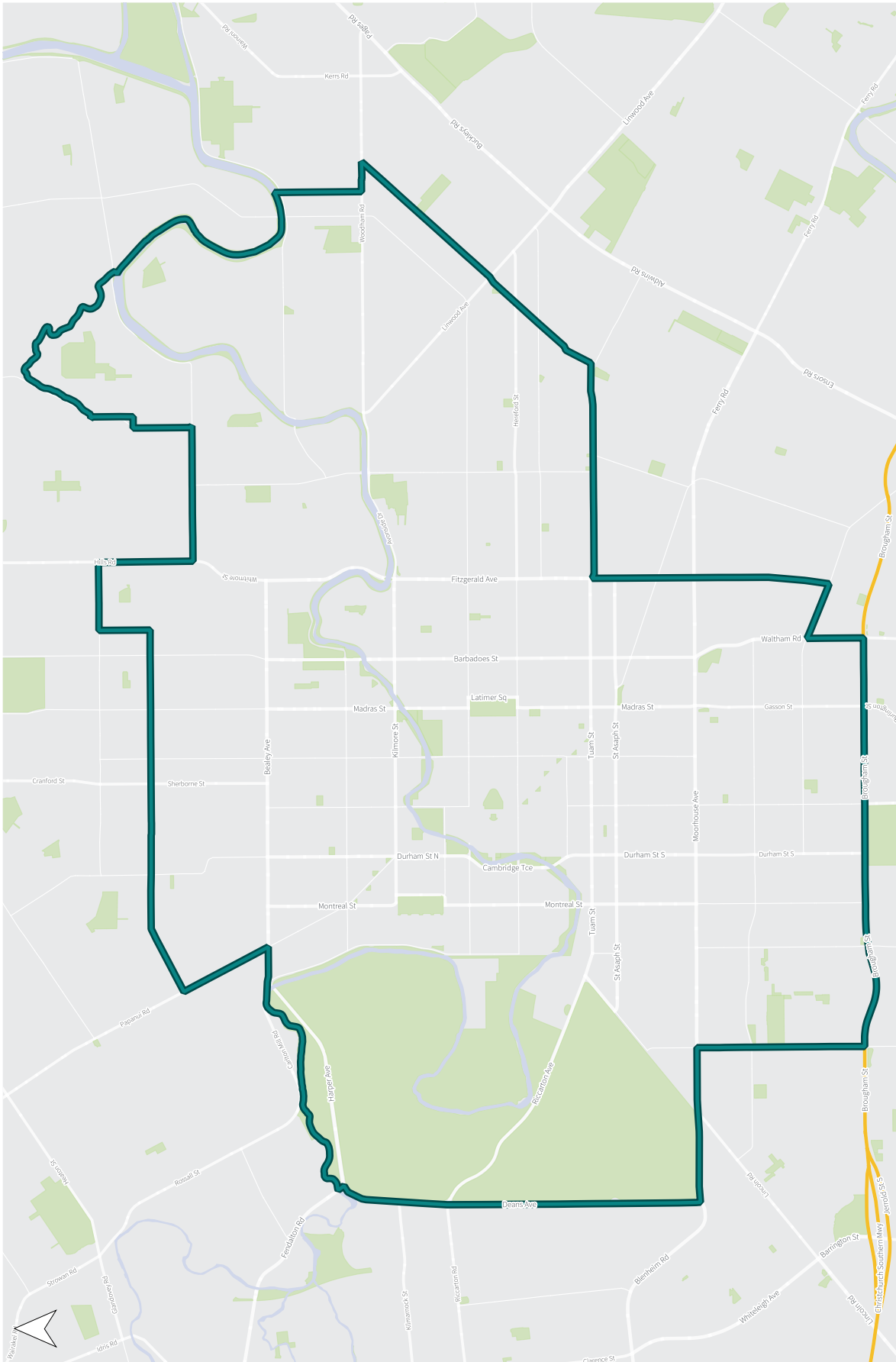



  
 Ward Boundary

**2019 Local Government Election**
  
 Christchurch City Council Burwood Ward



# Central Ward

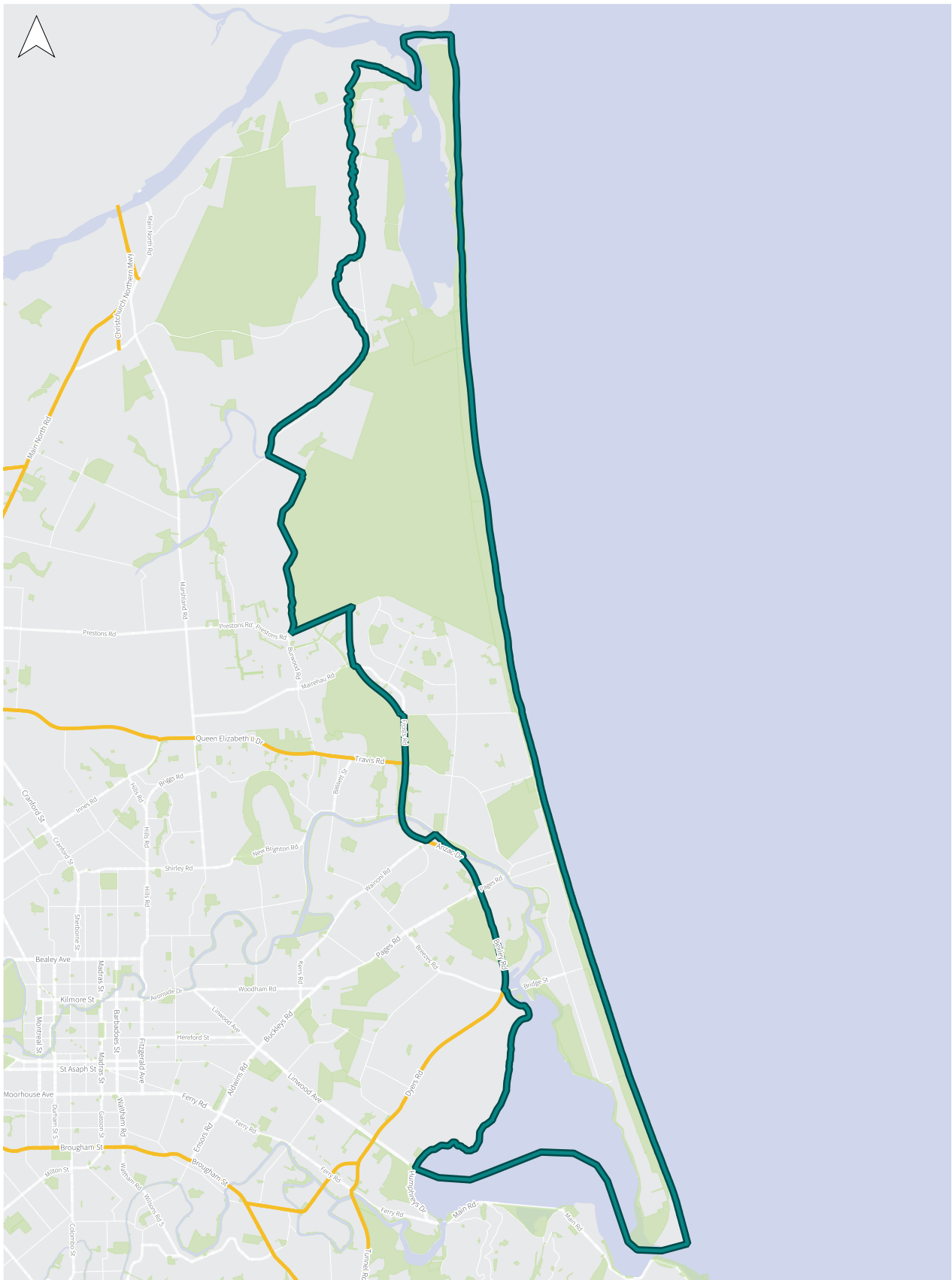


Ward Boundary


**2019 Local Government Election**  
 Christchurch City Council Central Ward



# Coastal Ward

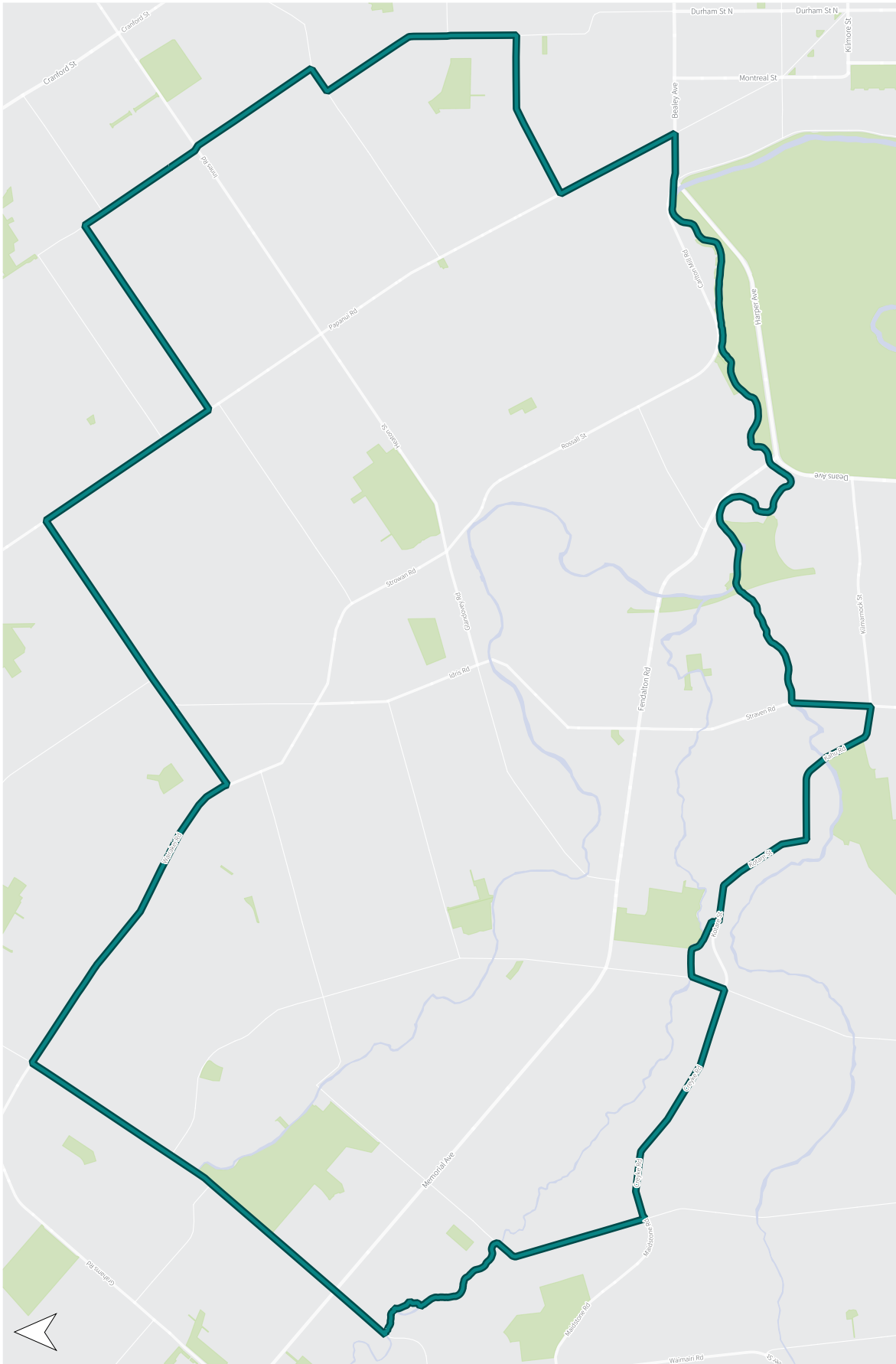


2019 Local Government Election  
Christchurch City Council Coastal Ward

 Ward Boundary

**Christchurch City Council**   
Prepared by Monitoring and Research, June 2019

# Fendalton Ward

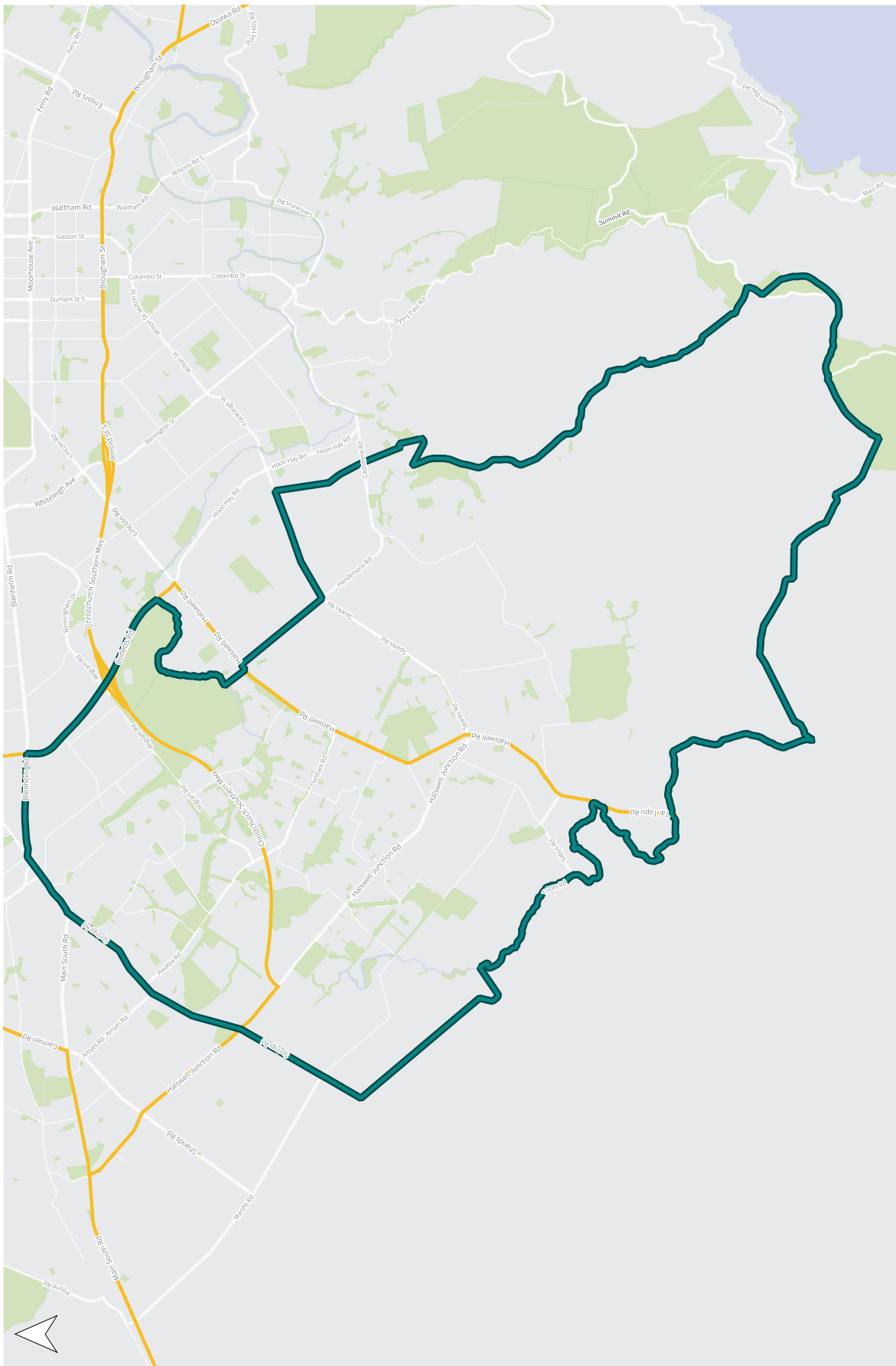


Photography: Martin King and Research, June 2018



**2019 Local Government Election**  
Christchurch City Council Fendalton Ward

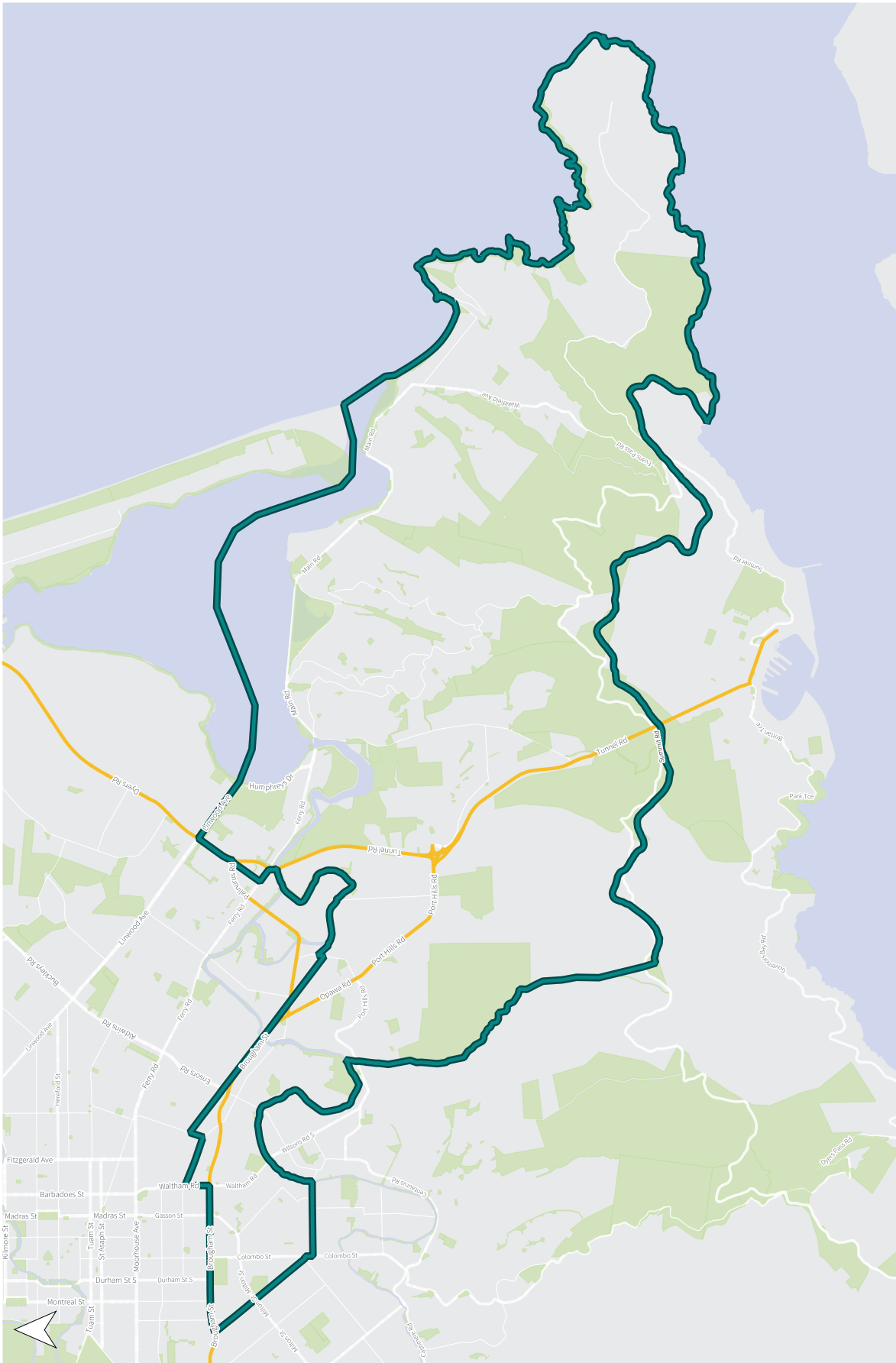
# Halswell Ward



Ward Boundary



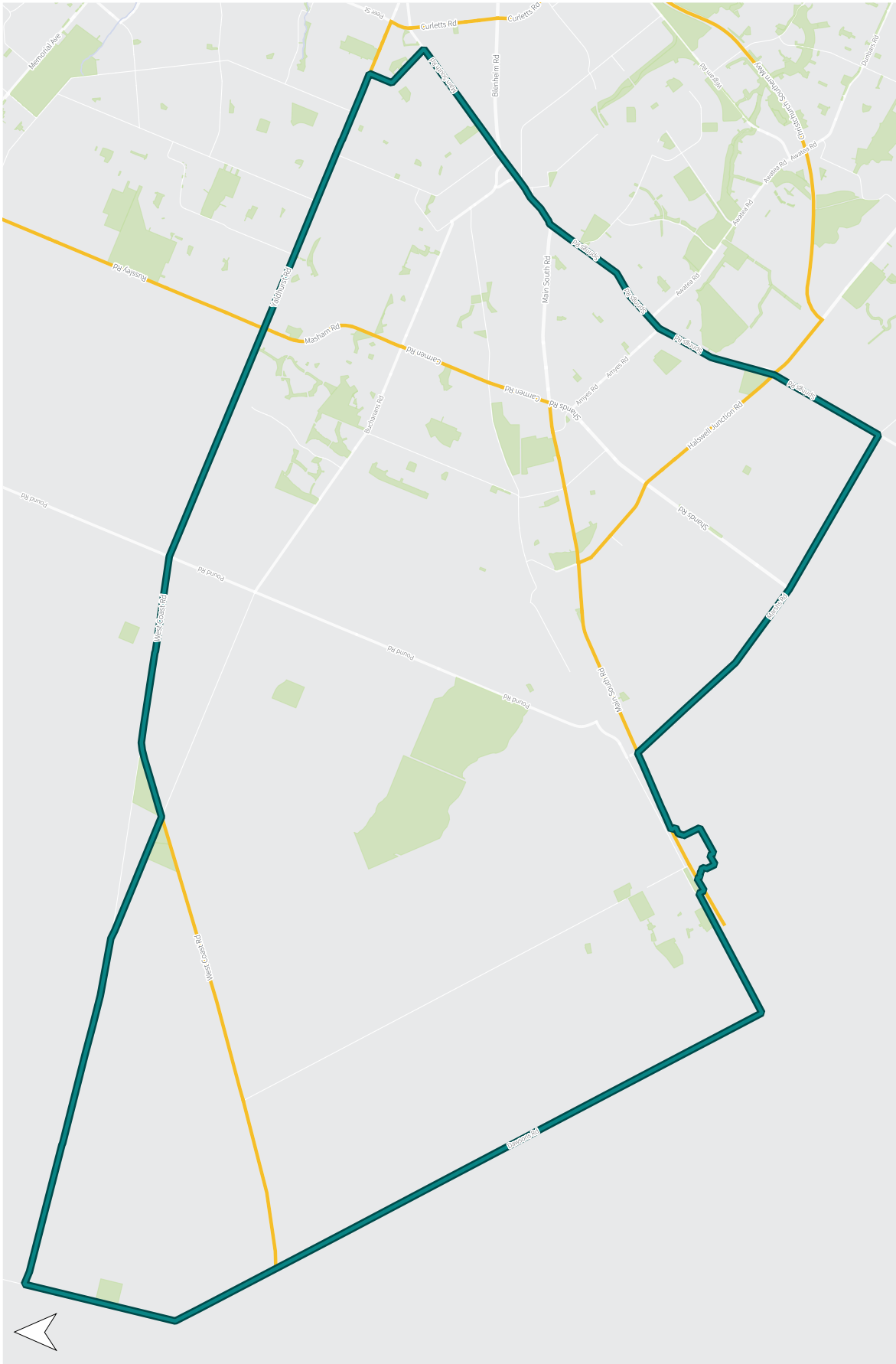
# Heathcote Ward




 Ward Boundary

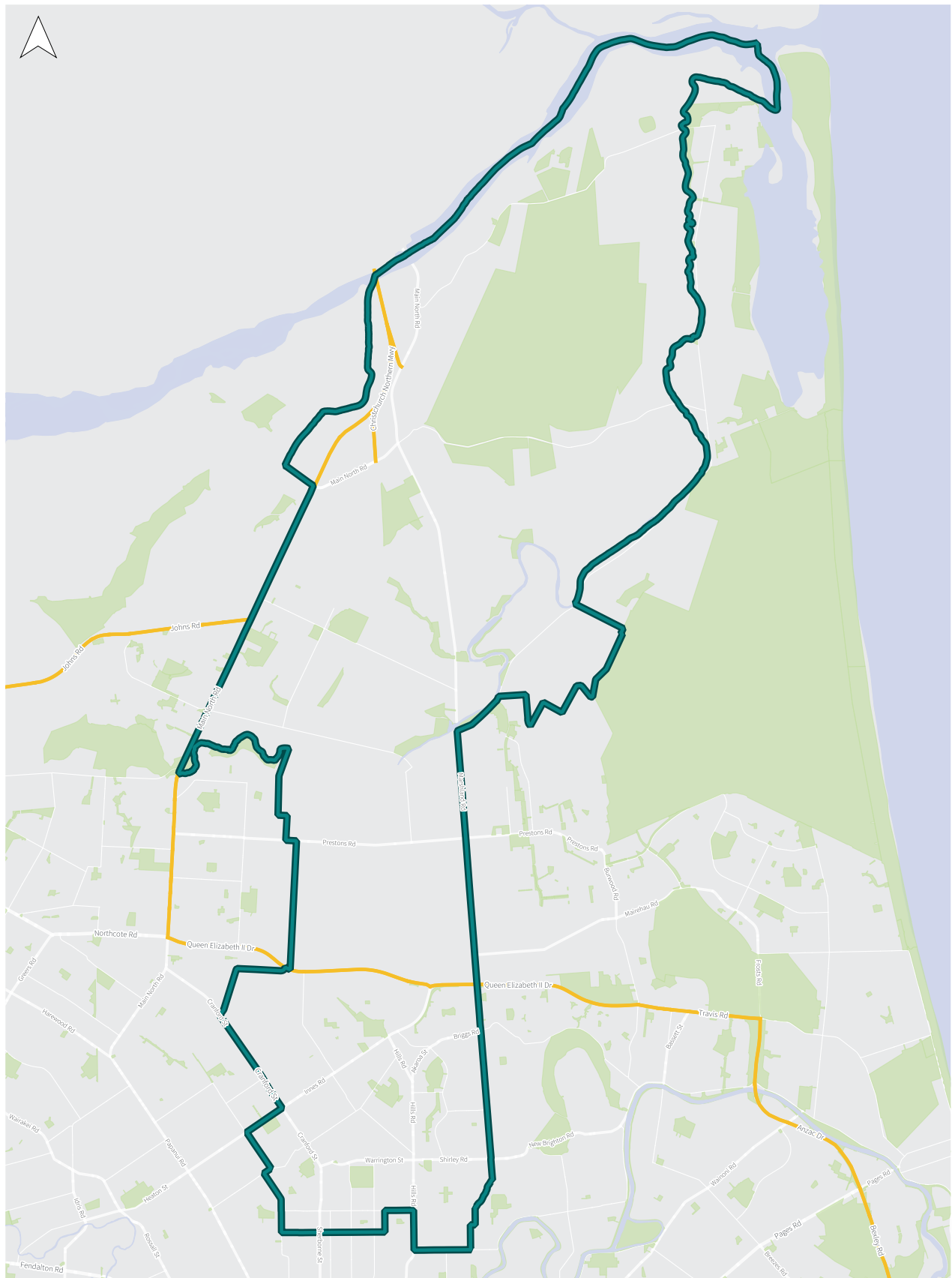


# Hornby Ward




2019 Local Government Election  
 Christchurch City Council Hornby Ward

# Innes Ward



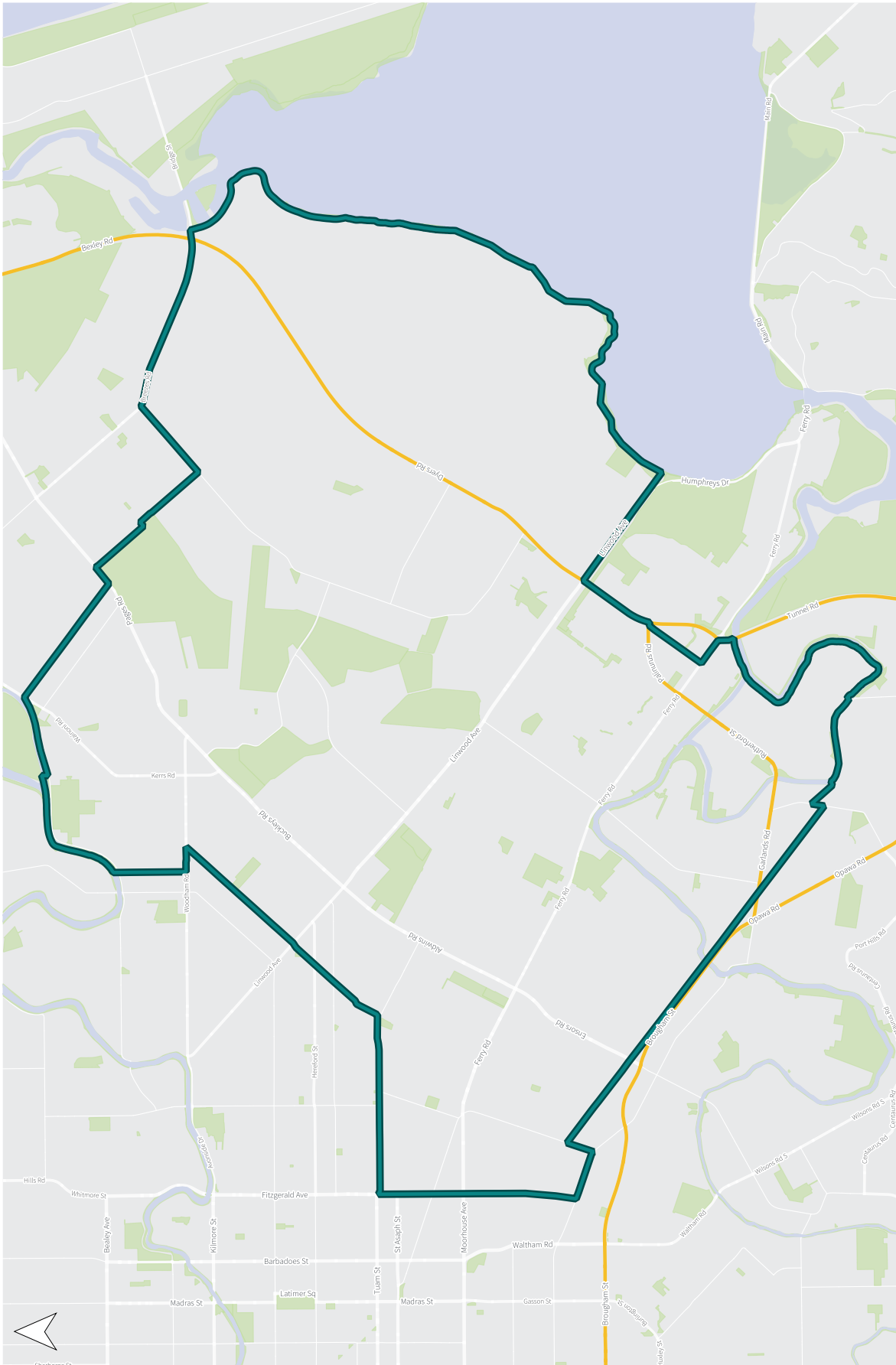
2019 Local Government Election  
Christchurch City Council Innes Ward

 Ward Boundary

**Christchurch**  
City Council 

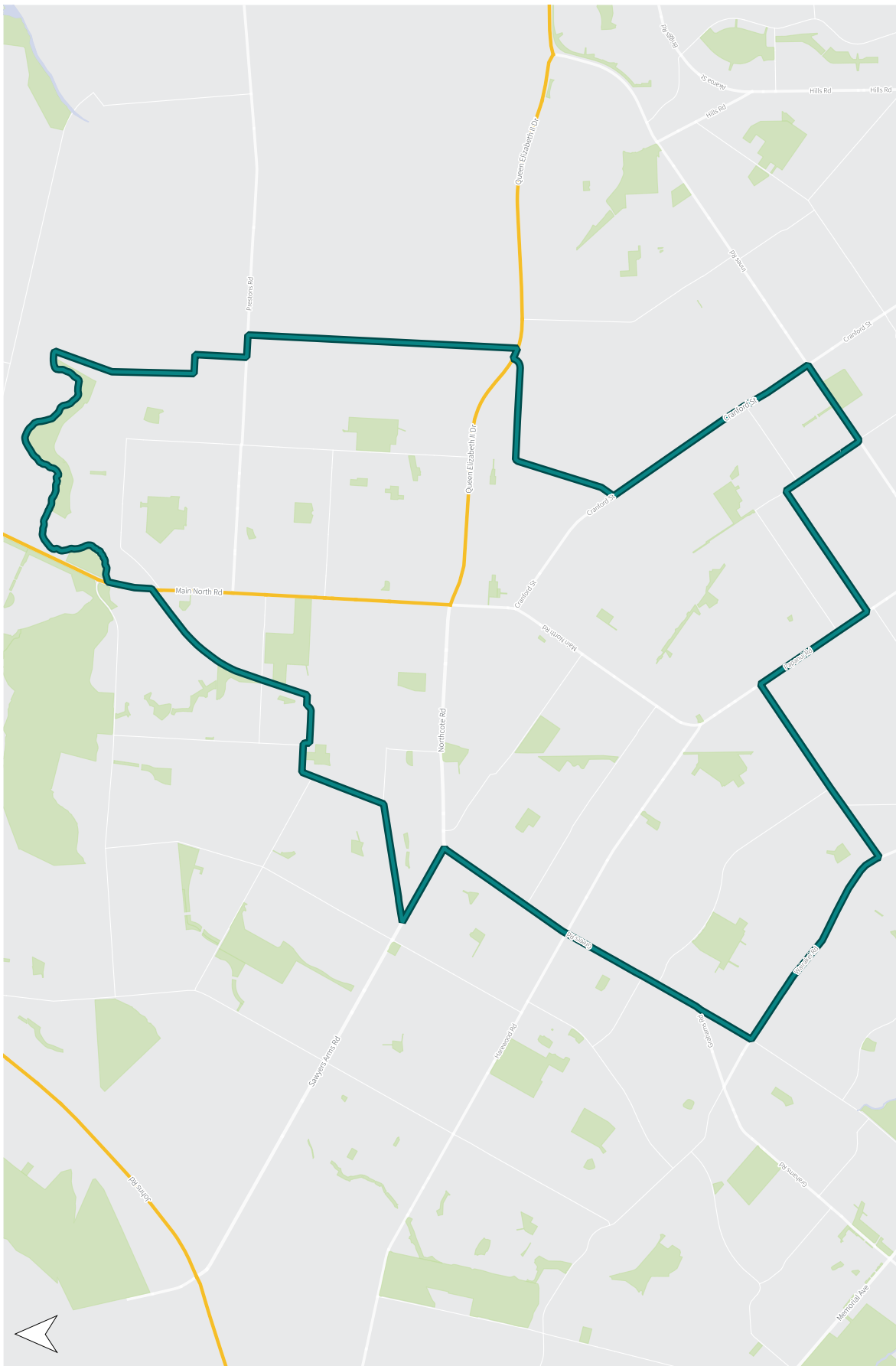
Prepared by Monitoring and Research, June 2019

# Linwood Ward



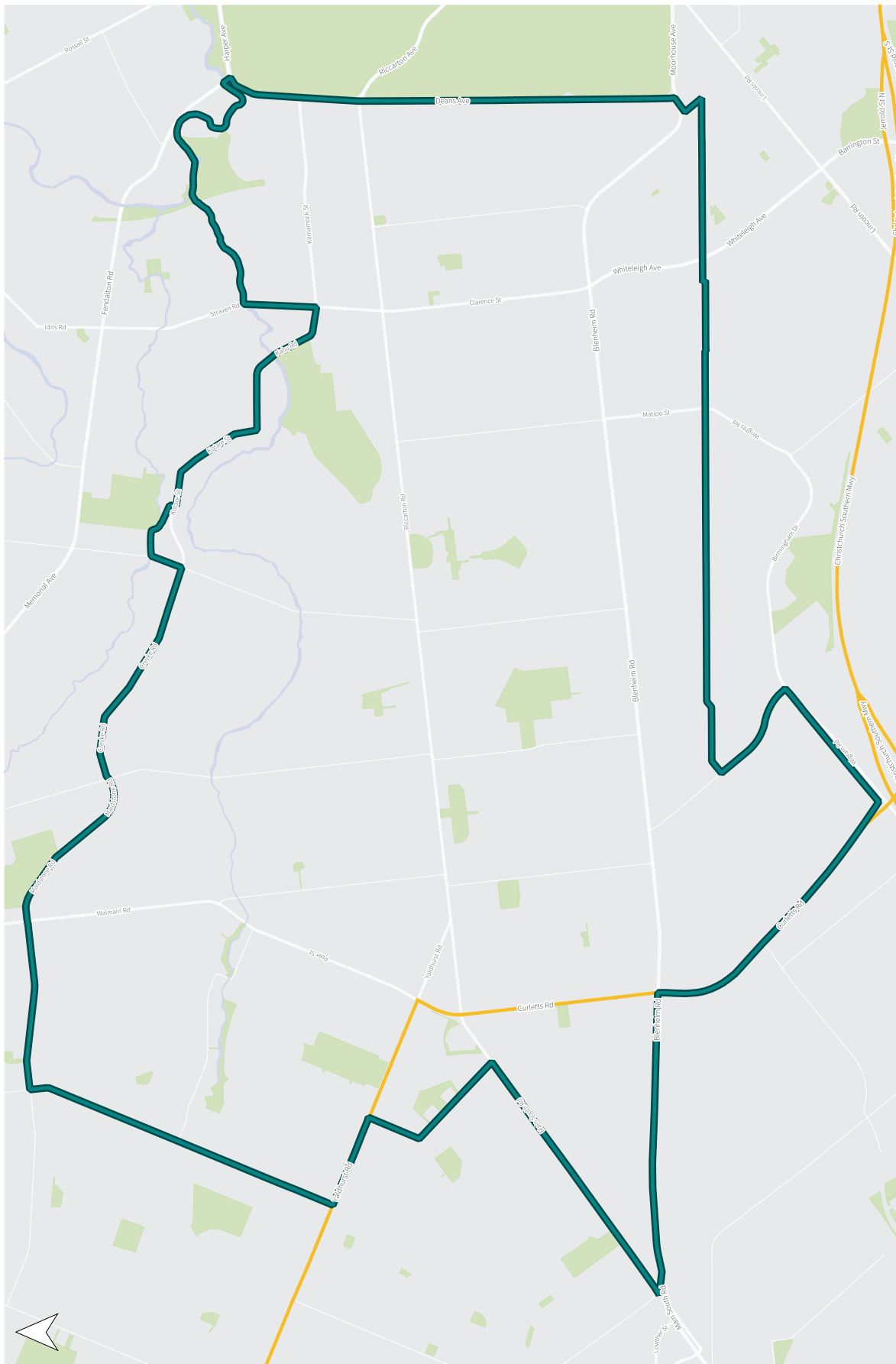
Ward Boundary

# Papanui Ward



2019 Local Government Election  
Christchurch City Council Papanui Ward

# Riccarton Ward

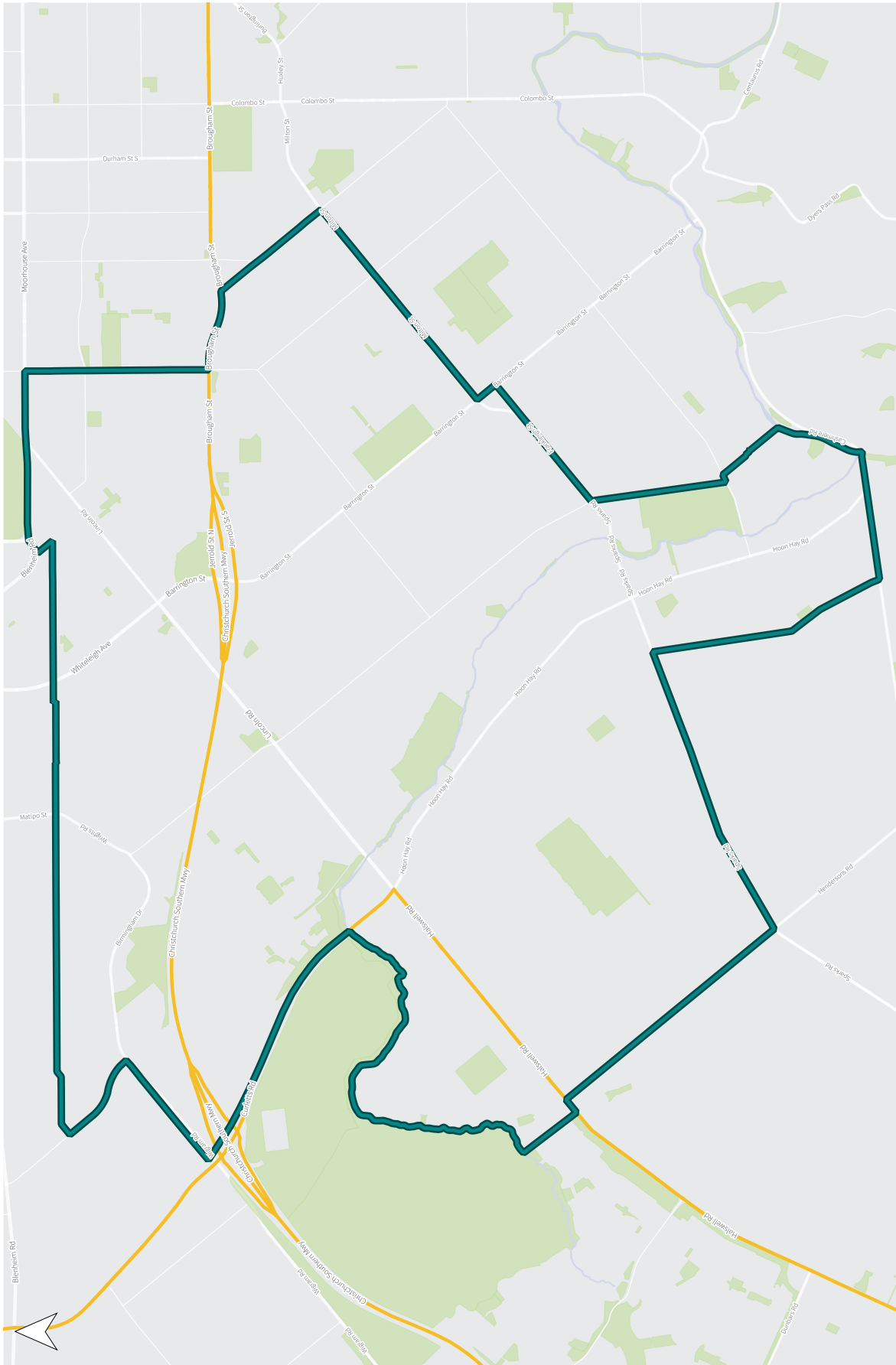


Christchurch City Council  
Prepared by Planning and Research, June 2019



**2019 Local Government Election**  
 Christchurch City Council Riccarton Ward

# Spreydon Ward



Ward Boundary

**2019 Local Government Election**  
 Christchurch City Council Spreydon Ward







# Appendices

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# Appendix 1 Candidate profile statements

## 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 of the Local Electoral Act 2001). This is a permissive right, it is not mandatory to submit a CPS.

Where a candidate is standing for two or more offices, for example mayor and councillor they may submit a CPS for each office (Clause 26 of the Local Electoral Regulations 2001).

## Candidate Profile Statement Conditions

Under section 61(2)(a) and (3) of the Act and clause 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 the 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.

Candidate profile statement language	Total word count
English	150 words
Maori	150 words
English + Maori (must be substantially consistent with each other)	300 words
Other language (Non English/Maori) + English translation OR Maori translation	150 words
2 or more other languages (Non English/Maori) + English translation OR Maori translation	150 words

Every CPS must be submitted with the candidate's nomination form. Statements should also be provided electronically, on CD, pen drive or as an attachment to an email to the electoral officer at:

[elections2016@ccc.govt.nz](mailto:elections2016@ccc.govt.nz)

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 section 55(4) of the Act;
- 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.

## Format of candidate profile statements

The format requirements for profiles are:

Text in English must be supplied in 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 that will automatically apply the required font, type size, line spacings etc. If a candidate does not supply a profile statement or photo, then “No Profile Statement and/or photo provided” text or similar will be printed in the profile book.

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

- **Font - Times New Roman (or equivalent)**
- **Point Size - nine point size, 11 point line spacing**
- **No special formatting of text - for example, no bold, no italics, no underlines, no quote marks, etc.**

## Translations

The following contact details are given for a translation company for candidates who are unable to prepare a translation themselves:

Pacific International Translations (NZ) Ltd, 4/203 Queen Street, Auckland.

Phone: 09 913 5290 Fax: 09 913 5291 Email: info@pactrans.co.nz

The translation service will provide the translations in the correct format at the candidate's expense.

## Candidate photos

A candidate may include with their CPS a recent colour photo (no older than 12 months) for inclusion with the CPS in the booklet to accompany voting papers. Photos should be provided electronically, on a data stick or similar or as an attachment to an email to the Electoral Officer.

If hard copy photographs are provided, two copies of each photo should be provided with the candidate's name clearly printed on the back 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 should be a head and shoulders only, in colour and with nothing else in the photo, that is no hats, sunglasses, pets, external objects or impediments, or other people. If necessary the Electoral Officer will crop the photo to meet these requirements.

Electronic copies of photos should be scanned as a jpeg at a minimum of 600 dpi. Please direct any questions about the format of photos and statements to the Electoral Officer.

The onus is on the candidate to ensure that all nomination documents including the candidate profile statement and photo are submitted to the Electoral Officer by noon Friday 16 August 2019.

## Duties, powers and responsibilities of Electoral Officers

Where an Electoral Officer is not satisfied that a CPS complies with section 61(2) and (3), they 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 and may include in or with any CPS a disclaimer concerning the accuracy of the information therein.

The Electoral Officer is not liable in relation to:

- **any statement in or omitted from a CPS**
- **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 Clause 29 of the Regulations requires the Electoral Officer to send to each elector, with the voting documents, all candidate profile statements that comply with section 61, for each candidate in the election for a local government area or subdivision. Any failure of an Electoral Officer to comply with section 62 will not invalidate the election.

Candidate and nomination details provided, candidate profile statements and photos will be available on the Christchurch City Council website and available through online channels and electronic applications.





# Appendix 2 Return of electoral donations and expenses

## RETURN OF ELECTORAL DONATIONS AND EXPENSES

Christchurch City Council 



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:

- 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.
- 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.
- Donations can be monetary or physical goods or services supplied or a combination thereof.
- 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.
- 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.
- 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 and donations

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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 \$1500 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

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

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 of electoral donations and expenses 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.

### **138AA Time limit for prosecutions**

(1) A prosecution under [section 112C](#) must be commenced within 6 months of the date on which the return was required to be filed.

(2) A prosecution under [section 103K](#) or [112D](#) must be commenced—

- (a) within 6 months of the date on which the prosecutor is satisfied that there is sufficient evidence to warrant the commencement of the proceedings; but
- (b) not later than 3 years after the offence was committed



# Appendix 4 Scrutineers

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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, refer to 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 one or more scrutineers (section 67 LEA).

Every scrutineer appointed under sections 66 or 67 of the LEA must be appointed in writing (a letter of appointment is available from the Electoral Officer).

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. For this election the deadline is before noon on 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 LEA 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 clause 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
- 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 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 are to be met by the candidate.

## Restrictions on scrutineers during election and poll processes

Under section 80 of the Act, the Electoral Officer will process voting documents during the voting period. Scrutineers are prohibited 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 that is after 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 (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. For the 2019 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 Appendix 6. Scrutineers are advised to become familiar with them before they complete their declaration and undertake any scrutineering duties.

# Appendix 5 Appointment of scrutineer

## LETTER OF APPOINTMENT OF SCRUTINEER

Christchurch City Council 



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

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

- **Ensure all election advertising includes a proper authorisation statement. Such a statement will include the name of the person authorising the advertising (candidate or agent) and a physical 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 a 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 or advertising. Examples of such items in the lower value category might include pens, biro, message or note pads, rulers, fridge magnets, key-chains and similar.**
- **Do not, as part of a 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 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 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 booklet for advertising, donations and expenses. The detailed law is complex in some instances, the statements presented are a simplification of the law and should not be regarded as a substitute for reading the statutory provisions, or for seeking advice. 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

### 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.

### **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.

### 138AA Time limit for prosecutions

(1) A prosecution under **section 112C** must be commenced within 6 months of the date on which the return was required to be filed.

(2) A prosecution under **section 103K** or **112D** must be commenced—

(a) within 6 months of the date on which the prosecutor is satisfied that there is sufficient evidence to warrant the commencement of the proceedings; but

(b) not later than 3 years after the offence was committed.



CHRISTCHURCH CITY COUNCIL

