

2022 Local Government Elections

Pukapuka pārongo kaitono

Candidate information booklet



ccc.govt.nz/elections



Christchurch
City Council 

TAKE A STAND

**Nominations close midday
Friday 12 August**

ccc.govt.nz/elections

**Christchurch
City Council** 

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 or purchased from retail outlets that sell New Zealand legislation.

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Whakaupoko

Introduction

Thank you for your interest in the 2022 Local Authority Elections. This booklet outlines information which you need to know as a candidate in the 2022 Christchurch City Council elections.

The elections will be conducted by postal vote, with voting closing on Saturday 8 October at noon.

Local authority elections are conducted under the following legislation:

- Local Electoral Act 2001
- Local Electoral Regulations 2001
- Local Government Act 2002
- 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 <https://www.legislation.govt.nz>

Local Government New Zealand Resources are also available on the Council website and at: <https://www.lgnz.co.nz/local-government-in-nz/local-elections/vote2022/information-for-candidates/>

Electoral principles

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:

(aa) representative and substantial electoral participation in local elections and polls

(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.”

Ngā Kaimahi Pōti

Electoral Staff

Christchurch City Council

Electoral Officer (EO)

Jo Daly

Christchurch City Council

Civic Offices, 53 Hereford Street, Christchurch

Phone: 03 941 8581

Mobile: 027 236 9052

Email: elections2022@ccc.govt.nz

Deputy Electoral Officer (DEO)

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electionz.com Ltd

PO Box 3138, Christchurch 8140

Phone: 03 377 3530

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Website: <https://www.ccc.govt.nz/elections>

Canterbury Regional Council - Environment Canterbury

Electoral Officer

Anthony Morton

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PO Box 3138, Christchurch 8140

Phone: 0800 666 048

Email: ecan@electionz.com

Website: <https://www.ecan.govt.nz/elections>

[ccc.govt.nz/elections](https://www.ccc.govt.nz/elections)

Wātaka Pōti

Election timetable

2022 Local Government Election Timetable

From Wednesday 13 July	Public Notice of election - Council website, The Press and The Star
Friday 15 July	Nominations open Electoral roll open for inspection
From Friday 15 July	Local election signs (hoardings) can be displayed
Friday 12 August	Nominations close at noon Electoral roll closes
From Wednesday 17 August	Further public notice of election and candidates' names - Council website, The Press and The Star
Monday 12 September	Electoral Officer compiles and certifies final electoral roll
Friday 16 September	Delivery of voting documents starts Ordinary and special voting opens Electoral Commission letter sent to electors on unpublished roll
16 September to 8 October noon	Voting period
Friday 7 October	Last day of appointment of scrutineers by noon Election signs must be removed by midnight
Saturday 8 October	Election day – voting closes at noon Progress results available as soon as practical after close of voting
8 October to 13 October	Official count – processing of special votes
13 October – 23 October (as soon as practicable)	Final results announced Public notice of official declaration of election result - Council website, The Press and The Star
By Wednesday 9 December	Return of electoral donations and expenses form (55 days after declaration of results)

Governance in a COVID-19 Environment

Local authorities are currently operating within a COVID-19 environment and have plans and policies to allow them to do that. Those policies extend to how their staff and elected representatives work and interact with their fellow staff, elected members, citizens and the public and will be tailored to meet any changing access requirements.

Christchurch City Council's current COVID-19 operating plan can be viewed at:

<https://www.ccc.govt.nz/the-council/covid-19-protection-framework>

Candidates should familiarise themselves with this plan and regularly check to see if the plan is amended to ensure they are aware of any provisions that may effect: lodging a nomination, campaigning activity, accessing special votes or how they would carry out their roles if elected.

Ngā Take Pōti

Election Issues

Christchurch City Council elections will be held on 8 October 2022 the following issues:

Mayor of Christchurch City Council

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

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

Thirty seven members for six community boards:

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

Maps of wards and community board areas for this election are included later in this booklet and online at: <https://www.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.

Canterbury Regional Council, Environment Canterbury

Environment Canterbury (ECan) elections will be held for two members to represent each of the following constituencies: North Canterbury/Ōpukepuke, Christchurch North East/Ōrei, Christchurch West/Ōpuna, Christchurch Central/Ōhoko, Christchurch South/Ōwhanga, Mid-Canterbury/Ōpākihi and South Canterbury/Ōtuhituhi.

There is a separate candidate handbook for the ECan elections available from the ECan Electoral Officer. Refer to the Electoral Staff section for contact details.

Canterbury District Health Board (CDHB)

The Government is transferring delivery of health and disability care to Health New Zealand. That transfer is expected to be in place from 1 July 2022, meaning CDHB elections are no longer required. Further information is available on the DPMS website under the work of the Transition Unit: <https://www.dPMC.govt.nz/our-business-units/transition-unit>

Māori Wards or Constituencies

A number of local authorities have recently resolved to establish Māori wards or constituencies for at least the 2022 and 2025 triennial elections. Māori wards or constituencies guarantee Māori representation on a local authority and provides for Māori participation in council decision-making required under the Local Government Act 2002. Christchurch City has not resolved to introduce Māori Ward(s) for the 2022 triennial election.

Population Statistics

The population statistics for Christchurch are detailed below. Source Stats NZ Tatauranga Aotearoa 2020 population estimates

Council wards:

Ward	Population*
Banks Peninsula	9,400
Burwood	24,780
Cashmere	26,390
Central	24,020
Coastal	26,490
Fendalton	25,390
Halswell	26,520
Harewood	25,870
Heathcote	26,110
Hornby	25,110
Innes	25,320
Linwood	24,780
Papanui	26,140
Riccarton	26,490
Spreydon	27,100
Waimairi	24,500
Christchurch Total	394,410

Community Boards:

Community Board	Ward/Subdivision	Ward/ Subdivision Population
Te Pātaka o Rākaihautū Banks Peninsula Community Board	Akaroa subdivision	1,950
	Lyttelton subdivision	3,080
	Mt Herbert subdivision	3,130
	Wairewa subdivision	1,240
Waitai Coastal-Burwood-Linwood Community Board	Burwood ward	24,780
	Coastal ward	26,490
	Linwood ward	24,780
Waimāero Fendalton-Waimairi-Harewood Community Board	Fendalton ward	25,390
	Harewood ward	25,870
	Waimairi ward	24,500
Waipuna Halswell-Hornby- Riccarton Community Board	Halswell ward	26,520
	Hornby ward	25,110
	Riccarton ward	26,490
Waipapa Papanui-Innes-Central Community Board	Central ward	24,020
	Innes ward	25,320
	Papanui ward	26,140
Waihoru Spreydon-Cashmere-Heathcote Community Board	Cashmere ward	26,390
	Heathcote ward	26,110
	Spreydon ward	27,100

These elections will be conducted by postal voting.

Pūnaha Pōti

Electoral systems

Electoral systems

Local bodies can conduct their elections under First Past the Post (FPP) or the Single Transferable Voting (STV) electoral systems.

Christchurch City Council and Environment Canterbury will use FPP for their 2022 elections.

In summary the FPP electoral system consists of the following:

- Electors vote by indicating their preferred candidate(s) with a tick
- Voters must not tick more than the number of places to be filled
- The candidate that receives the most votes is declared the winner, regardless of the proportion of votes that candidate obtained.

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.

Rārangi Pukapuka Pōti

Electoral roll

The preliminary electoral roll for Christchurch will be compiled during July 2022. Copies of the roll will be available for public inspection from Friday 15 July 2022 to Friday 12 August 2022, during ordinary opening hours 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, 4 Jeffreys Road, Fendalton
- 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 Wakefield Avenue
- New Brighton Library, 213 Marine Parade, New Brighton
- Ōrauwata: Bishopdale Library and Community Centre, 13 Bishopdale Court, Bishopdale
- Papanui Library and Service Centre, 5 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.

Residents who pay rates on a property in another local authority or community board area may be entitled to enrol on the ratepayer roll. This qualifies you to vote more than once in local elections.

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 local authority area or community board area, as the case may be.

Partners, joint tenants and tenants in common who collectively pay rates on a property in a local authority district or community board area, may also nominate one of the group who is an elector to vote on their behalf, provided any such elector resides outside the district or community board area where the property is situated.

Information on the ratepayer elector enrolment process is available on the Council website <https://www.ccc.govt.nz/elections>

Any alterations to the residential roll should be made:

- Online at <https://www.vote.nz>
- By texting your name and address to 3676 to get a form sent to you
- By calling 0800 36 76 56 to ask for a form to be sent to you
- By email request to enquiries@elections.govt.nz

Any alterations to the non-residential ratepayer electoral roll should be referred to the Electoral Officer or <https://www.ccc.govt.nz/elections>

A hard copy of the preliminary electoral roll may be purchased by candidates or their agents from the Electoral Officer for \$10 per ward or \$160 (ratepayer roll included). The final electoral roll is produced once the preliminary electoral roll closes on 12 August 2022. The final electoral roll is the roll used for issuing voting papers. Copies of this roll may be purchased as above.

Details appearing in the electoral roll are electors names (surname, then first names) listed alphabetically, and the qualifying address of the elector.

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

Candidates or political parties may request an electronic listing of resident electors may be available from the Electoral Commission (provided the criteria of section 114 of the Electoral Act 1993 is met). An application form is required to be completed and can be obtained by emailing a request to data@elections.govt.nz. A fee applies.

Candidates or their agents may request, before the close of voting a listing of the names of persons from whom voting documents have been returned. Such a request must be made on the appropriate form available from the Electoral Officer.

Te Raupapa Kaitono

Order of Candidate Names

Councils are required to determine the order of candidates on the voting papers.

There are three options.

Alphabetical - names are listed in alphabetical order of surname, i.e. every voting paper has the same alphabetical order.

Pseudo random - candidate surnames are drawn out of a hat by the Electoral Officer soon after the close of nominations, and the names stay in that order, i.e. every voting paper has the same randomly ordered listing of candidates.

Fully random order - each candidate's name is printed randomly on each voting paper, i.e. every voting paper will have the candidates listed in a different random order.

Christchurch City Council and Environment Canterbury have both decided to use the fully random order of candidates in 2022.

Pōtitanga, Hātepe Pōti, Otinga Pōtitanga me ngā Pūrongo

Voting, Vote Processing, Election Results and Recounts

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 16 September 2022, and all electors should have received them by Wednesday 21 September 2022. Electors at the same address may receive their voting documents on different days.

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 8 October.

When posting, voting documents should be posted no later than 5pm on Tuesday 4 October to guarantee delivery before the close of voting, Saturday 8 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 16 September until Friday 7 October at:

- Christchurch City Council Civic Offices, 53 Hereford Street
- Fendalton Service Centre, 4 Jeffreys Road, Fendalton
- Hornby Service Centre, 2/8 Goulding Avenue, Hornby
- Linwood Service Centre, Eastgate Mall, first floor, Corner Buckleys Road and Linwood Avenue
- Beckenham Service Centre, 66 Colombo Street, Beckenham
- Te Hāpua Halswell Service Centre, 342 Halswell Road, Halswell
- Shirley Service Centre, 36 Marshland Road, Shirley

Or by phoning 03 941 8999

Special voting documents will also be available from 10am to 2pm Monday to Friday from Friday 16 September until Friday 7 October at:

- Lyttelton Service Centre, 18 Canterbury Street, Lyttelton
- Akaroa Service Centre, 78 Rue Lavaud, Akaroa

On Saturday 8 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.

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 7 October. An application for registration as a parliamentary elector may be obtained:

- Online at <https://www.vote.nz>
- Texting name and address to 3676 to get a form sent
- Calling 0800 36 76 56 to get a form to be sent
- Emailing enquiries@elections.govt.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 8 October, completed voting documents can be returned to all open Christchurch City Council libraries and Christchurch City Council Civic Offices, until noon.

Early processing of returned voting documents

Christchurch City Council's 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 8 October 2022).

Early processing functions are 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 functions (refer to Appendix 4).

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.

Election Results

The counting of votes takes place as soon as practicable after noon on Saturday 8 October 2022.

There are three stages of results.

1. Progress Results

Not all ordinary votes have been counted yet, those votes received on the last morning will still be in transit to the Electoral Officer. Progress results are expected to be available on Saturday 8 October from 2pm as reconciliations and quality assurance checks are completed. Results could change.

2. Preliminary Results

All ordinary voting papers have been received and counted, but not all special votes. These are expected to be available by Sunday morning after the last ordinary voting papers that were delivered to Council offices prior to the close of voting have been received and processed. Results could change.

3. Official Results

All ordinary and special votes have been counted. These are expected to be released by Thursday 13 October, once special voting processes have been completed. Results are final.

It is expected that a progress result will be released by the Electoral Officer from 2pm on Saturday 8 October 2022.

The preliminary result will follow and will be released as soon as all ordinary voting papers have been received and processed at the processing centre. This is likely to be Sunday 9 October, if not before.

Candidates will be advised of the progress results on election day - either by email or phone. Results will be released to candidates and media via email and <https://www.ccc.govt.nz>

Recounts and Petitions for Inquiry

A recount can be requested by a candidate within three working days after the public declaration of the final election results. This sometimes happens when a result is very close.

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

A candidate or a minimum of 10 electors, may file a Petition for Inquiry in the District Court if they have a complaint about the conduct of an election. The Petition must be filed with a \$750 deposit within 21 days of the official result declaration. Independent legal advice should be sought by anyone contemplating a Petition for Inquiry.



Te Paearu Kaitono

Candidate Eligibility

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) (section 25, Local Electoral Act 2001).

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:

<https://www.oag.govt.nz/2010/lamia>

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

- o Before the election, all of the candidate's obligations (or candidate's company's obligations) in respect of the contract have been performed and the amount to be paid by the council has been fixed (whether or not it has been paid); or
 - o Although the candidate's obligations (or candidate's company's obligations) under the contract have not been performed before the election, the amount to be paid by the council is already fixed (subject to amendments and additions as allowed for in the contract), whether or not it has been paid; or
 - o Although the candidate's obligations (or candidate's company's obligations) under the contract have not been performed before the election, either:
 - The contract's duration does not exceed 12 months; or
 - The contract is relinquished (with the authority's consent) within a month of the candidate becoming a member and before he or she starts to act as a member.
 - o Further information on application of these points should be made with the Office of the Auditor General - at enquiry@oag.parliament.nz or phone (04) 917 1500
- 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). Staff members intending to stand for election should talk with their manager, they may be required to take leave for campaigning purposes.

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.

Evidence of New Zealand citizenship

It is 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.

Te Pūnaha Tautapa

Nominations

Key dates

- Nominations open on Friday 15 July 2022 and close at noon on Friday 12 August 2022.
- A Public notice calling for nominations will be made on Wednesday 13 July.

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 15 July at:

Christchurch City Council Civic Offices, 53 Hereford Street, Christchurch Central

Christchurch City Council Service Centres;

- Akaroa Service Centre, 78 Rue Lavaud, Akaroa
- Beckenham Service Centre, 66 Colombo Street, Beckenham
- Fendalton Service Centre, Corner 4 Jeffreys Road, Fendalton
- Hornby Service Centre, 2/8 Goulding Avenue, Hornby
- Linwood Service Centre Eastgate Mall, first floor, Corner Buckleys Road and Linwood Avenue, Linwood
- Little River Service Centre, 4236 Christchurch Akaroa Road, Little River
- Lyttelton Service Centre, 18 Canterbury Street, Lyttelton
- Papanui Service Centre, 5 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

By phoning the Electoral Officer: 03 941 8581

Emailing elections2022@ccc.govt.nz

On the Council website: <https://www.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).

Other names

If a candidate is commonly known in the community by a slightly different name (e.g. Edward Smith is commonly known as Ted Smith) and has been known by this name for at least the last six months (to the satisfaction of the Electoral Officer), the commonly known name may appear on the voting paper.

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.

Candidates can use their commonly known name for their campaigning material.

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.

Titles can be used by candidates in campaigning material. It is only on voting documents where they cannot be shown.

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 as a candidate in any other triennial local government election in New Zealand in 2022. 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 political party affiliation must have authority to adopt the affiliation from the party, organisation or group concerned (i.e. a letter of consent or similar). 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.

The Electoral Officer may require written evidence that a candidate belongs to a group or organisation if there is some contention about the use of a particular party or group affiliation.

The affiliation limit is 38 characters including spaces. This will be strictly enforced.

Website addresses, hashtags, Twitter handles or Facebook links will not be accepted as an affiliation.

Submitting the nomination documents

Nomination documents for Christchurch City Council elections can be lodged at:
Electoral Office
Te Hononga Civic Offices,
53 Hereford Street, Christchurch

Or can be emailed to nomination2022@ccc.govt.nz

But should the documents be received by the Electoral Officer after the close of nominations the nomination is invalid.

Nomination documents can be scanned as pdfs and emailed to the Electoral Officer, including evidence of the \$200 deposit if made by online banking. Candidate profile statements must be provided in text format (not pdf) and photos should be scanned as jpg files.

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

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

Nominations close at noon on Friday 12 August 2022.

Christchurch City Council’s office hours for lodgement are Monday to Friday 9am and 5pm, from Friday 15 July 2022 to Friday 12 August, except on 12 August noon is the cut off for lodgement.

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 electoral issue (ward, subdivision etc.). 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.

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.

Please advise the Electoral Officer at the time of lodging your nomination if there are contact details that you would not like to be published.

Candidate profile statements and photos will be publicly available on the Council website prior to the distribution of voting documents. 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. Should an online banking transaction become 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 initials and 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 email. The nomination is invalid if all documents are not received by the Electoral Officer or electoral official before noon on Friday 12 August.

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 12 August 2022.

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. Incapacitated means that a candidate is suffering from a serious illness or has sustained a serious injury, and would be unlikely to be capable of performing the functions and duties of office if elected.

A medical certificate must be provided with an application for a cancellation of nomination. The form for this is available from the Electoral Officer. An application can be made by a candidate or an agent acting on their behalf, and must be signed by a Solicitor or Justice of the Peace.

A candidate wishing to withdraw must discuss this with the Electoral Officer as soon as possible.

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 details 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 words in CAPS (except acronyms)
- 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.

Website or Facebook links can be included in the 150 word profile but have a maximum limit of 60 characters to stay on one line.

Translations

The following contact details are given for a translation company for candidates who are unable to prepare a translation themselves imagine themselves or do not know of anyone to do this for them:

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 above 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 a media device 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, i.e. 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, but the onus is on the candidate to provide a photo that complies with this format.

Electronic copies of photos should be scanned as a jpeg at a minimum of 300 dpi. Please direct any questions about the format of photos and statements to the Electoral Officer.

Candidates must ensure all nomination documents, including the statement and photo, are with the Electoral Officer by noon on Friday 12 August 2022.

Correctness of Candidate 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.

Remember that the profile statement cannot include any special formatting, i.e. no bullet points, words in CAPS (except acronyms), bold, underlines, italics etc.

Whakahaeretia, Rauemi Kaunihera, Pae Pāpāho Pāpori

Campaigning, Council Resources and Social Media

Campaigning

- Election campaigning can start at any time but should end by noon on Saturday 8 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 ballot boxes located at Christchurch City Council Civic Offices, and open libraries and service centres.

Candidates can use official titles in their campaigning material, i.e. Dr, OMNZ, CMNZ, Sir, Madam etc but these are not permitted on voting documents. Candidates should not display completed voting papers on any media channels as this could be construed as an offence under section 122(1)(b) of the Local Electoral Act of attempting to interfere or influence voters. Candidates should not display completed voting papers on social media channels or any other form of election signage or publications etc.

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 current elected members or other candidates in any context that could reasonably be construed as campaigning for elections.

Election advertising and authorisation statement

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

- The true name of the person or organisation under whose authority they have been produced and
- The contact details for that person or organisation:
 - a residential or business address; or
 - an email address; or
 - a post office box number; or
 - a phone number; or
 - a link to an Internet site (if the page contains one or more of the above)

of the person under whose authority they have been produced.

The Local Electoral (Advertising) Amendment Bill enacted in July 2022 has amended section 113 of the Local Electoral Act 2001, so that address requirement of an authorisation statement can be met by including one of the five options above.

This means that for posters, adverts, billboards, flyers, stickers, vehicle signage, websites, social media and 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 [or phone number/ email address/PO Box/Phone number/website]”. This authorisation must be clearly visible on any campaigning material including signs and billboards.

Contact details cannot be a Council building or address, email, PO Box, phone number, or internet site.

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.

LGOIMA Requests

Council is required to respond to information requests made under the Local Government Official Information and Meetings Act 1987 (LGOIMA). Any information supplied to a candidate as part of a LGOIMA request response will be made available to all candidates as soon as possible after the original information release. The Council will determine the most appropriate distribution method, most likely published on the Council website.

Policy Local

A partner of the Local Government New Zealand (LGNZ) Vote 22 campaign, and published in partnership with The Spinoff, Policy Local is an information source about local election candidates published at <https://www.policylocal.nz> during the triennial election campaigns.

Policy Local is the local elections version of Policy.nz, which is published during the parliamentary elections. Policy Local aims to be a comprehensive source of information where voters can learn about and compare candidates in their local election. In 2019 the majority of Mayoral and Councillor candidates took part in Policy Local.

Participation is free and optional for candidates. To participate, candidates need to complete the Policy Local email questionnaire that will be sent to them once nominations are confirmed in August 2022.

A file of candidate contact details will be made available from the council’s website as soon as possible after nominations have closed and candidates have been confirmed. Policy Local will use that file to contact candidates and invite them to participate. To find out more, visit 2022.policylocal.nz or email candidates@policy.nz

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 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 and contact details, as per section 113 - 114 of the Local Electoral Act 2001. This means all campaign material must have a statement saying all content/images on your social media channel are authorised by you or your agent, and include a contact detail.
- Social media used to promote a candidate's election or campaign must include the authorisation statement on the account's main page (or profile page). This also applies to any existing or personal account used for electioneering. The authorisation statement should be placed on the main page for the duration of the time that account is used for electioneering. It is not necessary to authorise each individual post or tweet on your own social media.
- Christchurch City Council's social media accounts (listed below), including but not limited to Facebook, Twitter, Instagram, LinkedIn and Neighbourly, are not permitted to be used as a communications channel by anyone (candidates or members of the public) for promotion, electioneering or campaigning. This also applies to all social media accounts owned by Council-controlled organisations.
- The Council's social media accounts are constantly monitored and any campaign-related or electioneering content will be removed.
- 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.
- 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.
- It is illegal for candidates to display their completed voting documents on social media.
- During the lead-up to elections, the current Mayor and elected members may be used in social media posts where it is appropriate and considered 'business as usual' use. This may be in images or quotes.

Christchurch City Council social media accounts

Facebook:

- Christchurch City Council
- Christchurch City Libraries
- What's On Christchurch
- KidsFest
- Christchurch Recreation and Sport Centres
- He Puna Taimoana
- The 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 - <https://www.youtube.com/user/ChchCityCouncil>
- Christchurch City Council - <https://www.youtube.com/channel/UCZETwErnCvvgbvBbnnHfyaA>
- Te Pātaka o Rākaihautū Banks Peninsula Community Board: <https://www.youtube.com/channel/UC66K8mOlfQT3I4rOLwGbeug>
- Waitai Coastal-Burwood Community Board: <https://www.youtube.com/channel/UCI96HGy4yTuHdxoX3617V0g>
- Waimāero Fendalton-Waimairi-Harewood Community Board: <https://www.youtube.com/channel/UC0djJ5RxVnyf8xYyglkXvg>
- Waipuna Halswell-Hornby-Riccarton Community Board: https://www.youtube.com/channel/UCQN_yNuZzfRhDJ2scAEjCvA
- Waikura Linwood-Central-Heathcote Community Board: <https://www.youtube.com/channel/UCNPb5ivHr6AzTjLcpX0-RNQ>
- Waipapa Papanui-Innes Community Board: <https://www.youtube.com/channel/UCuRzshsY8rjDJYUymoYeQtA>
- Waihoru Spreydon-Cashmere Community Board: <https://www.youtube.com/channel/UCGweLMco4E1iUpXZ7voUgA>

LinkedIn

- Christchurch City Council

Campaign expenditure limits

Candidates have campaign expenditure limits and are required to file a return to the Electoral Officer after the election. The campaign expenditure limit is population based and is to ensure that there is a level playing field for all candidates in regard to how much money they can spend on campaigning.

Campaigning funds will generally be provided by the candidate or, in some cases, from donations. Please note campaigning costs are the responsibility of the candidate. The Council does not contribute or reimburse any campaigning costs, which remain the responsibility of each candidate.

Campaign expenditure is all expenses relating to the campaign from the period three months before election day, i.e. **all expenditure from 8 July 2022 to 8 October 2022** plus any apportioned costs of any election campaigning commencing before 8 July (refer to section 112 of the Local Electoral Act 2001).

Campaign expenditure limits are population based and specified in the Local Electoral Act 2001. The following table shows 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.

The population of Christchurch is estimated to be 394,410.

Local government area population	Expenditure limit
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

These population figures are estimates sourced from Stats NZ Tatauranga Aotearoa on the 2020 population estimates. Updated population estimates as at three months before the close of poll (pursuant to section 104 LEA) will be available on request from the Electoral Officer by the end of July 2022.

The campaign expenditure limits for Christchurch City Council are:

City wide	Estimated Population*	Expenditure limit (inc GST)
Mayor	394,410	\$70,000

* Source Stats NZ Tatauranga Aotearoa 2020 population estimates

Ward	Estimated Population*	Expenditure limit (inc GST)
Banks Peninsula	9,400	\$7,000
Burwood	24,780	\$20,000
Cashmere	26,390	\$20,000
Central	24,020	\$20,000
Coastal	26,490	\$20,000
Fendalton	25,390	\$20,000
Halswell	26,520	\$20,000
Harewood	25,870	\$20,000
Heathcote	26,110	\$20,000
Hornby	25,110	\$20,000
Innes	25,320	\$20,000
Linwood	24,780	\$20,000
Papanui	26,140	\$20,000
Riccarton	26,490	\$20,000
Spreydon	27,100	\$20,000
Waimairi	24,500	\$20,000

* Source Stats NZ Tatauranga Aotearoa 2020 population estimates

Banks Peninsula Subdivision	Estimated Population*	Expenditure limit(inc GST)
Akaroa	1,950	\$3,500
Lyttelton	3,080	\$3,500
Mt Herbert	3,130	\$3,500
Wairewa	1,240	\$3,500

* Source Stats NZ Tatauranga Aotearoa 2020 population estimates

If a candidate is a candidate for more than one election held at the same time (i.e. mayor and councillor), the total electoral expenses (inclusive of GST) of that candidate must not exceed the highest amount permitted under subsection (1) in respect of any one of the elections for which the person is a candidate. This means that if a candidate is standing for more than one position, the total electoral expenses must not exceed the highest amount applicable i.e. \$20,000 for a councillor and community board position.

Electoral Expenses and Donations

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 9 December 2022. 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 <https://www.ccc.govt.nz/elections> or from the Electoral Officer from 18 July 2022.

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 but do not need to submit them with a declaration form.
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 2022 triennial local body elections should be recorded and included in the candidate's return of election expenses and donations.

Crowdfunded contributions

If a candidate was to use crowdfunding to raise election money, the money raised from crowdfunding would be treated as a donation "funded from one or more contributions".

The person raising the money (the donor) would have to disclose that the donation was funded from contributions, including the total proportion of the donation that came from any contributor providing more than \$1,500 and the total of all other contributions (section 103D(2)(a), (c) and (d) Local Electoral Act).

If any individual contributor's contribution to a crowdfunded donation exceeds \$1,500 (either through one contribution or multiple contributions from the same individual), section 103D(2)(b) of the LEA will require whoever raises the money (the donor) to disclose that individual's name, address and the total amount of their contribution.

Section 103D(3) requires candidates to return the entirety of a donation if they know, or have reasonable grounds to believe, that section 103D(2) has not been complied with. For example, if a candidate has reasonable grounds to believe that one contributor had donated more than \$1,500 to their crowdfunding campaign but has not been informed of that contributor's name and address, and how much they donated, the candidate will have to return everything raised by the crowdfunding.

Given that contributors could easily use false identities while making multiple contributions, candidates could easily find themselves in a position where they have reasonable grounds to believe section 103D(2)(b) has not been complied with, and therefore have to return everything raised due to section 103D(3).

Some crowdfunding platforms have processes which are unlikely to enable compliance with the requirement in section 103C of the Local Electoral Act to transmit donations to candidates within 10 working days. Sections 103E and 103K of the Local Electoral Act contain offences relating to concealing the identity of people who contribute more than \$1,500, or circumventing the requirement to only keep \$1,500 of any anonymous donations that exceed \$1,500. “Anonymous” donations are where the candidate does not, and could not reasonably be expected to, know the identity of the donor.

For these reasons it is understandable if crowdfunding providers will not host crowdfunding for election candidates, given that their platforms could be used to conceal the identity of people contributing more than \$1500, thereby putting them at legal risk.

Reasonable market value of donations

Sometimes goods or services are provided to a candidate for use in their campaign at less than their reasonable market value. If the reasonable market value of the goods or services provided exceeds \$300 then the goods or services are considered a donation. The amount of the donation is the difference between what is paid by the candidate for the goods or services (if anything) and their reasonable market value.

Sometimes goods or services are sold by or on behalf of a candidate for more than their reasonable market value and the proceeds used in their campaign, in which case a portion of the payment made for the goods and services will constitute a donation. The amount of the donation is the difference between what the goods or services are sold for and their reasonable market value.

For example, in the scenario of a fundraising auction, the person who gives or sells the candidate an item for auction is considered to have made a donation if the reasonable market value of the item is greater than \$300 and the candidate has paid less than the reasonable market value (if anything). The amount of the donation is the difference between what was paid for the item and its reasonable market value. In addition, the person who buys the item at the auction is considered to have made a donation if they have paid more than the reasonable market value of the item. The donation is the difference between the reasonable market value of the item and the price paid at the auction.

The reasonable market value should be taken as the value determined by applying normal market conditions. For example, fundraising auctions are not the normal markets for buying and selling wine or paintings. The normal markets for those items would be wine shops and art galleries.

Care should be taken when determining the reasonable market value of an item which has had a signature added to it, particularly where it is the candidate’s signature. The reasonable market value should still be determined by applying normal market conditions. The starting point should be the reasonable market value of the item without a signature and then a realistic assessment should be made of whether the addition of the signature has in fact increased (or even decreased) the reasonable market value of the item.

Talk to your electoral officer if you need further information about donation calculations.

Auction Donation Workbook

Taituarā have prepared a workbook to help candidates identify what amounts need to be declared from fundraising auctions. The workbook includes an example sheet as well as a blank template worksheet that the candidate can use for input of their own auction results. The workbook is available from the Electoral Officer or at:

https://www.electionz.com/LGE2022_landing

Ngā Tohu Pōti

Election Signs

This information summarises the rules applying to temporary election signage (election signage) for the 2022 Christchurch City Council elections. These rules come from a number of sources including the Christchurch District Plan and related Plan Changes, the Local Electoral Act 2001, Christchurch City Council and Waka Kotahi NZ Transport Agency.

The Local Electoral Act 2001, section 113 - 114 details the requirements that all electoral advertising material, including signage, must comply with. All signage must include a clearly readable statement of authorisation or endorsement setting out:

- The true name of the person, persons or organisation at whose direction the signage has been erected.
- The contact details for that person/organisation:
 - a residential or business address; or
 - an email address; or
 - a post office box number; or
 - or a phone number;
 - or a link to an internet site (if the page contains one or more of the above).

The Local Electoral (Advertising) Amendment Bill enacted in July 2022 has amended the contact details requirement meaning it can be met by including one of the five options above.

Election signage is only permitted in the period nine weeks before the start of voting and must be removed by midnight the day prior to election day.

For this election signage is permitted, within the limits below, from Friday 15 July 2022 to midnight on Friday 7 October 2022.

It is the responsibility of the owner of each election sign to ensure that their sign and any supporting structure is compliant with the legislation and rules. Compliance action may be undertaken to remove any sign that does not comply.

Questions regarding election signage can be directed to the Electoral Officer, phone 03 941 8581 or elections2022@ccc.govt.nz

Land owner permission to display election signage

All signage displayed in any location must have the permission of the land owner (not the occupier) of the property in which it is displayed. This includes any private, commercial, Council and Crown owned land, and roads under the control of Waka Kotahi NZ Transport Agency (motorways and state highways).

Signage is not permitted to be erected on Council land, including roads, footpaths and berms, road structures, buildings, in parks or in areas/structures or boundary fences facing into a park or reserve.

Requirements for election signage

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

In the period nine weeks before the start of voting, from 15 July 2022, additional signage being temporary election signage is permitted under the district plan. All election signage must be removed by midnight on 7 October 2022.

A maximum additional area of 3m² of election 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 3m² of signage per site is permitted by the District Plan (e.g. some commercial or industrial zones), election signage may be placed up to the normal signage area limit or 3m² whichever is greater.

On a property located on a corner, election signage of up to 3m² is permitted on each of the road frontages of the property.

No new individual temporary election sign may be more than 3m² in area.

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. Election signage on protected heritage items or in heritage settings must meet more restrictive standards regarding placement, size and use of protective material. Detail of this is included in the District Plan.

Freestanding 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, including significant trees etc.). Detail of these areas and significant trees is in the District Plan.

There may be exceptions to the permitted timeframe and size requirements on lawfully established sign frames or billboards, including digital signage, where these have been consented for the display of advertising. A candidate is required to confirm this with the owner/supplier of the sign before displaying any election signage.

Temporary election signs may not be:

- Flashing or digitised unless they are on existing legally established and consented billboards or digital displays
- Similar to or the same as any traffic sign or controls in shape or colour
- Erected in a way that impairs visibility of any traffic or regulatory sign
- Erected in a way that impacts on or reduces visibility to a vehicle access or driveway
- An imitation or replication of a voting paper
- Protrude out from or above the body of any vehicle
- Increase or add to the size of any trailer or other structure attached to a vehicle
- Erected on or attached to any Council property or land, including fences, trees, structures and buildings
- Affixed to any significant tree as defined in the District Plan.

Election advertising on vehicles

Candidate or party signage on a vehicle is a temporary election sign. Use of a vehicle as a sign must comply with all rules, including the Council's Traffic and Parking Bylaw 2017 and Public Places Bylaw 2018.

Signage may be painted on or attached flush to vehicles (within 10mm), but must not protrude out from or above the vehicle body or obstruct visibility for the driver from any windows of the vehicle.

Election signage on trailers or other structures attached to a vehicle cannot increase the size of trailer or structure.

Vehicles, including trailers, must be parked in accordance with the Traffic and Parking Bylaw and the Public Places Bylaw. This includes being parked legally and compliant with any parking restrictions, including posted duration limits.

Vehicles, including trailers, cannot be parked on a grass berm, or any part of the road separated by a kerb.

Dependent upon the size of the vehicle, the area covered in signage may be larger than 3m², provided it complies with all other rules.

Election signs on or adjacent to state highways and motorways

Restrictions apply to election signs erected on or adjacent to state highways under the control of Waka Kotahi NZ Transport Agency. These restrictions include the following:

- Election signage is not permitted on or adjacent to motorways
- Vehicle mounted signage is not permitted to be parked for the purposes of signage adjacent to state highways with a speed limit of 70km/h
- Election signage be located at least 100m from intersections, bends in highways or other regulatory signage on highways with a speed limit of 70km/h.

All election signage on state highways with a speed limit of 70km/h or under will be managed by the Council, and must comply with all election signage rules.

Waka Kotahi have produced a letter and information for candidates: Electioneering Signs Adjacent to State Highways. This is available from the Electoral Officer and at:

<https://www.ccc.govt.nz/the-council/how-the-council-works/council-elections/information-for-candidates>

Candidates can contact Jude Ward, Corridor Manager Canterbury/West Coast, Waka Kotahi NZ Transport Agency directly with any questions about election signage on state highway and motorways.

Phone: 03 364 2813

Email: jude.ward@nzta.govt.nz

Compliance

Any signage not compliant with these rules or legislation must be removed or made compliant by the candidate or owner of the sign.

Compliance action may be undertaken by the Electoral Officer, Council's Regulatory Compliance Team, or Waka Kotahi or its agents.

Reference documents:

Christchurch Replacement District Plan:

<https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/new-christchurch-district-plan/CH6-Nov2018.pdf>

District Plan Property Search website for any location where signage is proposed:

<https://www.districtplan.ccc.govt.nz/PropertySearch/PropertySearchContainer.html>

Public Places Bylaw:

<https://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/public-places-bylaw-2018/>

Traffic and Parking Bylaw:

<https://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/traffic-and-parking-bylaw-2017/>

Waka Kotahi NZ Transport Agency Bylaws:

<https://www.nzta.govt.nz/roads-and-rail/highways-information-portal/technical-disciplines/state-highway-bylaws/>

Waka Kotahi NZ Transport Agency - General Election Sign Guidance:

<https://www.nzta.govt.nz/assets/resources/general-election-sign-guidance/General-election-sign-guidance.pdf>

Please contact the Electoral Officer if you require any further information or regarding the rules.

Phone: 03 941 8581

Email: elections2022@ccc.govt.nz

Ngā Whakamahuki ā ngā Pou Kaunihera

City Leaders Information

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 Committee. The Committee is an important forum for collective discussion and actions on strategic matters.

The Council has a Treaty Relationships Team, whose role is 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

The Government is currently considering reforms across three areas of local government: Future for Local Government, Three Waters and Resource Management.

Representation review

Local authorities are required to review their representation arrangements at least once every six years in order to achieve fair and effective representation at elections.

A representation review addresses the total number of councillors, and the way they are elected, for example from wards or at large across the city, or a mixture of both. A review also covers the boundaries of wards, their names and whether there should be community boards in the district and, if so, the number of boards; their names and boundaries and members.

Christchurch City Council undertook a representation review in 2021 to be in place for the 2022 elections. The review resulted in changes to ward boundaries, and to the number of community boards and the make up of these. This information booklet details the election positions, community boards and ward boundaries in place for the 2022 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.

Mayor and Councillors' Responsibilities

The following role description as identified by the Remuneration Authority in setting the elected members' remuneration is a guide for what is expected.

The Mayor

The mayor is elected by the city 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.

Councillor – base role description

Collective duties of the council

- Representing the interests of the council
- Formulating the council's strategic direction and relative priorities through the Long Term Plan (LTP), which determines the services and activities to be undertaken by the council over a ten-year period
- Determining the expenditure and funding requirements of council activities through the LTP and annual planning processes
- Overseeing, developing and/or approving all council policies, administrative, legal, financial and strategic, including formal district planning matters within the council's geographical area of responsibility
- Monitoring the on-going performance of the council against its stated objectives and policies (including formal sign-off of the Annual Report)
- Ensuring prudent use of council resources
- Law-making (bylaws)
- Overseeing council compliance with any relevant Acts of Parliament
- Employing, setting performance requirements for, and monitoring the on-going performance of the council's Chief Executive (Under the Local Government Act 2002).

Representation and advocacy

- Bringing the views of the community into council decision-making processes
- Being an advocate for community groups and individuals at council meetings
- Balancing the need to advocate for specific interests against the needs of the wider community
- Listening to the concerns of local residents and ratepayers on issues pertaining to the council
- Maintaining contact with community representatives and other local stakeholders
- Participating in any relevant consultative processes with the local community and/or other organisations.

Governance

- Participating constructively and effectively in the good governance of the council as a whole
- Understanding and ensuring that basic principles of good governance are a part of the decision-making approach of the council
- Understanding and respecting the differing roles of mayor, deputy mayor, committee chairs/portfolio holders and councillors
- Recognising that the governance role does not extend to operational matters or to the management of any implementation
- Having a good understanding of the council processes set out in the Standing Orders that determine how council meetings are run
- Developing and maintaining a working knowledge of council services, management processes, powers, duties and constraints
- Participating in the setting and monitoring of council policies, budgets, strategies and service delivery through annual and long-term planning processes
- Ensuring familiarity with agendas and other council reports before council meetings
- Being familiar with and complying with the statutory requirements of an elected councillor
- Complying with the Code of Conduct adopted by the council
- Identifying, being aware of and declaring any potential personal conflicts of interest, whether of a pecuniary or non-pecuniary nature.

Core competencies

- Genuine interest, understanding (and passion) of/for the issues faced by Christchurch citizens
- Ability to relate to a wide range of people at many levels and across many disciplines and cultures
- Ability to hear and understand the varying positions of others and consider these in decision making
- Ability to express ideas clearly
- Ability to understand, focus on and resolve complex issues through long term planning
- Ability to understand financial and reporting statements.
- Understands the differing roles of governance and management
- Ability to think “city-wide” on issues to come to decision •
- Be results focused
- Knowledge of and commitment to the Local Government Act 2002.

Experience and background

- May have experience relevant to the challenges facing the city
- May have extensive community networks
- Be familiar with the existing Christchurch City Council’s Long-Term Plan 2021-2031 (LTP).

Personal qualities

- Demonstrates integrity and ethical behaviour
- Is independent, inquisitive and innovative
- Has the ability to see all sides of an argument
- Is hard working and can work unsupervised
- Ability to develop and maintain positive working relationships with councillors and staff
- Committed to Christchurch City
- Respect for others
- Flexible working hours; evening and weekend work is required
- Actively demonstrate commitment to the Elected Members' Code of Conduct.

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.

Community Board Member – base role description

Representation and advocacy

- Representing and acting as an advocate for the interests of their community
- Considering and reporting on all matters referred to them by the council, or any matters of interest or concern to the community board
- Communicating with community organisations and special-interest groups in the community
- Bringing the views of their community to the attention of council
- Listening to the concerns of their community on issues pertaining to the community board
- Maintaining an overview of services provided by the council in the community, and commenting on any services delivered by the parent council
- Maintaining contact with various community representatives and other local stakeholders
- Championing causes which best relate to the interests of their community and campaigning for the improvement of the quality of life in their community.

Governance

- Participating constructively and effectively in the good governance of the community board as a whole
- Understanding and ensuring that basic principles of good governance are a part of the approach of the community board
- Understanding and respecting the differing roles of community board Chair and community board members; the roles of the parent council's Mayor, Deputy Mayor, committee chairs/portfolio holders and councillors; and the very different roles of the managers and staff of the parent council with whom the community board might work
- Recognising that the governance role does not extend to operational matters or to the management of any implementation
- Having a good understanding of the community board processes set out in the Standing Orders that determine how community board meetings are run and how decisions are made
- Developing and maintaining a working knowledge of council services, management processes, powers, duties and constraints
- Ensuring familiarity with agendas and other community board reports before meetings of the community board Being familiar with and complying with the statutory requirements of a community board member
- Complying with the Code of Conduct
- Identifying, being aware of and declaring any potential personal conflicts of interest, whether these are pecuniary or non-pecuniary.

Additional responsibilities of Community Board Chairs

- Chairing meetings of the community board
- Representing the community board to a high standard in the areas of activity and business delegated
- Promoting and supporting good governance by the community board
- Developing a clear understanding of the terms of reference of their community board, and of the scope and range of delegations in order to carry out the role of community board Chair
- Ensuring sufficient familiarity with council's Standing Orders and procedures that they can chair community board meetings and any other sessions for which they have responsibility
- Ensuring that all participants in meetings have an opportunity to make an appropriate contribution within the bounds of Standing Orders and due process
- Commenting to the media (or other agencies) as the community board spokesperson, where delegated/ authorised to do so, on issues that pertain to the community board
- Liaising with appropriate council staff in respect of the areas of delegated council business for which the community board has responsibility
- Providing leadership to the community board in helping form a consensus that is representative of the community
- Working closely with other members of the community board to ensure smooth community board decision making
- Keeping abreast of all issues facing the community board.

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, 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 at least full time positions. The time requirements for community board chairperson is estimated to be upwards of 20 hours per week, and members 10 to 20 hours per week.

Remuneration

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 Local Government Members (2022/23) 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 2023. The determination also sets a governance pool for the remuneration of councillors.

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 determination will also include a base minimum remuneration for a councillor, this cannot be reduced. The entire governance pool must be allocated.

The incoming 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 later in 2022. The amending determination will be backed dated so that:

- The agreed councillor remuneration will take effect from the day after the election results are publicly notified
- The agreed remuneration for positions of responsibility will take effect from the day after the council votes on those positions.

Mayor and councillor annual remuneration effective from the elections is:

Determined by council size index, based on each council's population and expenditure.

Position	Annual remuneration
Mayor	\$200,000
Councillor – minimum base remuneration	\$100,278

The total quantum of governance pool for remuneration of 16 councillors including positions of additional responsibility is \$1,900,000 per annum.

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

Community board remuneration is based on population.

Community Board	Annual Remuneration Member	Annual Remuneration Chairperson*
Te Pātaka o Rākaihautū Banks Peninsula Community Board	\$10,153	\$20,305
Waitai Coastal-Burwood-Linwood Community Board	\$24,905	\$49,755
Waimāero Fendalton–Waimairi-Harewood Community Board	\$24,810	\$49,565
Waipuna Halswell-Hornby-Riccarton Community Board	\$25,572	\$51,109
Waipapa Papanui-Innes-Central Community Board	\$23,690	\$47,380
Waihoru Spreydon-Cashmere-Heathcote Community Board	\$26,039	\$52,077

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, information and communications technology equipment and services and childcare within an expenses framework included in the Remuneration Authority determination.

Information about the Remuneration Authority and local government elected members remuneration is available at: <https://www.remauthority.govt.nz/local-government-elected-members/local-government-elected-members-remuneration/>

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 not entitled to KiwiSaver contributions.

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

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:

<https://www.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.

The Auditor General's has prepared a guide for members of local authorities on managing financial conflicts of interest: <https://www.oag.parliament.nz/2020/lamia>

Health and Safety at Work Act 2015

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

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 Chief Executive.

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. This can be a fine up to \$50,000 for an individual or \$250,000 for a body corporate. Insurance is not available to cover the cost of such fines.

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. This register is updated annually for the Mayor, councillors and the Council's Executive Leadership Team.

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.

The Government is currently considering the Local Government (Pecuniary Interests Register) Amendment Act 2022. If passed it will amend the Local Government Act 2002 to require local authorities to maintain and publish a register of pecuniary interests for all members of authorities, and detail the specific requirements of the information to be collected in that register. The requirement will apply to the Mayor, councillors and members of community boards.

Pre-election Report

All councils must prepare a pre-election report.

The report is prepared by the chief executive independently of the mayor and councillors.

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

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

The pre-election report will be available from the council's website in July 2022. Candidates are advised to read the report when it becomes available.

Post-election processes

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 general information regarding what will be provided. Informal sessions with elected members and Council officers 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.

Induction programme

There will be a number sessions scheduled for the elected member induction programme in the three weeks following the elections. These will include drop in clinics where elected members will be issued with a Council device, receive training and information on the use of this, and complete the required paperwork.

The schedule for the induction programme will be provided to all candidates prior to the election. Successful candidates will be required to attend these events.

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 – all 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.

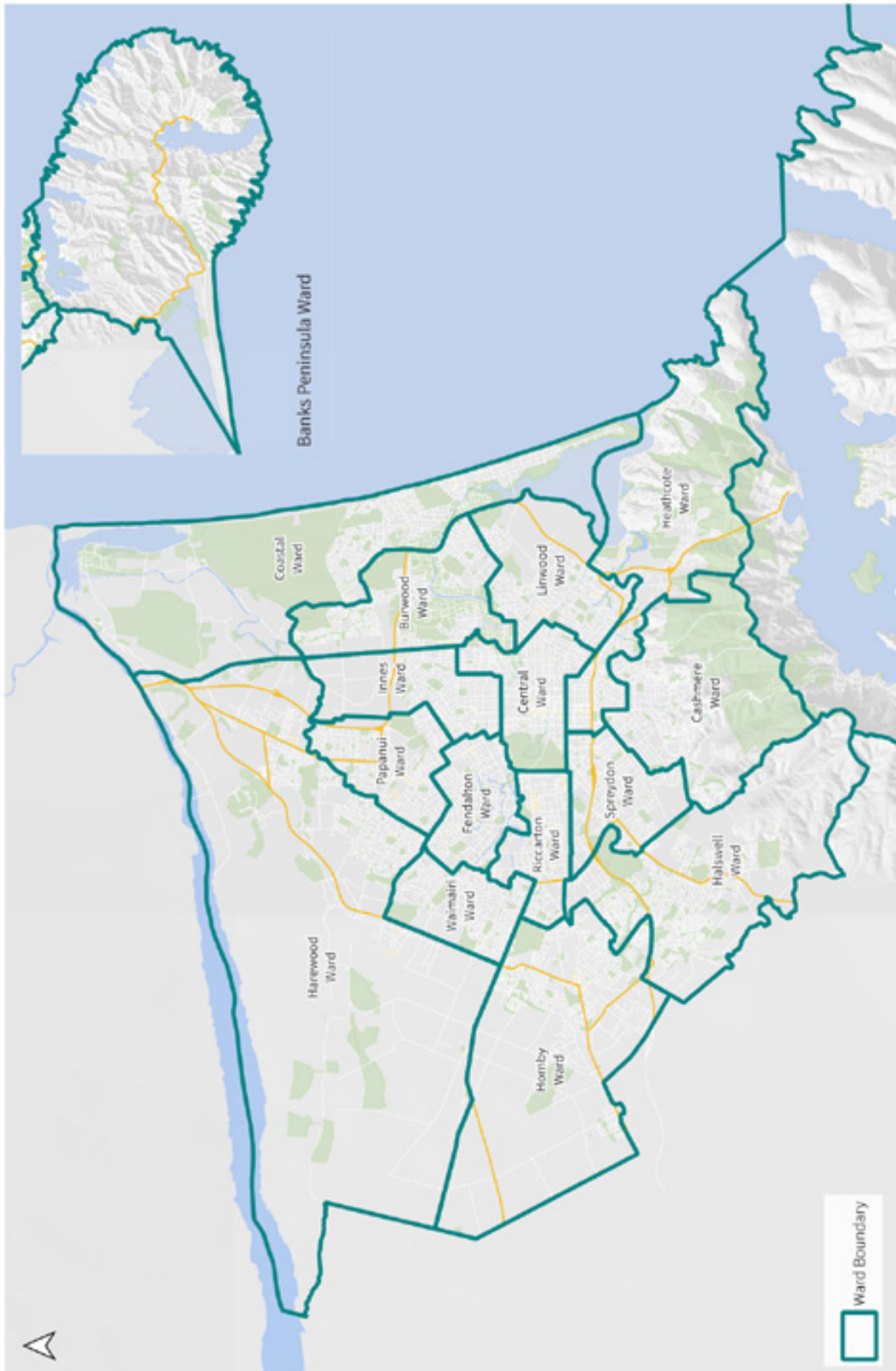
Ongoing professional development and training

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



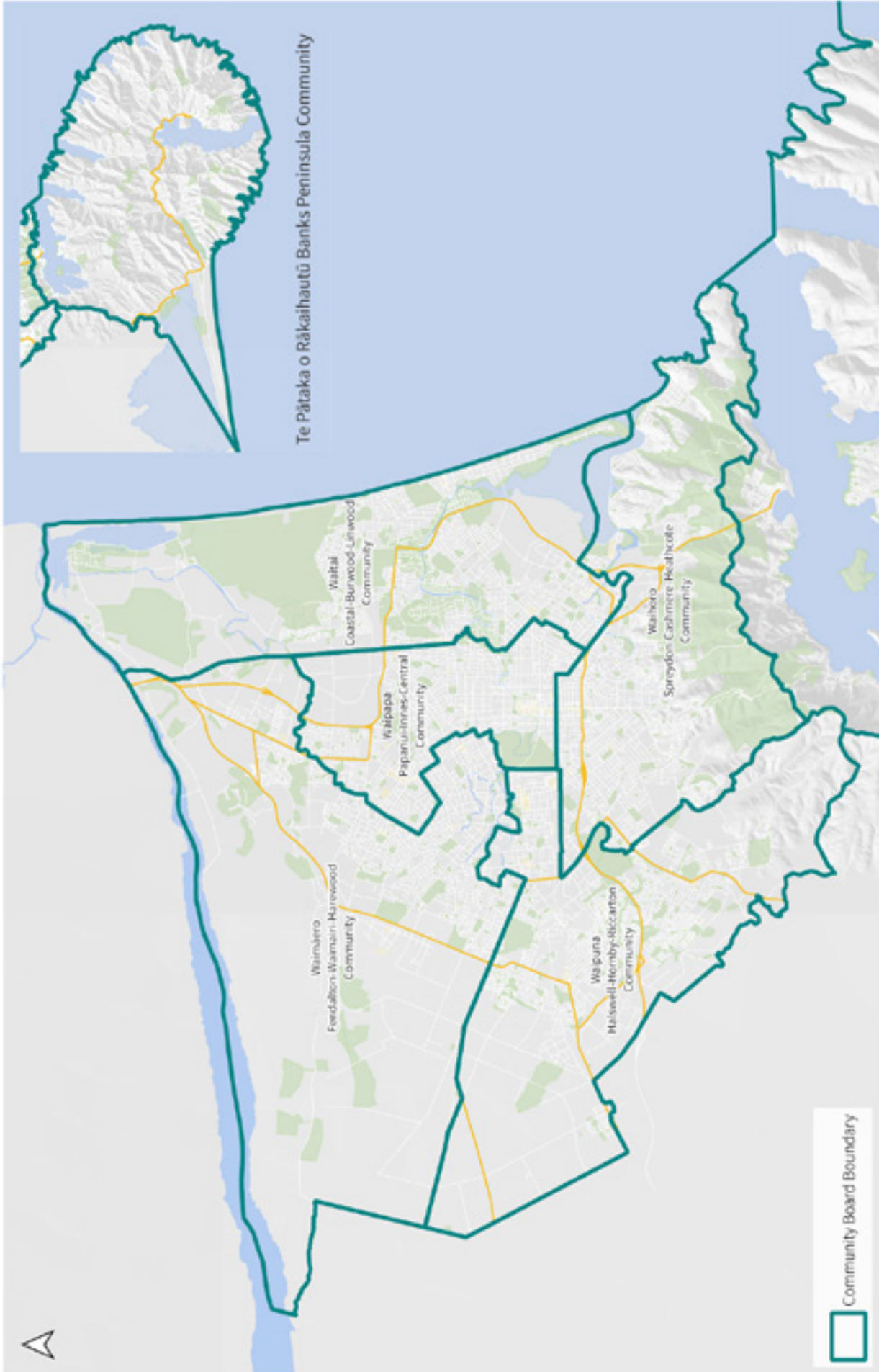
Ngā Mahere ā Rohe
Ward/community maps

Ward overview

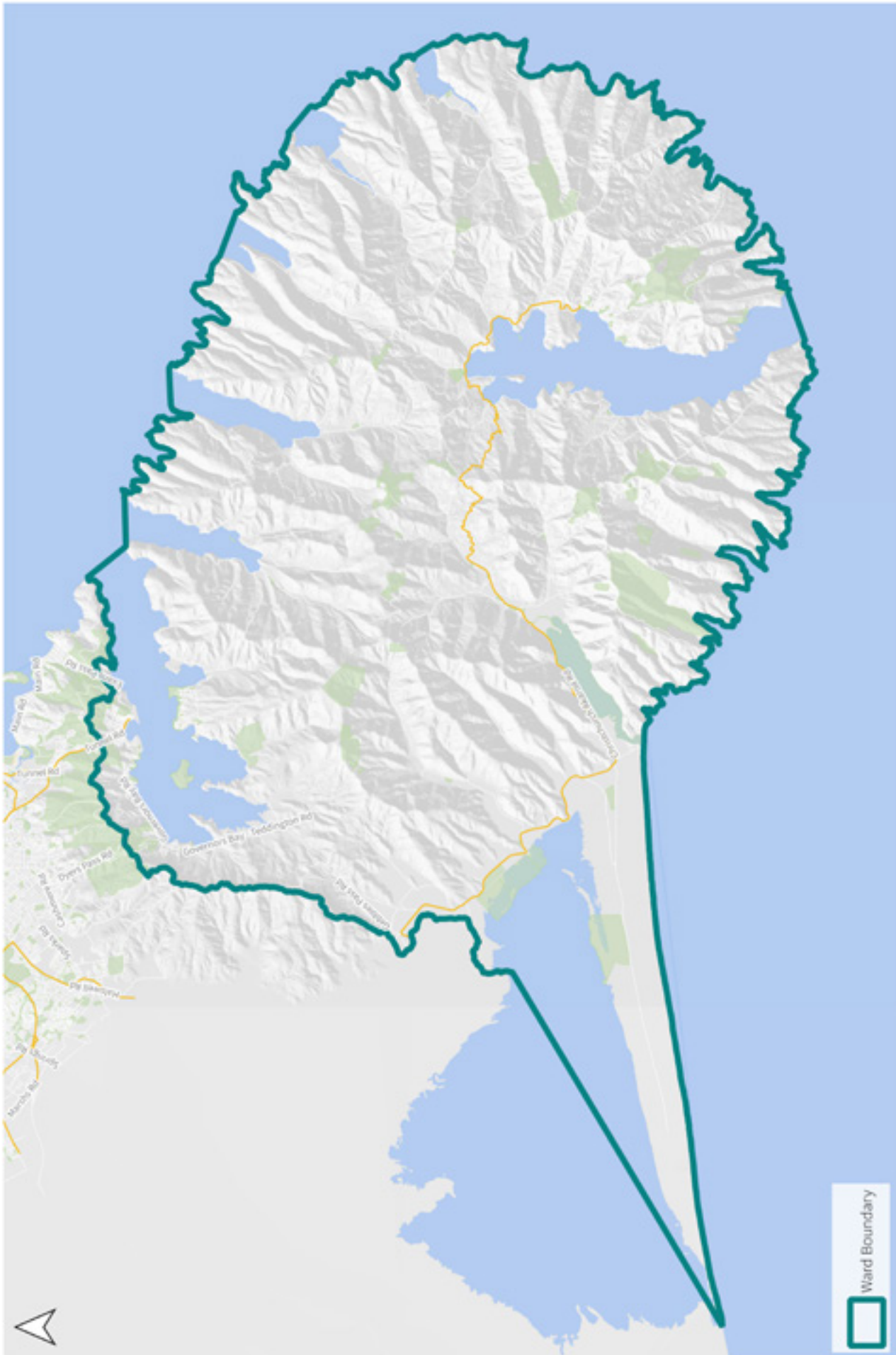


2022 Christchurch City Council Local Government Elections | Ward Overview

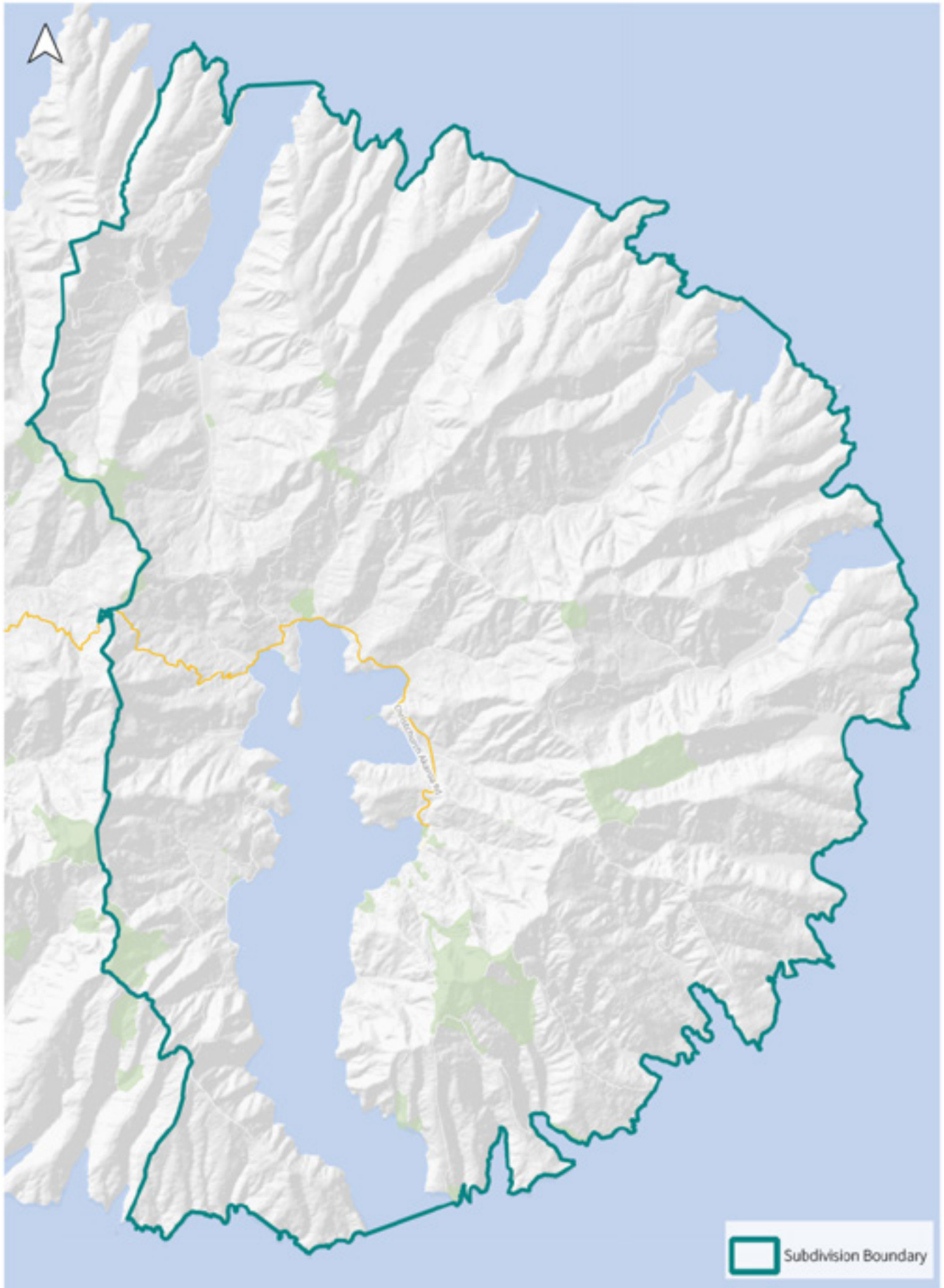
Community board overview



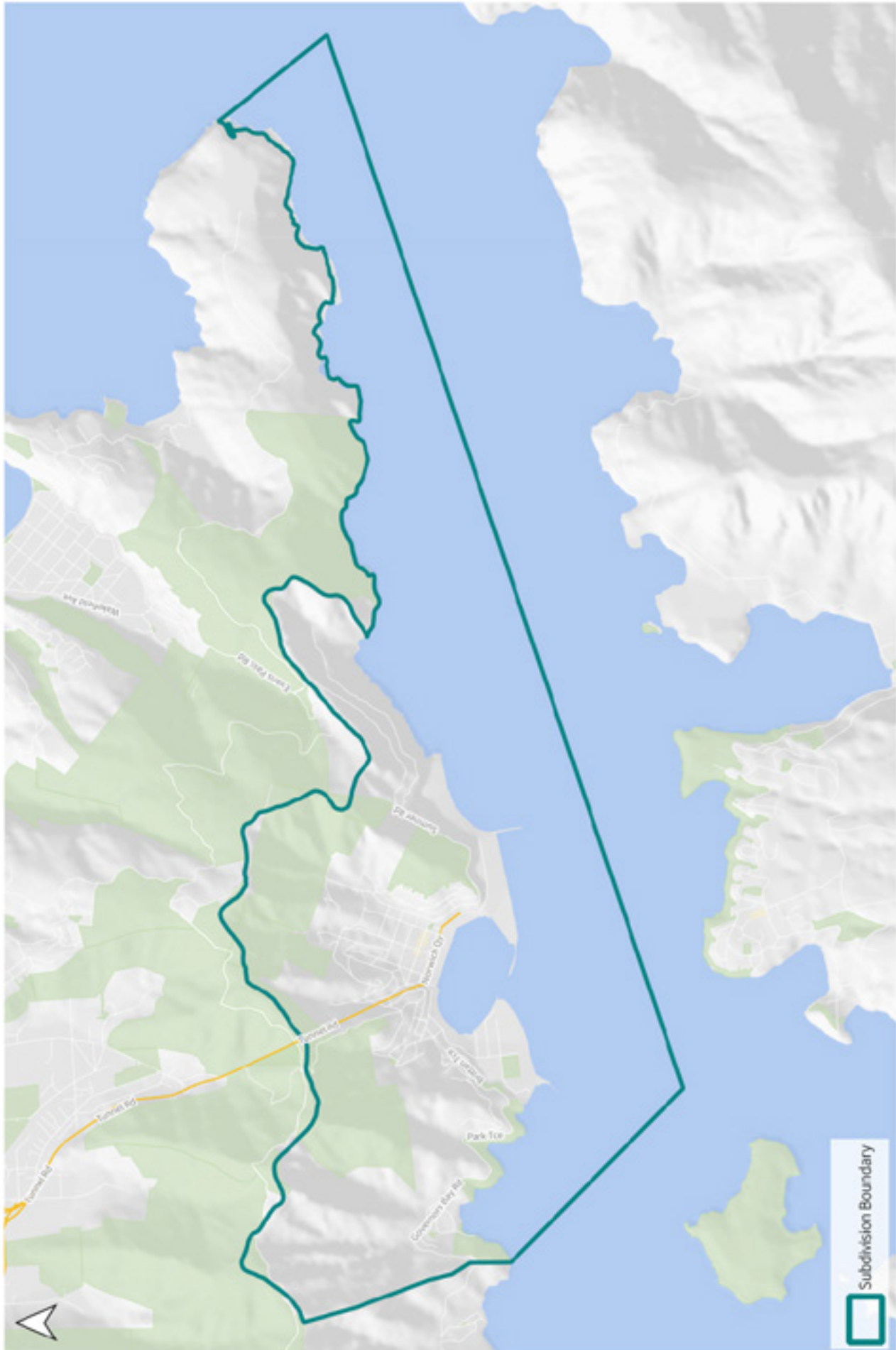
Banks Peninsula Ward



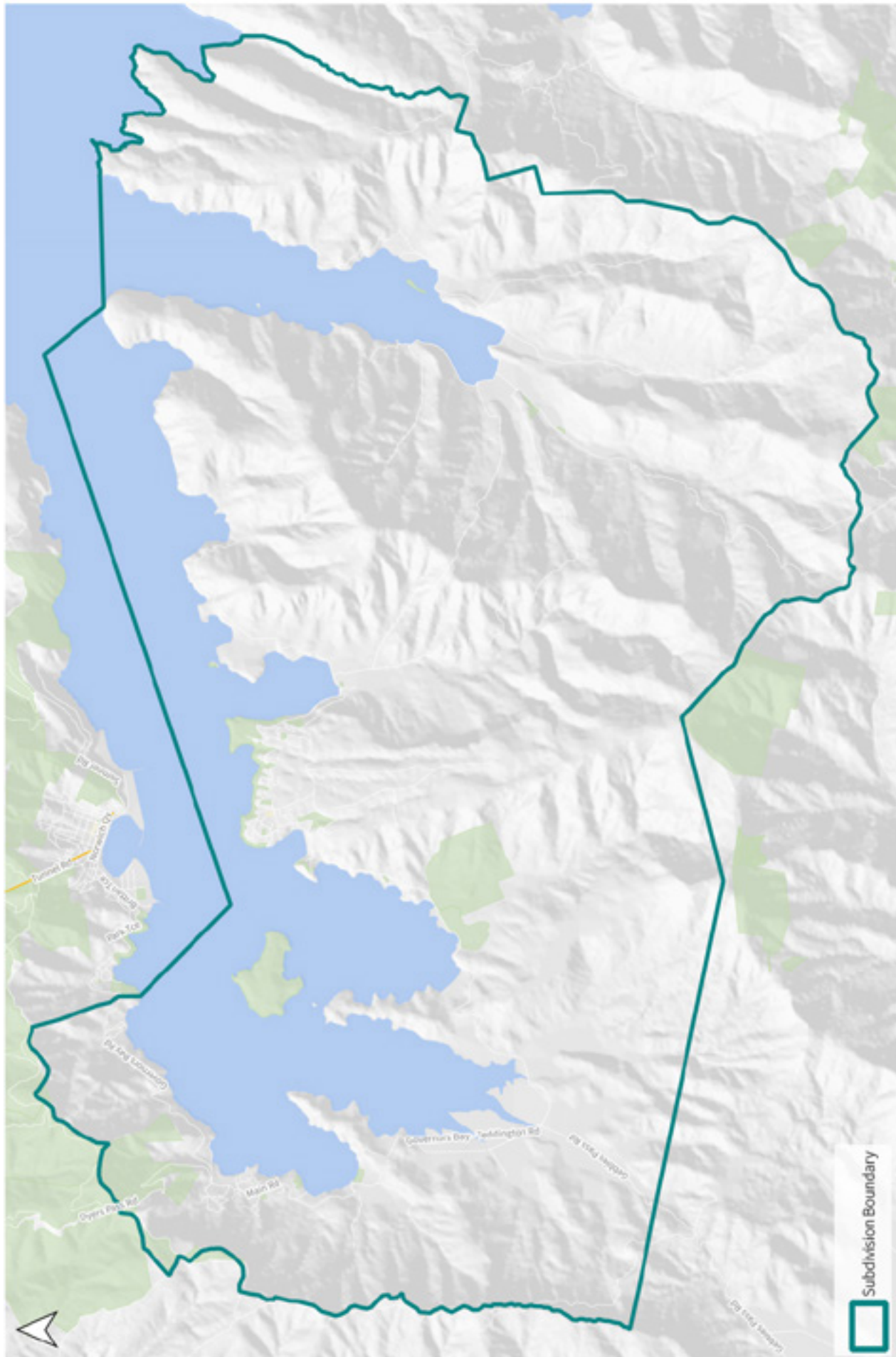
Akaroa Subdivision, Banks Peninsula Ward



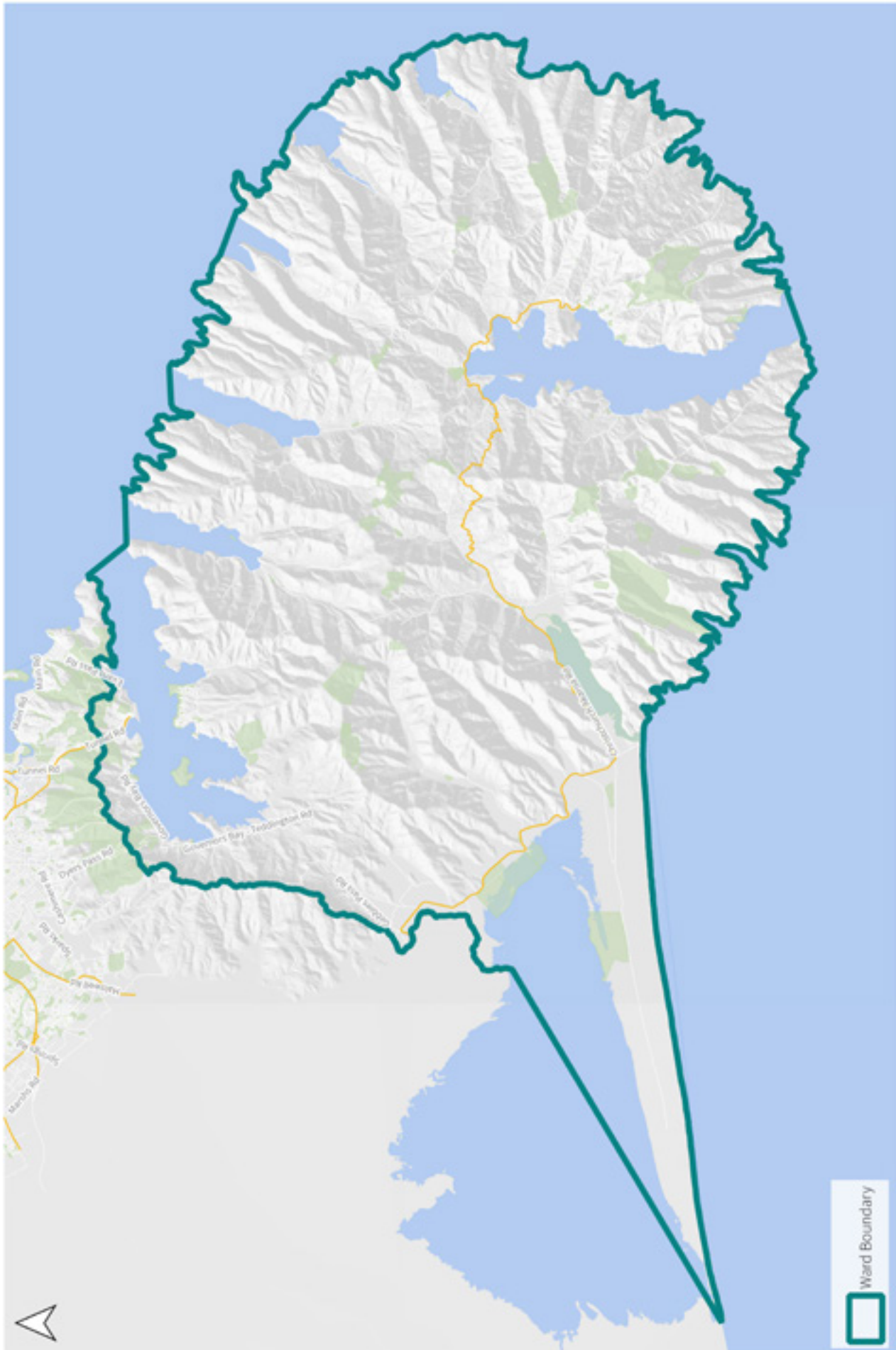
Lyttelton Subdivision, Banks Peninsula Ward



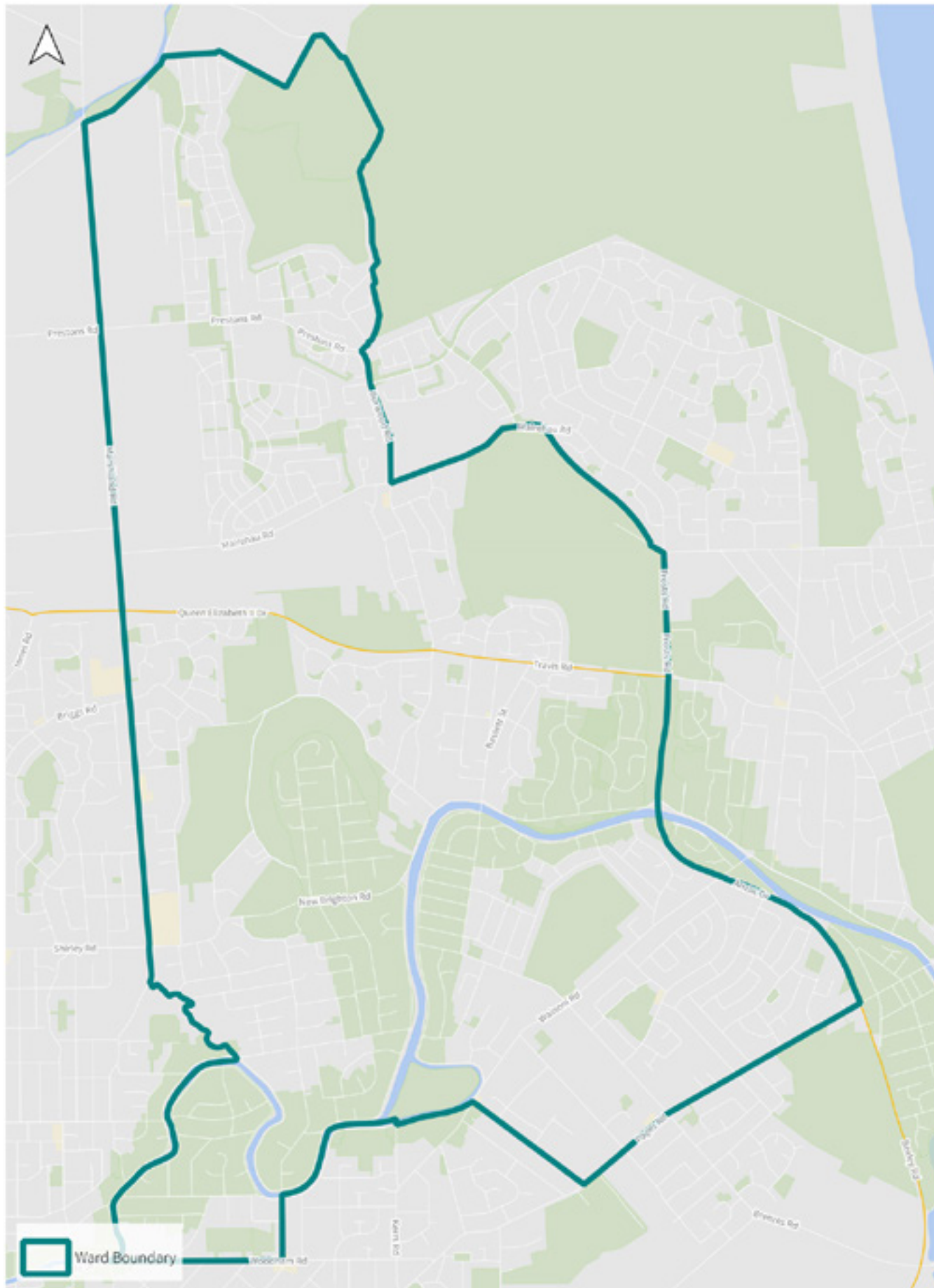
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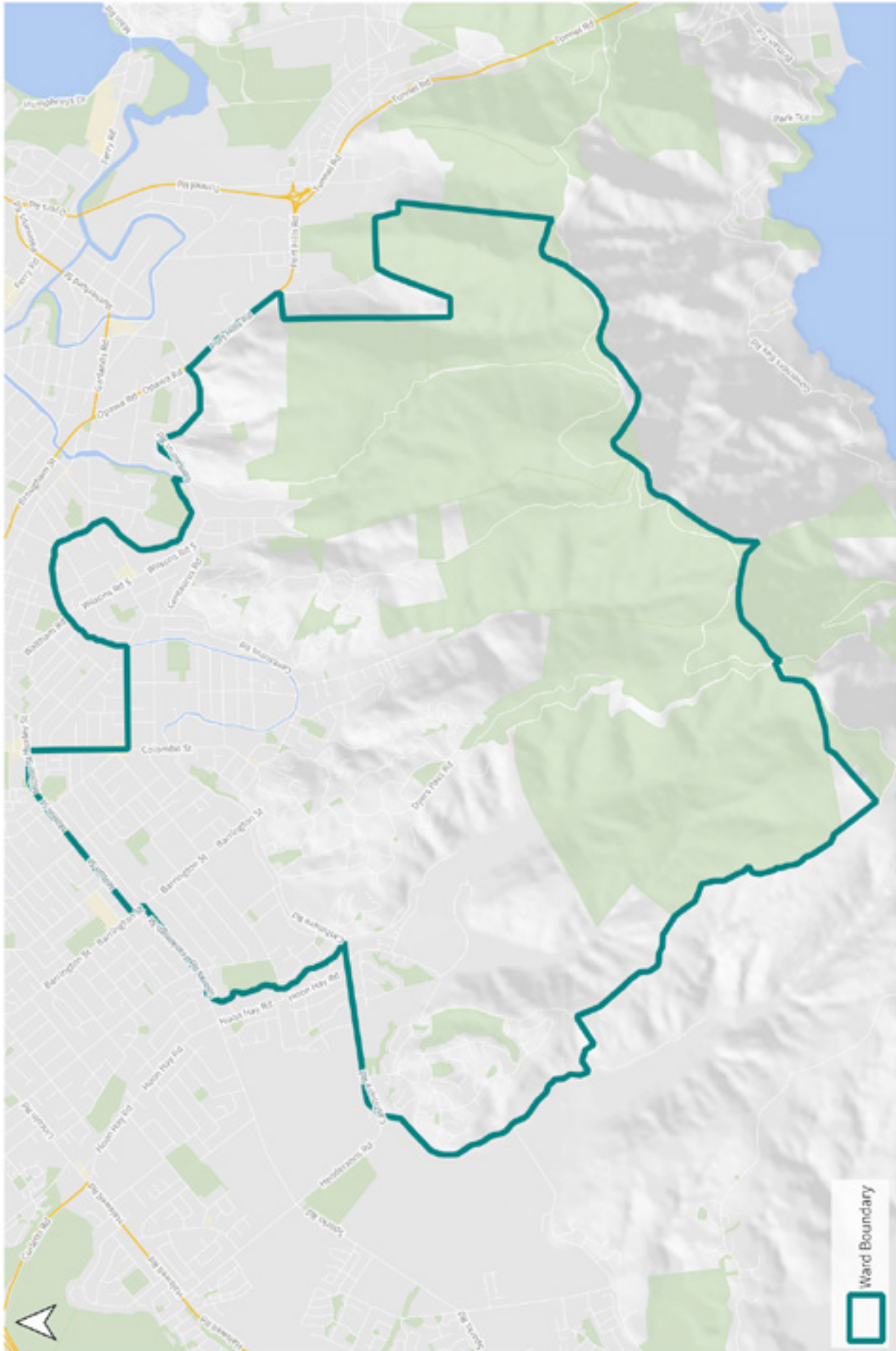
Wairewa Subdivision, Banks Peninsula Ward



Burwood Ward

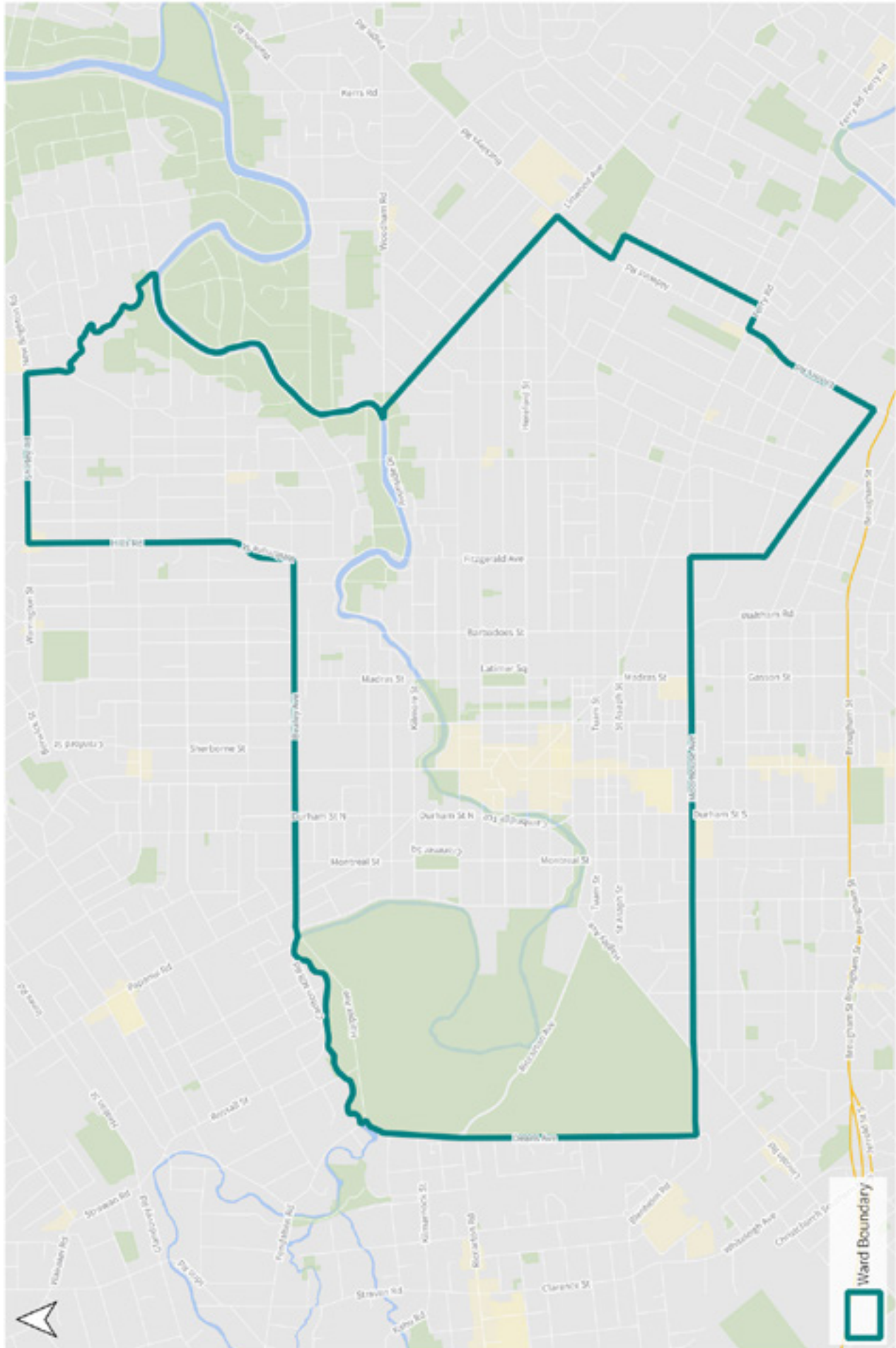


Cashmere Ward



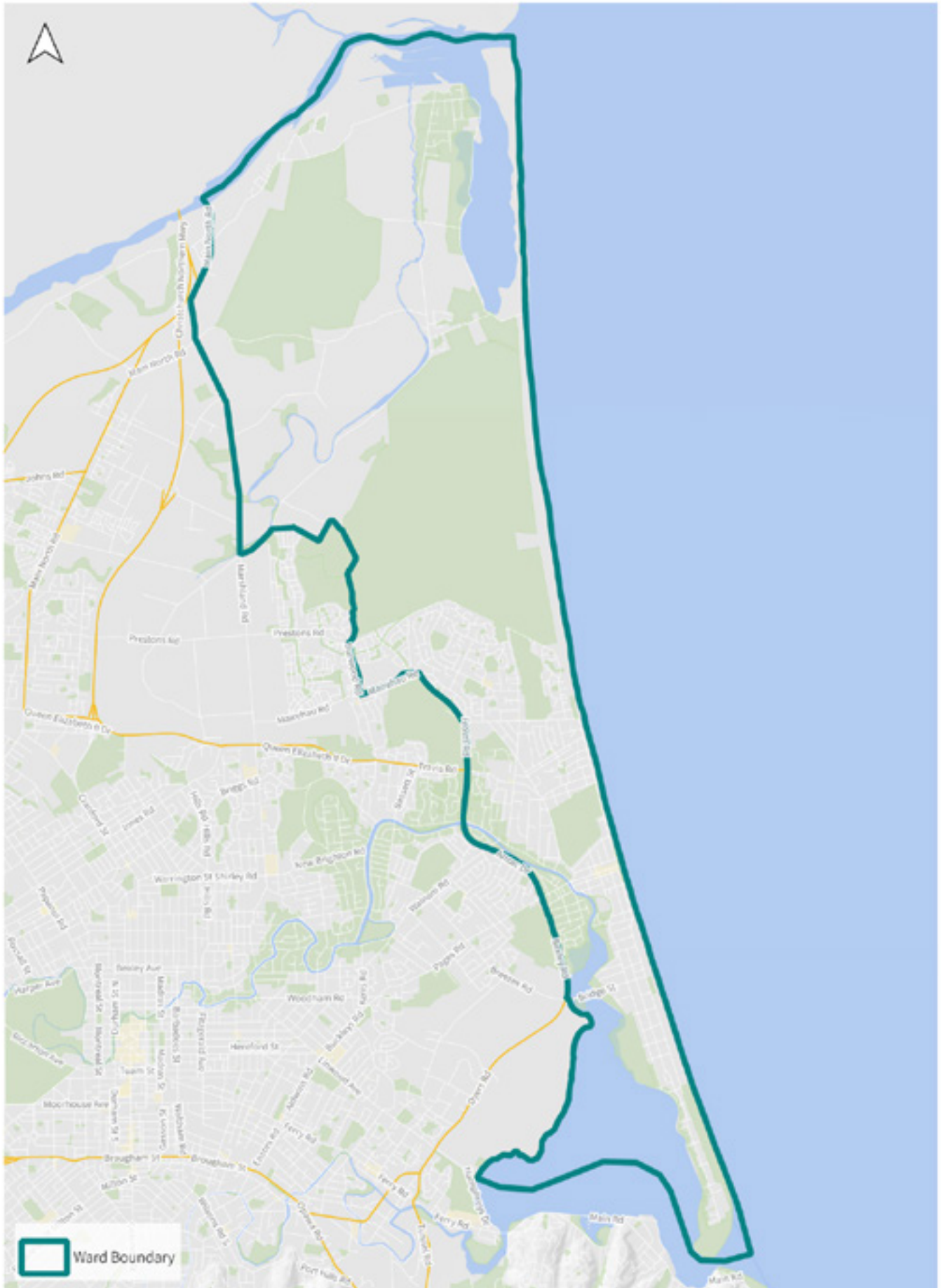
2022 Christchurch City Council Local Government Elections | Cashmere Ward

Central Ward

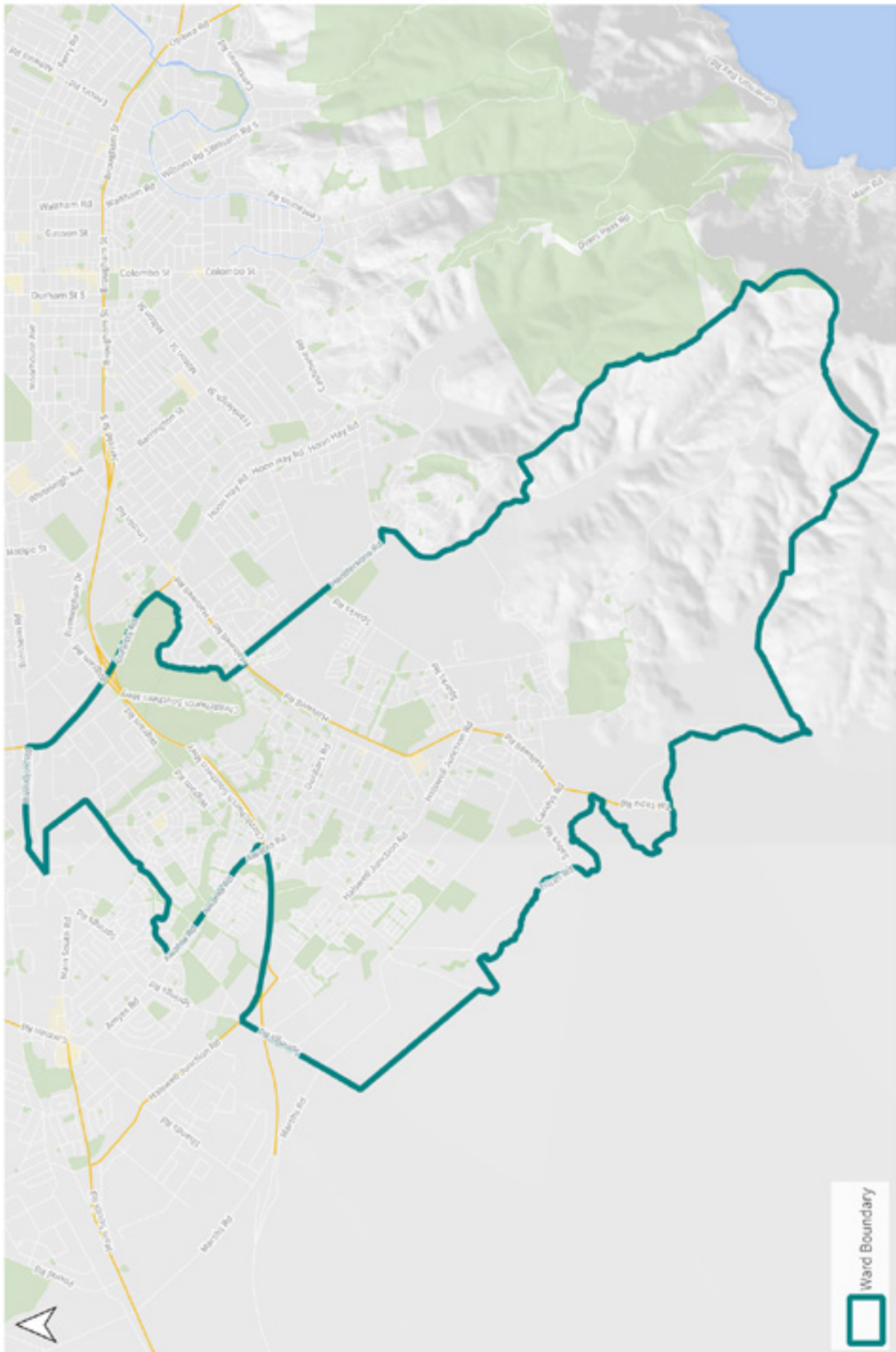


2022 Christchurch City Council Local Government Elections | Central Ward

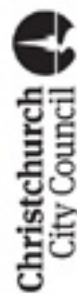
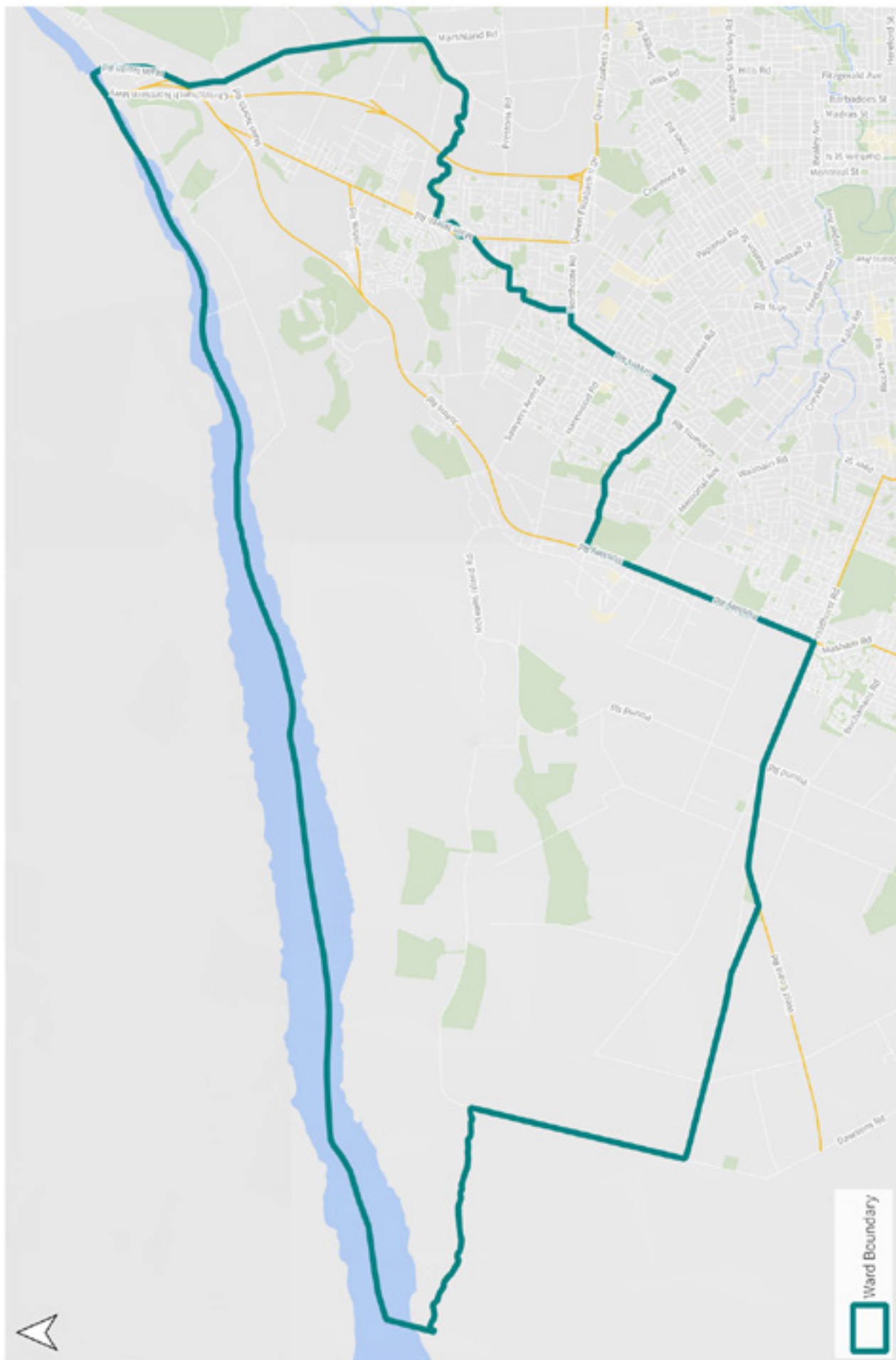
Coastal Ward



Halswell Ward

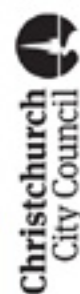
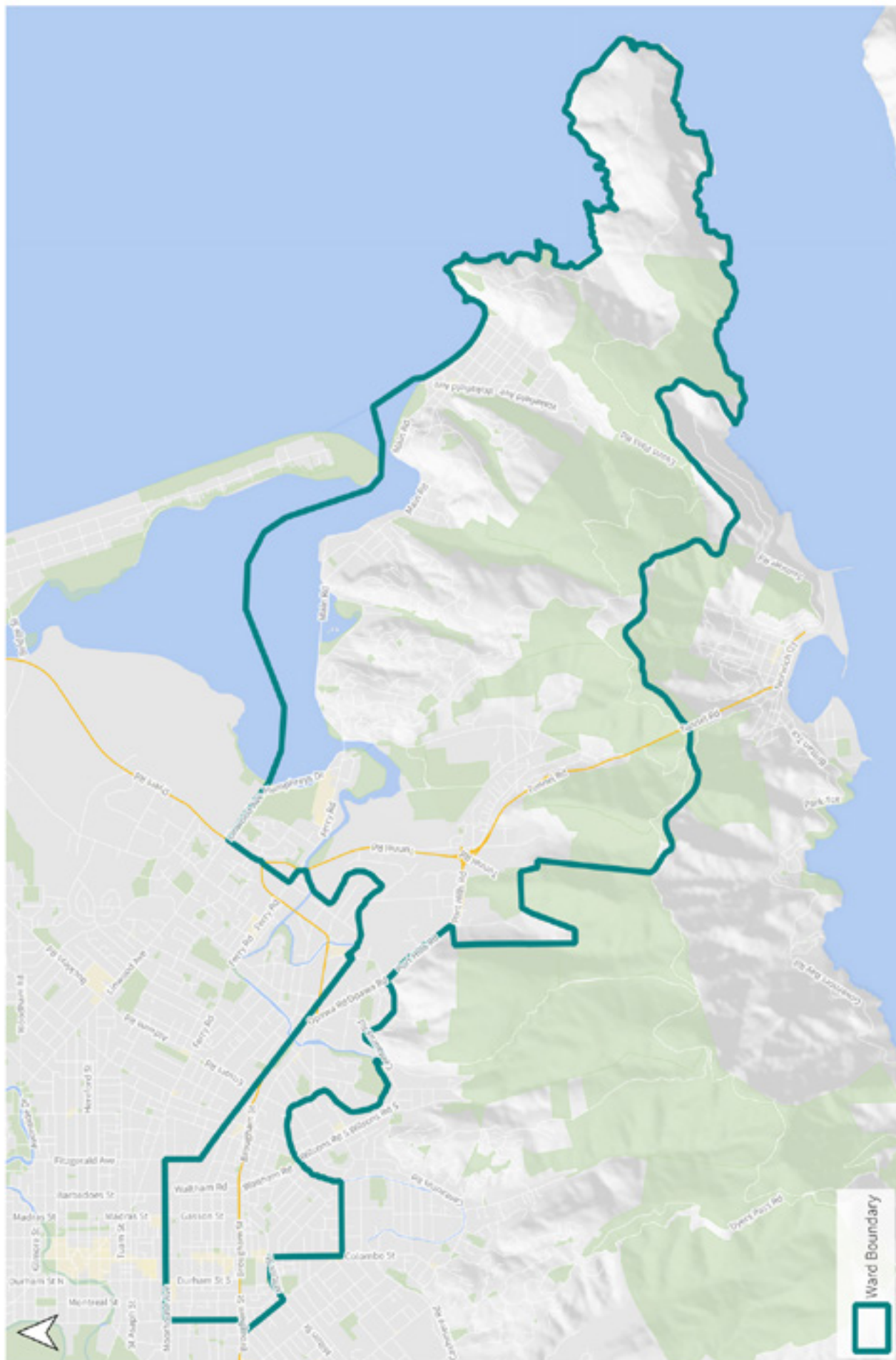


Harewood Ward



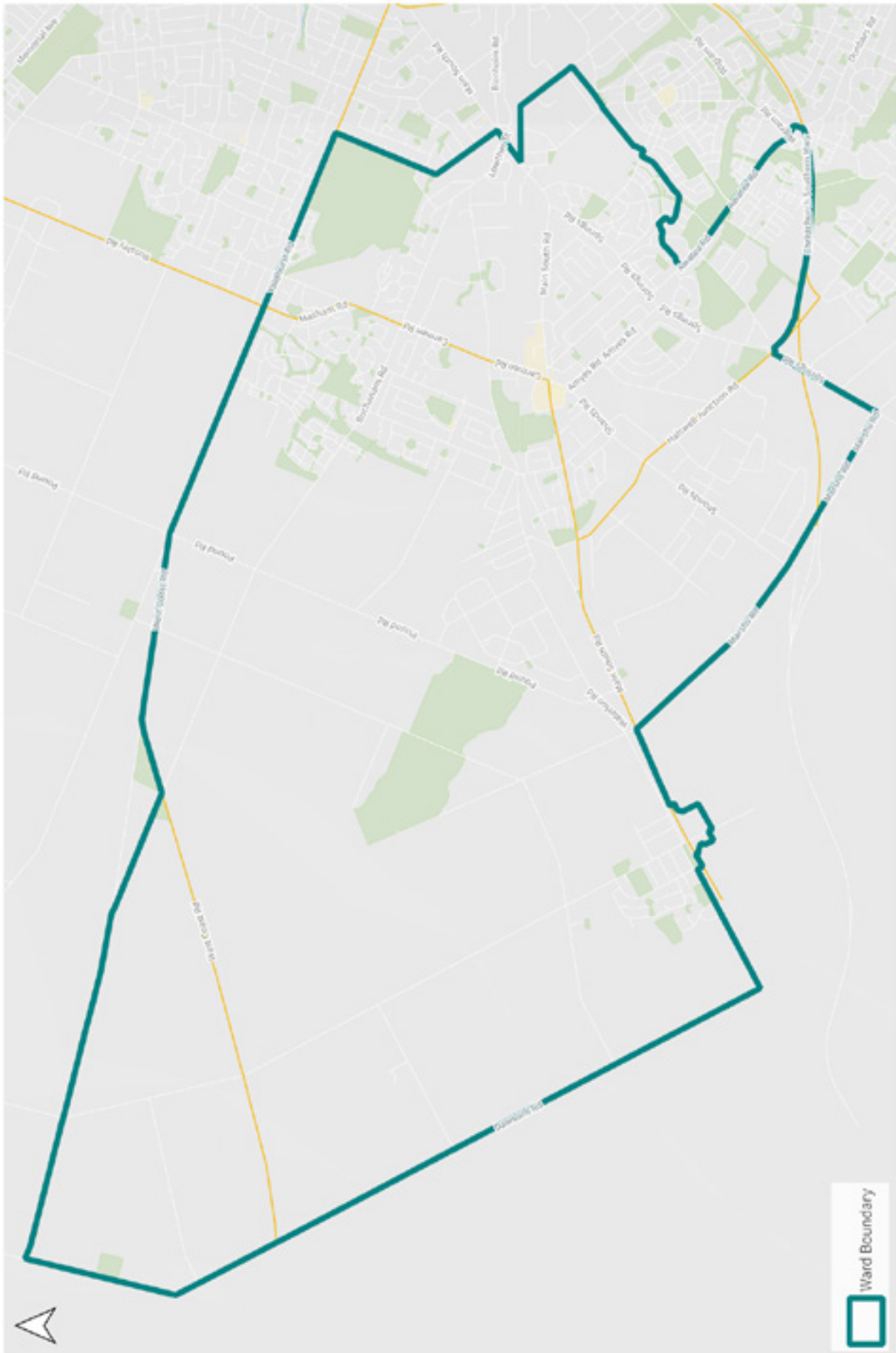
2022 Christchurch City Council Local Government Elections | Harewood Ward

Heathcote Ward



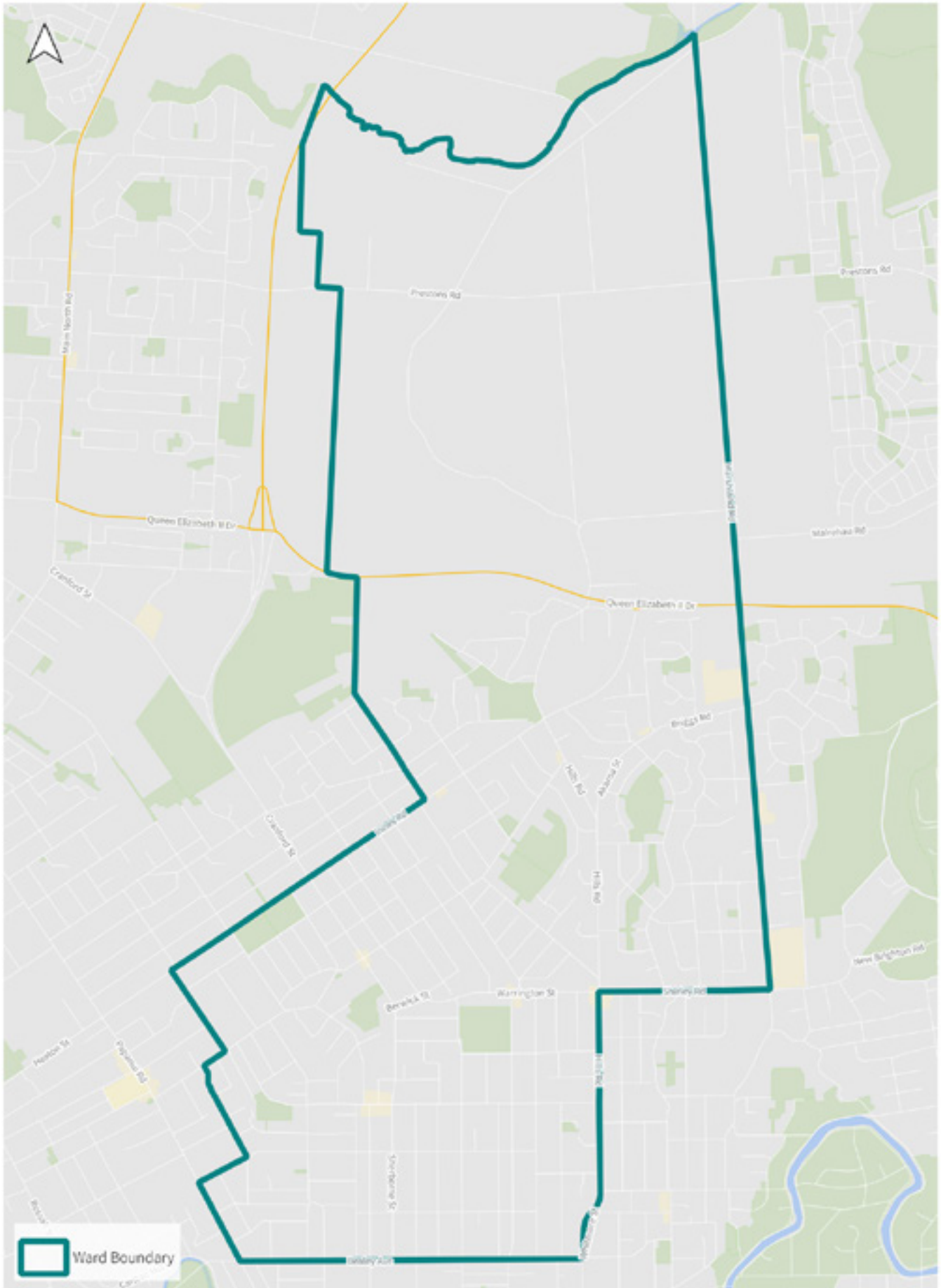
2022 Christchurch City Council Local Government Elections | Heathcote Ward

Hornby Ward

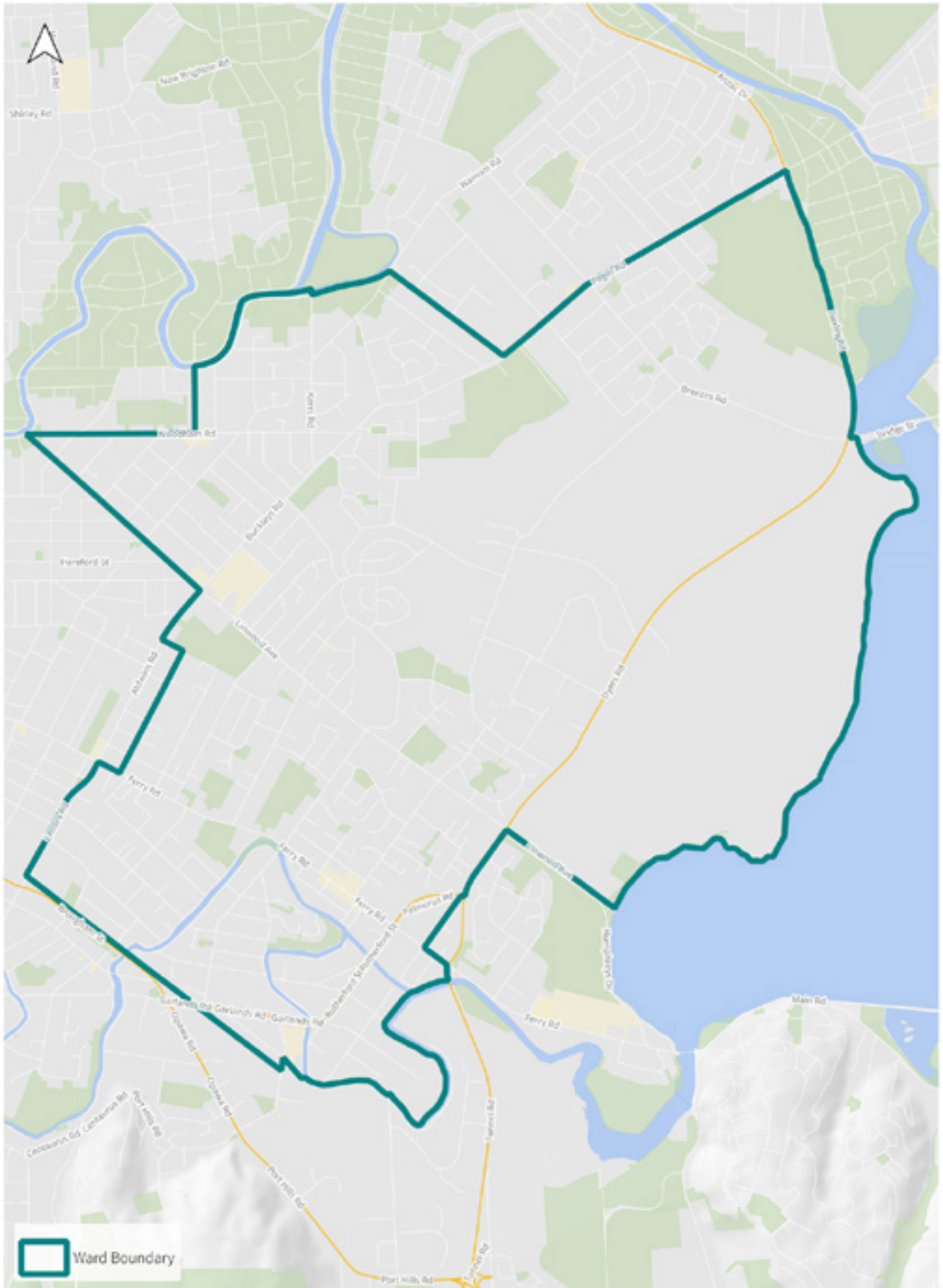


2022 Christchurch City Council Local Government Elections | Hornby Ward

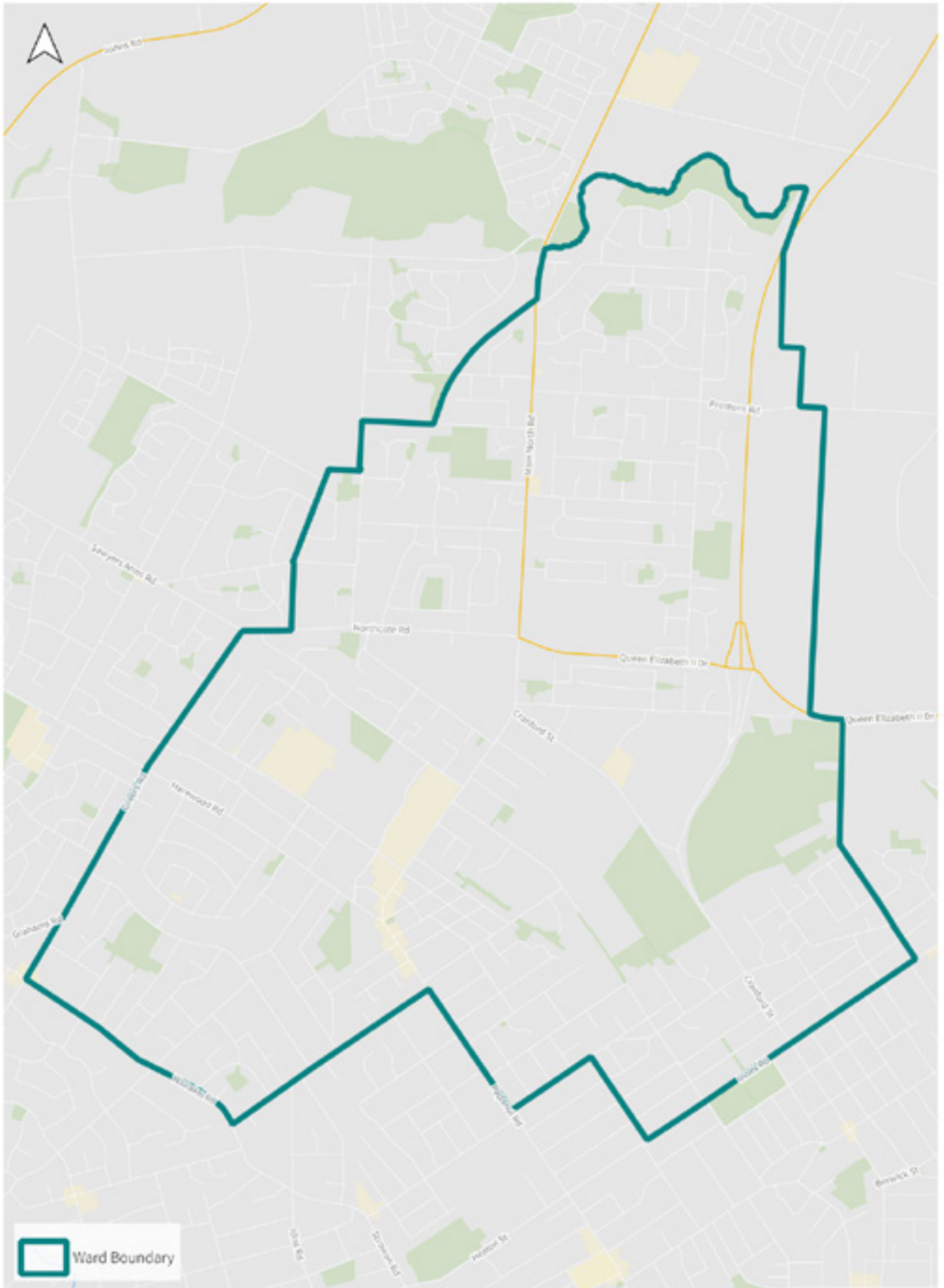
Innes Ward



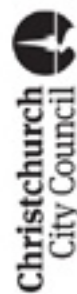
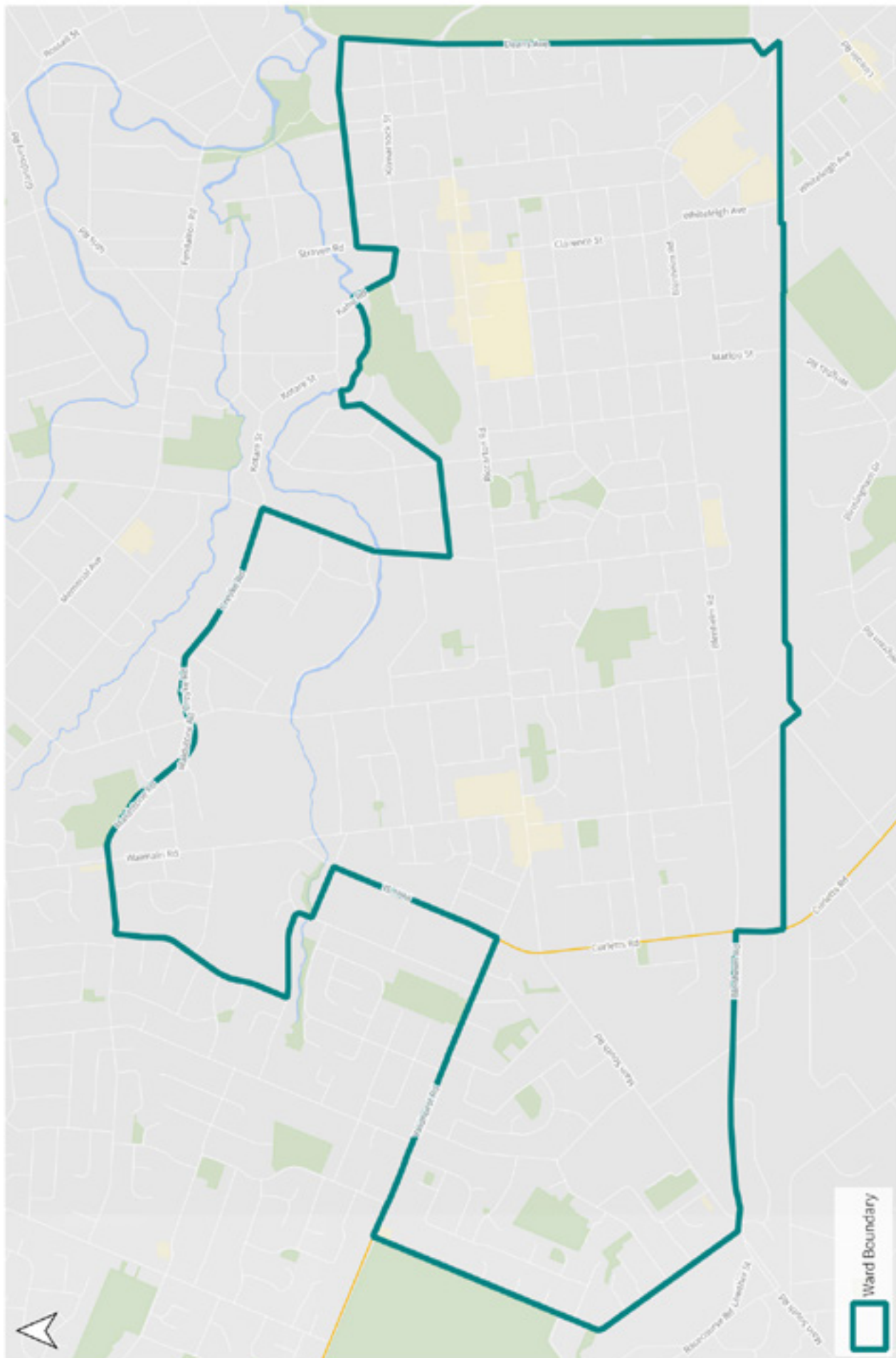
Linwood Ward



Papanui Ward

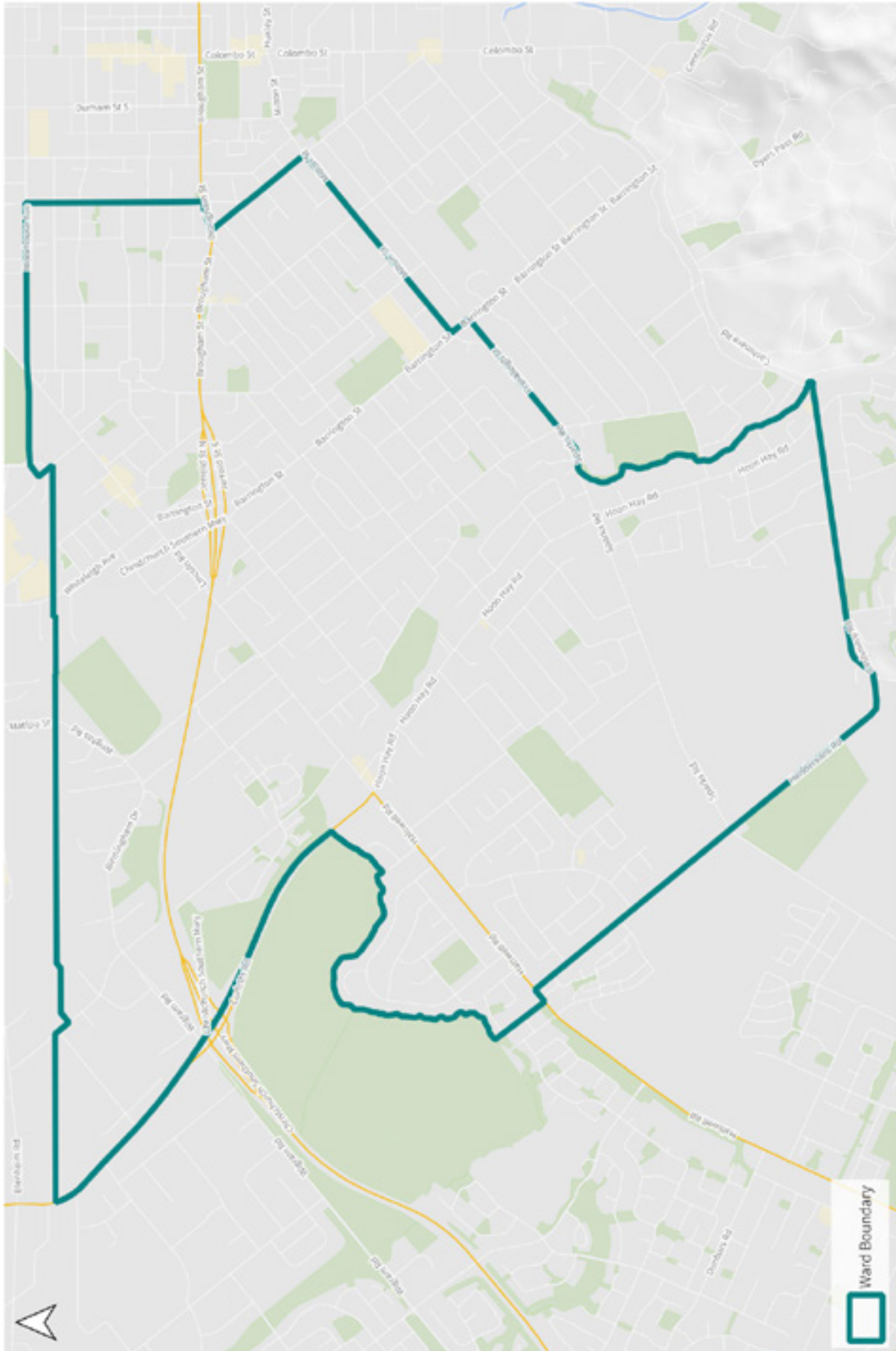


Riccarton Ward

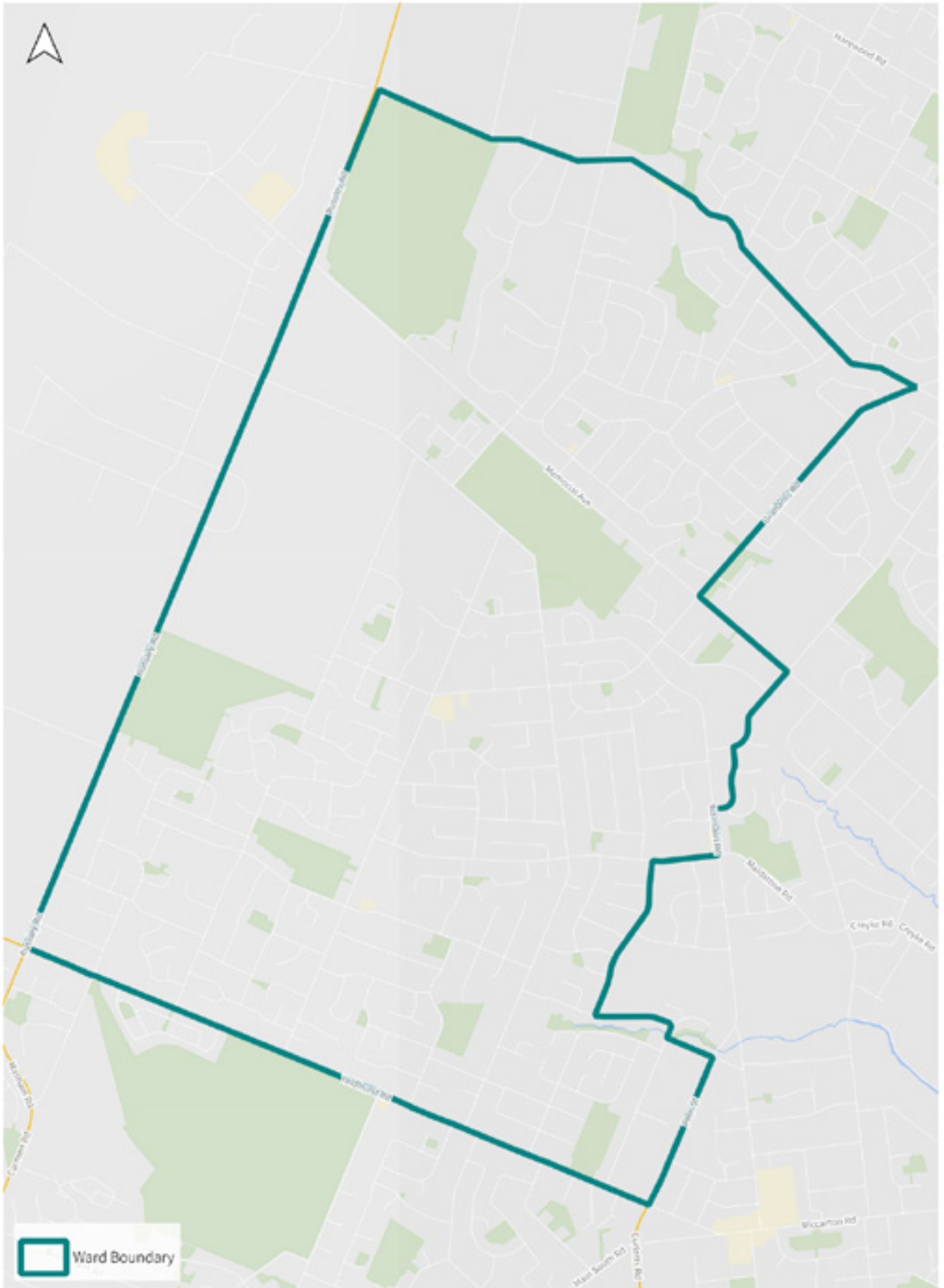


2022 Christchurch City Council Local Government Elections | Riccarton Ward

Spreydon Ward



Waimairi Ward





Appendices

Appendix 1

Ngā Korero Whaitake o ngā Kaitono 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
Māori	150 words
English + Māori <i>(must be substantially consistent with each other)</i>	300 words
Other language (non English/Māori) + English translation OR Māori translation	150 words
Two or more other languages (non English/Māori) + English translation OR Māori translation	150 words
Three + other languages (non English/Māori) + English translation OR Māori translation	150 words

Every CPS must be submitted with the candidate's nomination form.

The content of a CPS, under section 61(2)(c), must be confined to information:

- concerning the candidate or any group or organisation the candidate claims affiliation to under 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.

Photos must be submitted at the same time as all other nomination documents on or before 12 noon on 12 August 2022. [Section 61(2)(c) and Clause 28]

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.

Candidates must ensure that all nomination documents including the candidate profile statement and photo are with the Electoral Officer by noon Friday 12 August 2022.

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

Whakahokia o ngā Pōtitanga Koha Utu Whakahaere Return of Electoral Donations and Expenses

RETURN OF ELECTORAL DONATIONS AND EXPENSES

(Under section 112A of the Local Electoral Act 2001)



Note: This is an important document and needs to be completed in accordance with the provisions of Part 5 of the Local Electoral Act 2001. An electronic version of that legislation can be viewed from www.legislation.govt.nz

I	
was a candidate for the following Christchurch City Council election(s) held on 8 October 2022 (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.	

PART A: RETURN OF ELECTORAL DONATIONS (inclusive of GST)

DONATIONS FROM INDIVIDUALS

I, make the following return of all electoral donations received by me that exceed \$1,500:

Set out the following details in respect of every **electoral donation** received (other than an anonymous electoral donation) that, either on its own or when aggregated with all other donations made by or on behalf of the same donor for use in the same campaign, exceeds \$1,500 in sum or value:

- the name of the donor;
- the address of the donor;
- the amount of the donation or, in the case of aggregated donations, the total amount of the donations;
- the date the donation was received or, in the case of aggregated donations, the date that each donation was received.

NB: Section 103A Local Electoral Act 2001 defines “donation” as money or the equivalent of money or of goods or services or of a combination of those things used in the candidate’s election campaign over \$300 in value. It excludes labour and goods and services that are provided free of charge reasonably valued at \$300 or less.

NAME and ADDRESS of DONOR	DESCRIPTION (include goods or services)*	DONATION	
		Date received	Amount
	* set out here if the donation is funded from contributions	Total	

GROUPED DONATIONS (CONTRIBUTIONS)

In the case of any **electoral donation funded from contributions**, set out the following details in respect of each contribution that, either on its own or when aggregated with other contributions made by the same contributor to the donation, exceeds \$1,500 in sum or value:

- the name of the contributor;
- the address of the contributor;
- the total amount of the contributor’s contributions made in relation to the donation.

NB: Section 103A Local Electoral Act 2001 defines “contributions” as money or goods or services that have been given to a donor to fund, be applied to, or included in an electoral donation (for example, contributions to trust funds or a fundraising collection).

NAME and ADDRESS of CONTRIBUTOR	DESCRIPTION (include goods or services)*	DONATION	
		Date received	Amount
	* set out here the electoral donation this contribution applies to	Total	

Please turn page for more Electoral Donations, Electoral Expenses and Declaration

ANONYMOUS DONATIONS

Set out the following details in respect of every **anonymous electoral donation** received that exceeds \$1,500:

- the date the donation was received;
- the amount of the donation;
- the specific election campaign to which the donation was designated (see top of page);
- the amount paid to the electoral officer and the date the payment was made.

NB: Section 103A Local Electoral Act 2001 defines “anonymous” as 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.

ANONYMOUS DONATION		DESCRIPTION (include goods or services)	DONATION	
Date received	Amount		Date paid	Amount
			Total	

PART B: RETURN OF ELECTORAL EXPENSES (inclusive of GST)

I make the following return of all electoral expenses incurred by me:

Set out the following details in respect of every electoral expense incurred by or on behalf of the candidate at the election in respect of any electoral activity:

- the name and description of every person or body of persons to whom any sum was paid;
- the reason that sum was paid.

Sums paid for radio broadcasting, television broadcasting, newspaper advertising, posters, pamphlets etc must be set out separately and under separate headings.

NAME and DESCRIPTION	REASON for EXPENSES	EXPENSES PAID
		Total

Dated at:		this		day of		2022.
Signature:						

THIS FORM IS REQUIRED TO BE COMPLETED (EVEN IF IT IS A NIL RETURN) AND PROVIDED TO THE ELECTORAL OFFICER, PO BOX 73016, CHRISTCHURCH 8154 OR ELECTIONS2022@CCC.GOV.T.NZ BY 9 DECEMBER 2022.

NOTE: PLEASE ATTACH ADDITIONAL SHEETS IF THERE IS INSUFFICIENT SPACE IN ANY SECTION.
RECEIPTS ARE **NOT** REQUIRED TO BE RETURNED WITH THIS FORM. PLEASE RETAIN THESE FOR YOUR RECORDS.



Appendix 3

Ngā Koha me ngā Utu Whakahaere Pōti Electoral Expenses and Donations

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.

Note: The Local Electoral (Advertising) Amendment Bill has been introduced into Parliament which is proposed to be enacted by 15 July, amending the Act so that the address requirements of an advertisement authorisation statement to be met by providing:

- a residential or business address; or
- an email address; or
- a post office box number; or
- a phone number; or
- a link to an Internet site (if the page contains 1 or more of the above).

(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

Ngā Kaititiro

Scrutineers

Role of Scrutineers

The Local Electoral Act 2001 (LEA) and the Local Electoral Regulations 2001 (LER) do not specify in detail the role of scrutineers. However, the general role of scrutineers is to oversee and observe certain election or poll procedures to ensure they are undertaken fairly and that votes are counted consistently and accurately.

The election or poll procedures which scrutineers are statutorily permitted to oversee and observe are:

- **Scrutineering of Roll** (sections 81 and 83 LEA and clause 55 LER). This involves comparing the rolls used at the election or poll upon which there is recorded the fact that an elector has voted. The objective is to establish any dual voting which is disallowed.
- **Preliminary and Official Counts** (section 84 LEA, and clauses 59, 60 and 62 LER). The preliminary count involves the first count of votes immediately following close of voting. The outcome is the preliminary result announced on polling day. The official count follows the preliminary count and includes any remaining special votes. It can commence on polling day and due to special voting issues is usually completed on the Monday or Tuesday following polling day.
Note: With electronic processing, the count processes are computerised tasks undertaken once required reconciliations have been completed. Both counts (preliminary and official) are likely to take several minutes to complete.
- **Recount** (section 91 LEA). A recount takes place on the order of a district court judge following an application from a candidate. When required, it involves a recount of the relevant voting documents.

In observing the processes above, it is lawful for a scrutineer to pass on information to any person of the names of persons who have voted (section 68 LEA). The passing on of any other information is not permitted, 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 7 October 2022** 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 8 October 2022
- 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 8 October 2022.

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 2022 elections, the polling period commences on Friday 16 September 2022.

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

Whakaritenga o ngā Kaititiro

Appointment of Scrutineers

LETTER OF APPOINTMENT OF SCRUTINEER



I (<i>candidate</i>),			
a candidate for the (<i>council/LT etc.</i>):			
(<i>issue/ward/position</i>):			
appoint (<i>full name</i>):			
to act as scrutineer at the following election processes (<i>delete any not applicable</i>):			
1. Scrutiny of the roll	2. Preliminary Count	3. Official Count	4. Recount
Signed:			(<i>candidate</i>)
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 7 October 2022).			
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

Ngā Hēanga Pōtitanga Election Offences

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 contact details. **Note:** The Local Electoral (Advertising) Amendment Bill proposed to be passed will amend the option for contact details to be: a residential or business address, email address, PO Box number, phone number or a link to an internet page with one or more of those contact details:
- 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, biros, 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 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.

128 Personation

(1) Every person commits the offence of personation who, at any election or poll,—

(a) votes in the name of some other person (whether living or dead), or of a fictitious person:

(b) having voted, votes again at the same election or poll:

(c) having returned a voting document, applies for or returns another voting document with the intention of returning an additional valid voting document or invalidating a vote already cast at the same election or poll (whether or not any voting document he or she returns is valid).

(2) Every person who commits the offence of personation is liable on conviction to imprisonment for a term not exceeding 2 years.

129 Infringement of secrecy

(1) Every electoral officer, deputy electoral officer, and other electoral official—

(a) must maintain and assist in maintaining the secrecy of the voting; and

(b) must not communicate to any person, except for a purpose authorised by law, any information likely to compromise the secrecy of the voting.

(2) No person, except as provided by this Act or regulations made under this Act, may—

(a) interfere with or attempt to interfere with a voter when marking or recording his or her vote; or

(b) attempt to obtain, in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, any information as to any candidate for whom, or the proposal for or against which, the voter is about to vote or has voted; or

(c) communicate at any time to any person any information obtained in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, as to—

(i) any candidate for whom, or the proposal for or against which, the voter is about to vote or has voted; or

(ii) any number on a voting document marked or transmitted by the voter.

(3) Every person present at the counting of votes must—

(a) maintain and assist in maintaining the secrecy of the voting; and

(b) must not, except as is provided by this Act or regulations made under this Act, communicate any information obtained at that counting as to any candidate for whom, or proposal for or against which, any vote is cast by a particular voter.

(4) No person may, directly or indirectly, induce any voter to display or provide access to his or her voting document or any copy of that document after it has been marked or transmitted, so as to make known to any person the name of any candidate for or against whom, or proposal for or against which, the voter has voted.

(5) Every person commits an offence who contravenes or fails to comply with this section.

(6) Every person who commits an offence against subsection (5) is liable on conviction to imprisonment for a term not exceeding 6 months.

130 Disclosing voting or state of election or poll

(1) Every electoral officer, deputy electoral officer, other electoral official, Justice of the Peace, or scrutineer commits an offence who—

(a) makes known for what candidate or candidates or for which proposal any particular voter has voted for or against, except as provided by this Act or regulations made under this Act; or

(b) before the close of voting, makes known the state of the election or poll or gives or pretends to give any information by which the state of the election or poll may be known.

(2) Subsection (1)(b) does not prevent an electoral officer from disclosing the total number of voting documents so far returned at an election or poll at any time during the voting period.

(3) A person who commits an offence against subsection (1) is liable on conviction to a fine—

(a) not exceeding \$5,000 for an electoral officer or deputy electoral officer:

(b) not exceeding \$2,000 for any other person.

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

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

General provisions

137 Property may be stated as being in electoral officer

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

138 Duty to take action in respect of offences

(1) Subsection (2) applies if an electoral officer—

(a) receives a written complaint that an offence has been committed under—

(i) **Part 5**; or

(ii) **Part 5A**; or

(iii) this Part; or

(b) believes for any other reason that an offence has been committed under either of the Parts specified in paragraph (a).

(2) If this subsection applies, the electoral officer must—

(a) report the complaint or belief to the Police; and

(b) provide the Police with the details of any inquiries that he or she considers may be relevant.

(3) Subsection (2) does not prevent any person from reporting an alleged offence to the Police.

(4) Despite subsection (2), an electoral officer is not required to report the failure by a candidate to file a return under [section 112A](#) if the candidate files the return promptly after being required to do so by the electoral officer.

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.

2022 Local Government Elections

Pukapuka pārongo kaitono

Candidate information booklet



Christchurch
City Council 