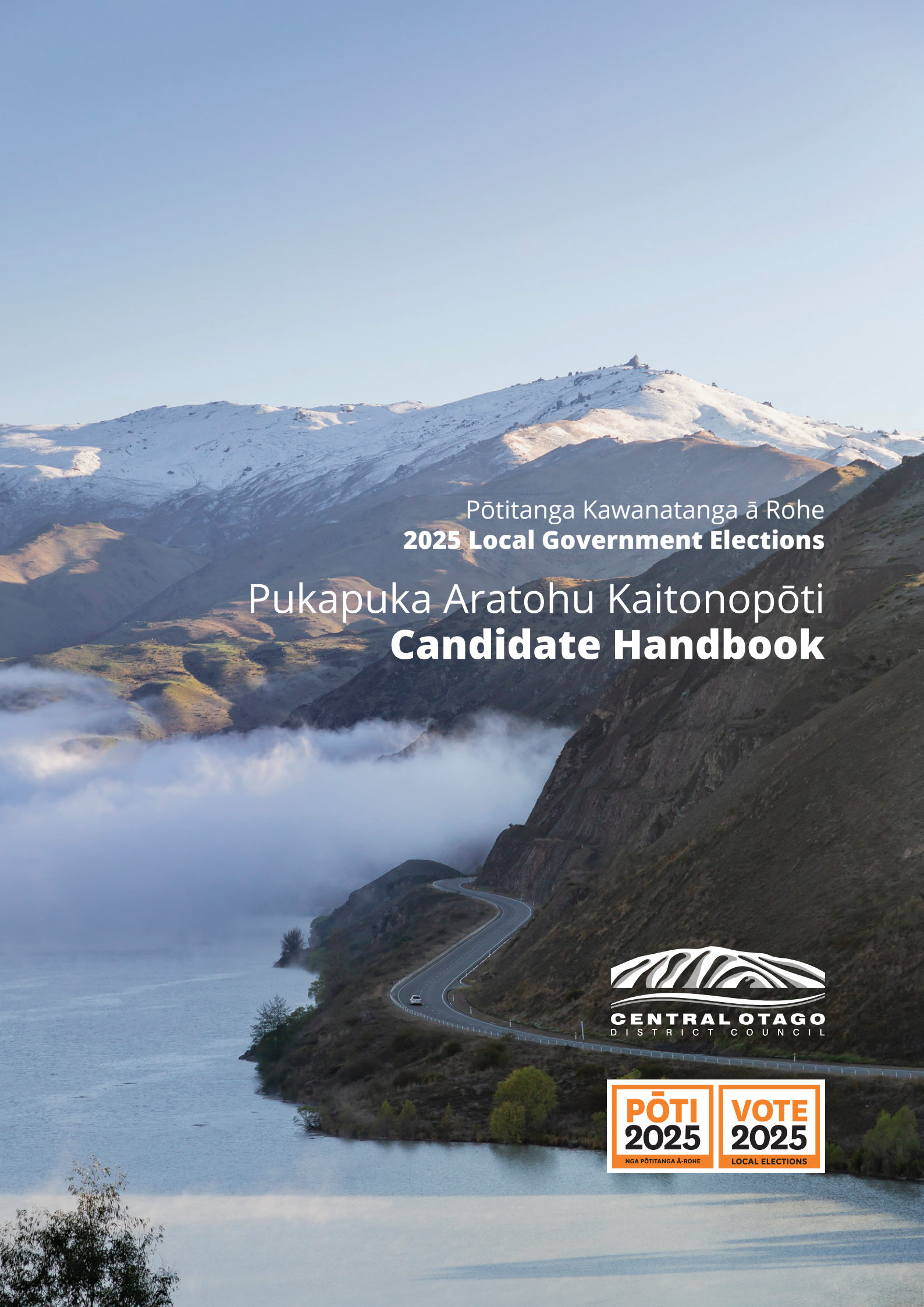

Pōtitanga Kawanatanga ā Rohe
2025 Local Government Elections

Pukapuka Aratohu Kaitonopōti
Candidate Handbook

CENTRAL OTAGO
DISTRICT COUNCIL

PŌTI 2025
NGA PŌTITANGA Ā-ROHE

VOTE 2025
LOCAL ELECTIONS

EVERY VOTE HELPS SHAPE OUR FUTURE.

MAKE SURE YOU HAVE YOUR SAY.

The information in this booklet is specific to the Central Otago District Council elections. Further general information is available from the LGNZ websites.

www.votelocal.co.nz or www.lgnz.co.nz/local-government-in-nz/how-to-get-involved/

PŌTI 2025
NGA PŌTITANGA Ā-ROHE

VOTE 2025
LOCAL ELECTIONS

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. Central Otago District Council takes no responsibility for any errors or omissions. It is recommended that candidates familiarise themselves with the Act, which can be viewed online at www.legislation.govt.nz.

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Wātaka Pōti
Election Timetable

2025 Local Government Election Timetable	
From 1 July (Tuesday)	Public notice of election – Council website and Otago Daily Times Candidate Briefing Presentation (see details below)
4 July (Friday)	**Nominations open**. Electoral roll open for inspection
1 August (Friday)	**Nominations close at 12 noon**, electoral roll closes
From 4 August (Monday)	Further public notice of election – Council website and Otago Daily Times
From 11 August (Monday)	Election signs (hoardings) can be displayed
By 5 September (Friday)	Electoral Officer compiles and certifies final electoral roll
9 September to 11 October	Voting period
9 September (Tuesday)	Letters sent to electors on unpublished roll Delivery of ordinary voting documents starts Ordinary and special voting opens
10 October (Friday)	Last day for appointment of scrutineers - by 12 noon
By midnight 10 October (Friday)	Election signs (hoardings) must be removed
11 October (Saturday)	**Election Day** - voting closes at 12 noon Progress results available as soon as practicable after close of voting
11 - 15 October	Official count – process special votes
15 October to 22 October (as soon as practicable)	**Final results announced** Public notice of official declaration of election result – Council website and Otago Daily Times
By 10 December (Wednesday)	Return of election expense declaration forms (55 days after date of declaration of results)

Candidate Information Presentation

A presentation on standing for Council will be given at the Ida Garden Bar and Restaurant, Alexandra on Tuesday 1 July commencing at 4 pm. Items to be covered will include how the council is structured, the role and responsibilities of elected representatives, the skills required, anticipated time commitments and meeting schedules and an overview of the nomination and election processes.

For further information please contact Sarah Reynolds on 021 283 5125 or elections@codc.govt.nz.

Ngā Take Pōti
Election Issues

Elections will be held by postal vote in October for the following issues:

Central Otago District Council – (CODC)

(a) Election of the mayor

(b) Election of 10 councillors as follows:

Cromwell Ward	four (4) councillors
Maniototo Ward	one (1) councillor
Teviot Valley Ward	one (1) councillor
Vincent Ward	four (4) councillors

(c) Election of Community Board members as follows:

Cromwell	four (4) members
Maniototo	four (4) members
Teviot Valley	four (4) members
Vincent	four (4) members

Central Otago Health Inc. – (COHInc)

The COHinc has resolved to move to an appointment process to fill their governance positions. Consequently, no nomination or election process is required in 2025.

Otago Regional Council – (ORC)

Election of four (4) councillors to represent the Dunstan Constituency.

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

Population Statistics

Source (May 2025): Statistics NZ population estimates as at 30 June 2024.

District-wide Issue	Est Resident Population as at 30 June 2024
Mayoralty	25,510

CODC Wards	Est Resident Population as at 30 June 2024
Cromwell	10,700
Maniototo	1,960
Teviot Valley	1,750
Vincent	11,100

Community Boards	Est Resident Population as at 30 June 2024
Cromwell	10,700
Maniototo	1,960
Teviot Valley	1,750
Vincent	11,100

Ngā Kaimahi Pōti
Electoral Staff

Central Otago District Council - (CODC)

Electoral Officer (EO)

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

0800 666 048

codc@electionz.com

Deputy Electoral O icer (DEO)

Sarah Reynolds, Central Otago District Council, 1 Dunorling St, PO Box 122, ALEXANDRA.

027 283 5125

elections@codc.govt.nz

Otago Regional Council – (ORC)

Electoral Officer

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

0800 666 048

orc@electionz.com

Ngā Whakamahuki ā ngā Pou Kaunihera
District Leaders Information

Members' Remuneration

The Remuneration Authority sets elected members' salaries.

The salary for the mayor and base salaries for each councillor and community board member following the election are listed below:

Central Otago District Council	Annual remuneration
Mayor	$125,312
Councillor (Minimum Allowable Remuneration)	$28,188
Cromwell Community Board	
Chairperson	$15,812
Member	$7,906
Maniototo Community Board	
Chairperson	$7,668
Member	$3,834
Teviot Valley Community Board	
Chairperson	$7,668
Member	$3,834
Vincent Community Board	
Chairperson	$17,011
Member	$8,505

In addition to the base salaries for councillor there is a pool of money allocated for additional responsibilities. The newly elected Council will determine how this is allocated and advise the Remuneration Authority of its decision.

Councillors can claim a travel allowance for attendance at official council or committee meetings and there is a childcare allowance. Salaries are paid fortnightly on a Wednesday, travel allowances and expense reimbursements are paid when claimed in the following pay run.

All honorariums are taxable. Members are considered to be independent contractors for tax and ACC purposes.

Elected Members' Responsibilities

The following role descriptions as identified by the Remuneration Authority are a guide for what is expected.

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 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 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, the local authority employs the Chief Executive who employs all other staff on its behalf – elected members of council have no responsibilities for, and cannot direct, any staff employed by the council other than the Chief Executive).

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 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.

The Mayor

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

- presiding at council meetings including ensuring the orderly conduct of business during meetings (as determined by standing orders)
- advocating on behalf of the community involving the promotion of the community and representation of its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the council;
- spokesperson for the council
- ceremonial head of the council
- providing leadership and feedback to other elected members on teamwork and chairing of committees
- fulfilling the responsibilities of a Justice of the Peace (while the mayor holds office)
- providing leadership to the other members of the council and the people of the area
- leading the development of the council's plans, policies, and budgets for consideration by the members of the council.

The Deputy Mayor

The mayor has the power to appoint the deputy 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 territorial authority. 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 the powers delegated by council. Committee chairpersons may be called on to act as official spokespersons on issues within the terms of reference for their committees. Chairpersons may be removed from office by resolution of council. Council may also appoint deputy chairpersons of committees, who shall fulfill the functions of the chair when the chairperson is absent.

Community Boards

The council has established four community boards to service the distinct communities of interest within the district. The community board boundaries are the same as the council ward boundaries.

All boards comprise:

Community Board	Council Representatives	Elected Members
Cromwell	1	4
Vincent	1	4
Teviot Valley	1	4
Maniototo	1	4

Community boards are unincorporated bodies but they are not a territorial authority and are not committees of the relevant territorial authority. The role of each community board includes:

- representing the interests of its community
- considering and reporting on matters referred to it by the council, of interest or concern
- maintaining an overview of council services to the community
- preparing an annual submission to the council for 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 at their first meetings appoint chairpersons and deputies.

Core Competencies

- Genuine interest, understanding (and passion) of/for the issues faced by Central Otago District citizens
- Ability to relate to 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 "district-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 district
- May have extensive community networks
- Be familiar with the existing Central Otago District Council's Long-term Plan (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 Central Otago District
- Respect for others
- Flexible working hours; evening and weekend work is required
- Actively demonstrate commitment to the Elected Members' Code of Ethics.

Members' Interests

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

Under Section 3 of the Act, elected members (or spouse or partner) 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 Auditor General 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. They 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.

Please note that there has recently been legislation passed regarding pecuniary interests of local government members. It will bring local government declarations of interest in line with central government requirements. This legislation will be in place before the election in October.

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.

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 CODC 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 an 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.

CODC and elected members as officers under the Act

CODC is proactively partnering with elected members to ensure CODC 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.

Meeting Frequencies

Council

Council meetings are currently held in the council chambers in Alexandra on a Wednesday on a monthly basis. Council meetings typically start at 10.30am and could last all day. In addition to the main council meetings there are a range of committee and sub-committee meetings that councillors would be expected to attend.

Community Boards

Community Board meetings are held on a Tuesday or Thursday on a six-weekly basis and are generally held in the Council office or Service Centre. The meetings typically start at 2pm and last up to 3 hours. Vincent Community Board and Teviot Valley Community Board start at 10am and Cromwell Community Board and Maniototo Community Board start at 2pm.

All meeting agendas (for council, committees and community boards) are distributed electronically approximately 4 working days before the meeting and all elected members are expected to have read and made necessary investigative work to understand all agenda items ahead of the meeting. Depending on the complexity of the agenda items, that can be a time-consuming task.

The current schedule of meetings is available from

https://www.codc.govt.nz/your-council/meetings/meeting-calendar

Inaugural Meeting

The successful candidates will take office on the day after the Electoral Officer gives their official notification of the result of the election. However, no person is permitted to act as a member of the council before making a declaration. This declaration will be made at the inaugural meeting, which is scheduled for 23 October 2025. Newly elected members will be contacted by staff with the key dates.

The business to be conducted at that meeting will include:

- The making and attesting of declarations required of the mayor and councillors. Traditionally, this has been a ceremonial occasion with a photograph of the new council taken
- A general explanation of the Local Government Official Information and Meetings Act 1987 and other laws affecting elected members
- The fixing of the date and time of the first ordinary meeting of the council, or the adoption of the schedule of ordinary meetings
- Appointment of the deputy mayor.

The declaration required to be made by the mayor and councillors is as follows:

Declaration by Mayor and Councillors

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

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 early July 2025. Candidates are advised to read the report when it becomes available.

Pūnaha Pōti
Electoral Systems

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

The Central Otago District Council has opted to use the FPP electoral system for their 2025 elections.

The Otago Regional Council has resolved to use the STV electoral system for their 2025 elections.

Briefly, the STV electoral system consists of the following:

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

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

Briefly, 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 the candidate obtained.

Rārangi Pukapuka Pōti
Electoral Roll

The preliminary electoral roll will be compiled during July 2025. Copies of the preliminary electoral roll for the election will be available for public inspection from 8.30 am Friday 4 July to 5pm Friday 1 August 2025 at the following locations:

- CODC Alexandra Office, 1 Dunorling Street, Alexandra
- Cromwell Service Centre, 42 The Mall, Cromwell
- Ranfurly Service Centre, 15 Pery Street, Ranfurly
- Roxburgh Service Centre, 120 Scotland Street, Roxburgh

Any alterations to the residential roll, should be made:

- Online at **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**

A hard copy of the preliminary electoral roll may be purchased from the electoral officer for $20 per ward (ratepayer roll included) or $75 per set, plus GST.

The final electoral roll is produced once the preliminary electoral roll closes on 1 August 2025. The final electoral roll is the roll used for issuing voting papers. Copies of this roll may be purchased as above.

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

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

In limited circumstances, an electronic listing of resident electors is available from the Electoral Commission (provided the criteria of section 114 of the Electoral Act 1993 is met). An application form is required to be completed and can be obtained by emailing a request to data@elections.govt.nz. A fee of $455.50 applies.

The files can only be released after a candidate's nomination has been confirmed so the Electoral Commission will check with the Electoral Officer to see if the applicant's nomination has been accepted. The Electoral Commission will endeavour to assess applications within 5 working days of receipt, however, it may take longer during busy election periods.

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.

Central Otago District Council and Otago Regional Council have both decided to use the fully random order of candidates in 2025.

Māori Rohe Pōti
Māori Wards or Constituencies

Where Māori wards or constituencies have been established, the following applies:

Any eligible person is able to stand for both Māori or general wards or constituencies – a person does not need to be of Māori descent or be on the Māori electoral roll to stand for a Māori ward or constituency (but must still be a New Zealand citizen, a parliamentary elector anywhere in New Zealand and be nominated by two electors from the area the person is standing in).

Only those electors on the Māori electoral roll are able to vote for those candidates standing for a Māori ward or constituency. Similarly, only those on the general electoral roll are able to vote for those candidates standing for a general ward or constituency.

Recent legislation changes require councils that have introduced Māori wards or constituencies to hold a binding poll to determine whether those wards or constituencies will continue beyond 2028. The poll will be included as part of the 2025 voting paper.

Neither the Central Otago District Council or the Otago Regional Council currently have Māori Wards or Constituencies as part of their representation structures.

Te Paearu Kaitono
Candidate Eligibility

A candidate for local authority elections must be:

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

Restrictions on candidates for local authority elections:

a. A candidate **may not** seek nomination for more than one ward of Council (Section 57A Local Electoral Act 2001).

b. A candidate may seek nomination for mayor and/or council and/or a community board but **may not also** seek nomination for the Otago Regional Councils, i.e. a candidate may stand for Central Otago District Council **or** the Otago Regional Council, not both (Section 58 Local Electoral Act 2001).

c. A candidate may seek nomination for mayor and councillor, but in the event that they are elected as mayor and a council member then they must be treated as having vacated the council office (Section 88 Local Electoral Act 2001).

d. A candidate may seek nomination for councillor and community board member but in the event they are elected as a councillor and a community board member within the same district of a territorial authority, they must be treated as having vacated the office of community board member (Section 88A Local Electoral Act 2001).

e. A candidate (or spouse or partner) **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 is obtained.

Further information from the OAG is available on their website here: oag.parliament.nz/2020/lamia

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

- Before the election, all of the candidate's obligations (or candidate's company's obligations) in respect of the contract have been performed and the amount to be paid by the council has been fixed (whether or not it has been paid); or
- Although the candidate's obligations (or candidate's company's obligations) under the contract have not been performed before the election, the amount to be paid by the council is already fixed (subject to amendments and additions as allowed for in the contract), whether or not it has been paid; or
- Although the candidate's obligations (or candidate's company's obligations) under the contract have not been performed before the election, either:
  - The contract's duration does not exceed 12 months; or
  - The contract is relinquished (with the authority's consent) within a month of the candidate becoming a member and before they starts to act as a member.

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.

f. An employee of Central Otago District Council who is elected 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 check with their manager on whether they would need to take leave of absence for campaigning purposes prior to the election.

Notes:

i. Candidates for mayor may also stand for council if they wish (and vice versa).

ii. Candidates are required to record on the nomination paper if they are standing for election in any other elections in New Zealand.

iii. Candidates need not necessarily be a resident or ratepayer of Central Otago District, but candidates are required to record on the nomination paper if they reside in the election area or not.

iv. 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 they are a candidate, that candidate's nomination must be treated in all respects as if it had not been made.

Evidence of NZ Citizenship

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

This is to be provided at the time of candidate nomination. Acceptable evidence includes a copy of NZ Passport, NZ birth certificate, or NZ citizenship documentation.

Te Pūnaha Tautapa
Nominations

Nominations open on **Friday 4 July 2025** and close at **12 noon on Friday 1 August 2025**

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

- Central Otago District Council Alexandra Office and Service Centres (Cromwell, Roxburgh, Ranfurly)
- by phoning the Central Otago District Council on 021 283 5125
- from council's website www.codc.govt.nz/elections/
- Or by phoning the election helpline on 0800 666 048

Completion of Nomination Paper

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

A candidate **cannot** nominate themself.

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

Other Names

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

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 profile statement, but can be included as part of the candidate's 150 word profile text if desired.

Candidates can use titles in other campaigning material if they wish. The restriction only applies to the two areas noted above.

Residency in Area

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

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 NZ in 2025. This is shown at the top of the profile statement but does not count as part of the 150 word profile.

Affiliation

The nomination paper includes a field to allow a candidate to list an affiliation of up to 38 characters (including any spaces) e.g. Green Party, Labour Party, National Party, Greenpeace Aotearoa, Federated Farmers etc.

Individual candidates not part of a political party, candidate group or organisation, may wish to nominate their affiliation 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, candidate group or organisation affiliation must have authority to adopt that affiliation. An approval letter/email from the relevant political party/organisation showing their consent for use of that affiliation should be included when submitting the nomination form. This is a safety measure to avoid any illegal adoption of party/organisation affiliations.

No 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 affiliation.

Iwi and hapū endorsement

Candidates cannot use the affiliation field to list whānau, hapū or iwi details. It is acknowledged whakapapa is a birth right and can be included in the candidate profile statement and other forums and activities.

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

Website address, hashtags, twitter handles or Facebook links will not be accepted as an affiliation.

Submitting the Nomination Documents

Nomination papers, with the deposit, candidate profile statement, photograph and evidence of citizenship, can be delivered to:

- Central Otago District Council main office, 1 Dunorling Street, Alexandra
- Cromwell Service Centre, 42 The Mall, Cromwell
- Ranfurly Service Centre, 15 Pery Street, Ranfurly
- Roxburgh Service Centre, 120 Scotland Street, Roxburgh

Or emailed to elections@codc.govt.nz, but should the documents be received by the Electoral Officer or Deputy Electoral Officer after the close of nominations, the nomination is invalid.

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

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

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

Nominations close at 12 noon, Friday 1 August 2025.

Central Otago District Council's office hours for lodgement are:

Monday to Friday, 8.30am to 5.00 pm, except on 1 August when 12 noon is the cut-off time for lodgement.

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

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

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

Candidate Details

Confirmed candidate details will be made available on the council website. The details will be updated on a regular basis throughout the nomination period and will include at least the candidate name their email address and or phone number and any affiliation claimed.

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

Nomination Deposits

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

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

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

Nomination Deposit Refunds

Where eligible, refunds of nomination deposits will be made by online deposit after the final election result has been declared. To avoid delays with processing those refunds, please provide with your nomination documents either a bank deposit slip or verification of your bank account for the processing of your refund. Verification can be a screen shot from online banking or from the top of a bank statement, and must include the bank logo, the account name and the bank a/c number.

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

Nominations close at 12 noon, Friday 1 August 2025.

Te Maunu Kaitono
Candidate Withdrawals

A candidate can withdraw their nomination by application to the Electoral Officer up to the close of nominations i.e. 12 noon, Friday 1 August 2025.

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

A medical certificate must be provided for a withdrawal notice to be accepted by the Electoral Officer after the close of nominations. An application can be made by a candidate or an agent 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.

Ngā Kōrero Whaitake a te Kaitono
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 these are then collated by the Electoral Officer and forwarded to electors in a booklet with the voting papers. Refer also to the notes listed in Appendix 1 for word limits and translation requirements.

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

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

If the nomination forms are being lodged in-person, a hard copy format of the 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:

The English text must be 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.

If bullet points are provided in the profile statement, they will be turned into a "run on" list after a semi-colon.

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

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

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

Links to online sites or documents can be included in the 150 word profile but have a maximum limit of 60 characters, so that they stay on one line. This will be strictly enforced.

Translations

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

Pacific International Translations (NZ) Ltd 4/203 Queen Street, Auckland. Phone: 09 9135290

Email: info@pactrans.co.nz

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

Candidate Photos

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

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

Format of Candidate Photos

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

Digital photos should be provided as a jpeg file at a minimum of 300 dpi.

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

Note: The onus is on the candidate to ensure that all nomination documents including the profile and photo are submitted to the Electoral Officer by 12 noon on Friday 1 August 2025.

Accuracy of Candidate Profile Statements

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

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

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

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

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

- fails to submit an amended candidate profile statement within the requested period, or
- submits an amended candidate profile statement that, in the opinion of the Electoral Officer, does not comply with the requirements.

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

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

Whakahaeretia, Rauemi Kaunihera, Pae Pāpāho Pāpori
Campaigning, Council Resources and Social Media

Election campaigning can commence anytime but should cease by the close of voting, i.e. 12 noon Saturday 11 October 2025.

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

No election material can contain:

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

Voting papers should not be collected from electors by candidates or their assistants. Each elector is required to post or deliver their own voting paper to the Electoral Officer or official voting boxes located at Central Otago District Council service centres or libraries.

Candidates can use official titles in their campaigning material, i.e. Dr, OMNZ, CMNZ, Sir, Dame etc but these are not permitted on the voting papers.

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 LEA 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.

Candidate Safety

Being a candidate in local government elections means stepping into the public eye. With that comes increased scrutiny, and unfortunately, it may also raise the risk of abuse or harassment directed at you or your family.

It's important to take proactive steps to help keep yourself and your loved ones safe during this time. If you experience serious threats or harassment, you should report them to the Police. For situations that may not warrant police involvement but are still concerning, there are some useful resources below. Some practical steps to consider now include:

- **Use campaign-specific social media accounts** rather than your personal ones, and restrict access where possible.
- **Set up a dedicated campaign email address or phone number** instead of using personal or work contact details.
- **Be aware of your surroundings** when attending public events — know where exits are, and stay mindful of your environment.
- **Consider your responses** in difficult situations. If someone becomes agitated, try to remain calm and look for an opportunity to signal for help or safely end the conversation.

Balancing your public presence with personal safety can be challenging. You want to engage with the community and share your vision while also protecting yourself and those close to you. It's important to consider how you will manage this balance.

Remember: abuse and harassment are never acceptable. Your election campaign should be an exciting and rewarding experience. For many candidates, it is. However, being prepared and informed can help you handle any challenges that may arise.

Here is a list of other resources that offer advice on safety:

- Manatū Wāhine | Ministry for Woman - Free to lead toolkit women.govt.nz/womens-safety/free-lead-toolkit
- own your online - Protect your privacy online ownyouronline.govt.nz/personal/get-protected/guides/how-to-protect-your-privacy-online
- netsafe - Online abuse and harassment https://netsafe.org.nz/online-abuse-and-harassment

Council Resources

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

Election Advertising and Authorisation on Campaign Material

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

This means that for posters, adverts, signs, billboards, flyers, vehicle signage, websites, Facebook pages etc, each advertising item must include a statement saying that it is authorised by the candidate or agent, i.e. "Authorised by Joe Citizen, 20 Main St, Tinseltown." This authorisation

must be clearly visible on any campaigning material including signs and billboards.

It must be included on every item of campaigning material.

The LEA was amended in 2022 to allow 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 a page on an Internet site (if the page contains 1 or more of the above).

The requirement to list the authorising party remains. There must be a reasonable expectation that anyone wishing to respond to the campaigning material can do so with the candidate or their agent from the contact details listed in the authorisation statement. The use of a council building address is not permitted in the authorisation address.

Advertising Standards Code for Campaign Material

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

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 shared to all candidates as soon as possible after the original information release. The Council will determine the most appropriate distribution method.

Policy.nz

A partner of the Local Government New Zealand (LGNZ) 'Vote 25' campaign, and published in partnership with The Spinoff, Policy.nz is an information source about local election candidates published at policy.nz during the triennial election campaigns.

Policy.nz aims to be a comprehensive source of information where voters can learn about and compare candidates in their local election. In 2019 and 2022 the majority of Mayor and Councillor candidates took part in Policy.nz.

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

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.nz will use that file to contact candidates and invite them to participate.

To find out more, email candidates@policy.nz.

Candidate Videos

For this election, the Central Otago District Council is providing an opportunity for candidates to be filmed in a short video answering a small range of election-related questions. The videos will be up to 90 seconds long, filmed by council staff at council premises, and made available from the council's website along with a copy of their candidate profile statement and photo. This is optional for candidates.

All candidates will be contacted by council staff after nominations have closed and offered the opportunity to participate. The questions to be asked will be included in that invitation, along with an appointment booking process.

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 that the council does not reimburse ANY campaigning costs, which remain the responsibility of each candidate.

Campaign expenditure is all expenses relating to the campaign from the period 3 months before election day, i.e. all expenditure from **11 July to 11 October 2025** plus any apportioned costs of any election campaigning carried out prior to 11 July 2025 (refer S.112 LEA 2001).

The campaign expenditure limits are population based and are specified in the LEA. The following table shows the population brackets and associated expenditure limits.

The population of Central Otago District is estimated to be 25,510 (Stats NZ - 2025).

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

These population figures are the latest available estimates sourced from Statistics NZ in May 2025. Updated population estimates will be provided to the EO in July 2025. If the updated population estimates change any campaign election limit, the EO will notify those candidates individually.

The campaign expenditure limits for Central Otago District Council are:

District-wide Issue	Est Resident Population as at 30 June 2024	Expenditure Limit (inc GST)
Mayoralty	25,510	$20,000

CODC Wards	Est Resident Population as at 30 June 2024	Expenditure Limit (inc GST)
Cromwell	10,700	$14,000
Maniototo	1,960	$3,500
Teviot Valley	1,750	$3,500
Vincent	11,100	$14,000

Community Boards	Est Resident Population as at 30 June 2024	Expenditure Limit (inc GST)
Cromwell	10,700	$14,000
Maniototo	1,960	$3,500
Teviot Valley	1,750	$3,500
Vincent	11,100	$14,000

However, if a candidate is a candidate for more than one election held at the same time, (i.e. mayor and council), the total electoral expenses (inclusive of GST) of that candidate must not exceed the highest amount permitted under subsection (1) in respect of any one of the elections for which the person is a candidate, i.e. **$20,000** for a mayoral and council candidate.

Return of Electoral Expenses

Each candidate is required to keep a record of all campaign election expenses, and must furnish a return to the Electoral Officer within 55 days of the election result being declared, estimated to be no later than Wednesday 10 December 2025.

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

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

Note:

1) Candidates are required to keep evidence of any election expenses for amounts exceeding $200, but do not need to provide them with the declaration.
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

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

(a) Means expenses that are incurred by or on behalf of the candidate in respect of any electoral activity; and

(b) includes expenses that are incurred by or on behalf of the candidate, before or after the applicable period before the close of polling day, in respect of any electoral activity; and

(c) includes the reasonable market value of any materials applied in respect of any electoral activity that are given to the candidate or that are provided to the candidate free of charge or below reasonable market value; and

(d) includes the cost of any printing or postage in respect of any electoral activity, whether or not the expenses in respect of the printing or postage are incurred by or on behalf of the candidate; but

(e) does not include the expenses of operating a vehicle on which election advertising appears if that vehicle is used in good faith by the candidate as the candidate's personal means of transport; and

(f) does not include expenses incurred by the candidate in preparing a candidate profile statement; and

(g) does not include the labour of any person that is provided to the candidate free of charge by that person; and

(h) does not include the cost of any framework (other than a commercial framework) that supports a hoarding on which an advertisement is displayed.

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

N.B. Money spent on campaigning cannot be refunded by the Council.

Candidates can use hoardings signs or campaign material from previous elections for which the cost has already been declared. The item should be noted on the expenditure return form as being declared in the previous election, but no costs needs to be recorded for it.

Definition of electoral donation

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

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

The following are not candidate donations:

- volunteer labour
- goods or services provided free of charge to a candidate, or to any person on the candidate's behalf that have a reasonable market value of $300 or less
- money provided by the candidate for their own campaign.

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

Donations made up of contributions

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

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

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

Transmitted donations

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

- that the donation is being transmitted on behalf of a donor
- the name and address of the donor
- whether the donation is made up of contributions
- the total amount of contributions of $1500 or less
- in the case of contributions greater than $1500, the name, address, and contribution of each contributor.

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

Anonymous donations

Candidates are not permitted to retain anonymous donations exceeding $1500. An anonymous donation is a donation made in such a way that the candidate who receives the donation does not know the identity of the donor and could not, in the circumstances, reasonably be expected to know the identity of the donor (section

103A LEA). If a candidate receives an anonymous donation greater than $1500, they may retain $1500 of that donation. The balance of the donation must, within 20 working days of receipt, be paid to the electoral officer for payment into the general fund of the local authority.

Applicable period for donations

There is no provision within the Local Electoral Act 2001 or it's 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 2025 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) LEA).

If any individual contributor's contribution to a crowdfunded donation exceeds $1500 (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 $1500 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 crowdfunders' platforms have processes which are unlikely to enable compliance with the requirement in section 103C of the LEA to transmit donations to candidates within 10 working days. Sections 103E and 103K of the LEA contain offences relating to concealing the identity of people who contribute more than $1500, or circumventing the requirement to only keep $1500 of any anonymous donations that exceed $1500. "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 and services is 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 fund raising 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, fund raising 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 www.electionz.com/LGE2025_landing.

Central Otago District Council's Social Media Guidelines for Candidates

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

Things to be aware of:

- During the lead up to elections, the current mayor and councillors may be used in social media posts where it is appropriate and is considered 'business as usual' to use them. This may be in images or quotes.
- Election advertising, using any media, including social media, must identify the person under whose authority they have been produced, as per sections 113-115 of the Local Electoral Act 2001. This means in your profile photo/bio, you must have a statement saying that all content/images on your social media channel are authorised by you or your agent. You must include a contact option (see page 19), and you must not use the council's main office address.
- The Council's social media accounts (listed below), including but not limited to Facebook, Twitter, Instagram, LinkedIn and Neighbourly, are not permitted to be used as a communications channel by anyone (candidates or members of the public) for promotion, electioneering or campaigning. This also applies to all social media accounts owned by Council-controlled organisations.
- The Council's social media accounts are constantly monitored and any campaign related or electioneering content will be removed immediately.
- If Central Otago District Council already follows your public social media accounts, please note you will be unfollowed 3 months prior to the election date. This protocol is in line with the Local Electoral Act 2001.
- Any social media post made by anybody on a Council social media page related to their own or somebody else's nomination, intention to run for Council, or election campaign, will be removed immediately
- Candidates cannot reply to the Council's social media posts or share with a comment encouraging people to like or follow their own social media accounts or any other electioneering tool. Any posts that do this will be removed immediately.
- Candidates must not link their own social media accounts (if they are used for campaigning purposes) to the Council's social media accounts.
- Candidates cannot rate, review, check-in or tag the Council's social media channels.
- The Council's social media accounts will remain neutral. Central Otago District Council will promote elections and the importance of voting but will not associate these posts with any candidates.
- It is illegal for candidates to interfere or influence electors, so please do not take a photo of your completed voting paper and post it on Facebook etc.

For the sake of clarity, Central Otago District Council's social media accounts are listed below.

Facebook	
Central Otago District Council	https://www.facebook.com/centralotagodistrictcouncil
Central Otago NZ	https://www.facebook.com/CentralOtagoNZ/
Central Otago Visitors Centres	https://facebook.com/CentralOtagoInfo/
Central Otago - A world of Difference	http://www.facebook.com/centralotagoaworldofdifference/
Instagram	
Central Otago NZ	http://www.instagram.com/centralotagonz/
LinkedIn	
Central Otago District Council	http://linkedin.com/company/3817133/admin/
Tourism Central Otago	http://linkedin.com/showcase/tourism-central-otago/about/
Twitter	
Central Otago NZ	http://twitter.com/Centralotago_NZ
YouTube	
Central Otago DC	http://www.youtube.com/user/centralotagodc
Central Otago NZ	http://www.youtube.com/user/Centralotagonz

Ngā Tohu Pōti
Election Signs

Election Signs

Election campaigning can commence at any time and continue up to and including Election Day. Provisions for election signage within the Central Otago District Council are controlled within the District Plan.

Election signs are a permitted activity under Rule 12. 7. 5 (i) (h), providing that such signs:

1. Are not erected earlier than 2 months before polling day.
2. Do not exceed 3m2 in area.
3. Are not located on road reserve without the written consent of the Chief Executive.
4. Are removed by the close of the day before polling day.
5. Have spacing between any lines of text of not less than 50mm.

Note: The erection of any sign on any part of a state highway is subject to a NZTA (NZTA) Bylaw outside 50 km per hour speed restricted areas.

If your sign does NOT fall within these parameters you may need a resource consent. Please contact the Duty Planner, Central Otago District Council, PO Box 122, Alexandra on 03 262 8521 or email resource.consents@codc.govt.nz.

If you would like to put your sign on road reserve, the Council has designated specific areas. Please contact the Duty Planner for further information.

Authorisation of Advertising

Election advertising, using any media, must identify the person under whose authority it has been produced. The publication of any advertisements (in any newspaper, notice, poster, websites, facebook, vehicle signage, pamphlet, billboard, broadcast) for candidates requires the written authorisation of the candidate or the candidate's agent. The advertisement must contain a statement setting out the true name of the person or persons for whom, or at whose direction, it is published. The Local Electoral (Advertising) Amendment Bill has passed through its final stages in Parliament, meaning that the required authorisation statement options now are:

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

This applies during the candidate's entire run.

No election material may contain any untrue statement defamatory of any candidate and calculated to influence the vote of any elector. No election material may also contain an imitation voting document which has the names of the candidates with any direction or indication as to the candidate a person should vote for, or in any way contains such direction or indication likely to influence the voter.

Candidates should be aware that it is an offence (carrying a fine of up to $5,000 if convicted) to interfere in any way with an elector with the intention of influencing or advising the elector as to how they should vote. Candidates and their assistants should be mindful of this particularly if campaigning occurs in facilities such as rest homes or hospitals.

Candidates or their assistants should not collect voting documents from electors. Each elector should post or deliver their own voting document to the Electoral Officer.

Candidates are not permitted to use Council resources e.g. Council logos and branding etc for campaign purposes or link to Council websites, facebook pages, twitter feeds etc.

The relevant electoral offence provisions are detailed later in this handbook. Please refer to them for your own protection.

Content of election signs

Queries regarding content of election signs including authorisations are to be made to the Electoral Officer.

The Electoral Officer will make a candidate aware of any campaign material that does not have an appropriate authorisation.

Queries regarding the placement, size, construct, size of lettering or non-compliant hoardings are to be made to council's resource management department.

Such complaints may result in the sign being removed by council staff.

NZ Transport Agency (NZTA) Guidelines for Managing Electioneering Signs on State Highways

The guideline objectives are to minimise the potential for road crashes arising from drivers being distracted by indiscriminate installation of electioneering signs and to ensure consistency of application of NZTA policy on such signs with minimal involvement by NZTA.

There are some fundamental considerations to make when erecting electioneering signs adjacent to state highways. These are:

In **rural** areas (where speed limits are 70km/h or above):

- Signs should be located off the highway reserve. You will, of course, need to consult with property owners and the appropriate local authority to gain any necessary consent.
- If the sign requires resource consent, approval will likely be required from NZTA as an affected party under Section 95 of the Resource Management Act, your local authority will be able to advise on this.
- Signs must not be reflectorised or erected in such a location that will create an obvious conflict with existing road signs.
- Signs must not imitate or be of a form similar to any traffic signs. (This is a legal requirement in terms of the Land Transport Act 2003.)
- The location of signs must consider visibility and other traffic safety aspects.
- Signs must be located **at least 100m** from intersections, bends in the highway and from other regulatory signs
- Signs are not permitted on or adjacent to **motorways**.
- For the above noted safety reasons, vehicle mounted signs situated on State Highways **are not permitted**.

In **urban** areas (where speed limits are 70 km/h or less) you should seek the local authority's approval for erection of signs within or adjoining the road reserve.

Signs erected on rural State highways in a location or manner likely to cause distraction or danger to road users may be removed by NZTA or its agents without prior notice. Where a sign is removed the party will then be advised of the action taken and where the sign can be collected. There may be a charge to cover NZTA's costs.

If you have any further queries, please contact:

Alan Catchpole on 0274 350 410 or at environmentalplanning@nzta.govt.nz

Pōtitanga, Hātepe Pōti, Otinga Pōtitanga me ngā Pūrongorongo
Voting, Vote Processing, Election Results and Recounts

Mailout and Return of Voting Papers

In recognition of the erosion of the national and international postal networks, the voting period for local body elections has been extended from 22.5 days to 32.5 days. The postal delivery of voter packs for the 2025 elections will start on Tuesday, 9 September and voting will close at midday on Saturday, 11 October. For past elections, postal delivery operators were required to deliver the voter packs within 6 days of voting opening. That requirement has been extended to 14 days under the new legislation.

As part of its re-sizing initiatives to meet falling postal volumes, NZ Post has removed some street receiver points (post bins). This has made it more difficult for some electors to find a post bin to return their completed voting papers. To counter that problem, councils have arranged for orange ballot bins to be stationed at prominent points throughout their areas during the voting period. A listing of the expected orange bin locations will be included in the candidate information booklet included in the voter packs and is available from the council's election page at codc.govt.nz/your-council/elections.

Special Voting

Special voting documents are available to electors:

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

Special voting documents will be available from Tuesday 9 September to 12 noon, Saturday 11 October 2025 at the following locations:

- Central Otago District Council, Alexandra office, 1 Dunorling Street, Alexandra
- Cromwell Service Centre, 42 The Mall, Cromwell (not on Saturday 11 October)
- Ranfurly Service Centre, 15 Pery Street, Ranfurly (not on Saturday 11 October)
- Roxburgh Service Centre, 120 Scotland Street, Roxburgh (not on Saturday 11 October)

If time allows, special voting documents can be posted out directly to electors. The completed voting paper however, must be in the hands of the Electoral Officer or the Deputy Electoral Officer by noon on election day, i.e. 12 noon Saturday 11 October 2025.

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

If an elector requests a special vote and is not on the parliamentary roll (e.g. just turned 18 years of age), the person must enrol on the parliamentary roll by Friday 10 October 2025.

- An application for registration as a parliamentary elector can be made online at www.vote.nz/enrolling/enrol-or-update/enrol-or-update-online/). The identity verification needed is a New Zealand driver licence, New Zealand passport or RealMe verified identity.
- If people are not able to enrol online, they can enrol or update their details in other ways, more information can be found at https://vote.nz/enrolling/enrol-or-update/other-ways-to-enrol/) on the Electoral Commission website or they can call 0800 36 76 56 to arrange for forms to be sent to them directly.

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 should not be collected by candidates or their assistants for distribution to electors.

Early Processing of Returned Voting Papers

Central Otago District Council's returned voting papers will be opened and processed during the voting period before the close of voting.

Voting papers for Central Otago District Council are being processed by council's election contractor, electionz.com Ltd. electionz.com will be processing approximately 600,000 voting papers for 48 councils at its processing centre in Christchurch.

The early processing of voting papers involves the following functions:

- opening of envelopes
- extracting of voting papers
- checking for informal or duplicate votes
- electronic capture of valid votes

No tallying of votes is undertaken until after the close of voting (12 noon, Saturday 11 October 2025).

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

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

Election Results

The counting of votes takes place as soon as practicable after 12 noon on Saturday 11 October 2025.

Three levels of results will be issued:

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. Results could change.

2. Preliminary Results

   All ordinary voting papers have been received and counted, but not all special votes. These will be announced later on Saturday evening or Sunday after 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 will be released by Thursday 16 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 by 2pm on Saturday 11 October 2025. 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 by 5pm Sunday 12 October, if not before.

Candidates will be advised of the progress results on election day - either by email or phone. Only two attempts to communicate the progress result to any candidate will be made. These will be made around the time that progress results are posted to the council website.

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

Recounts and Petitions for Inquiry

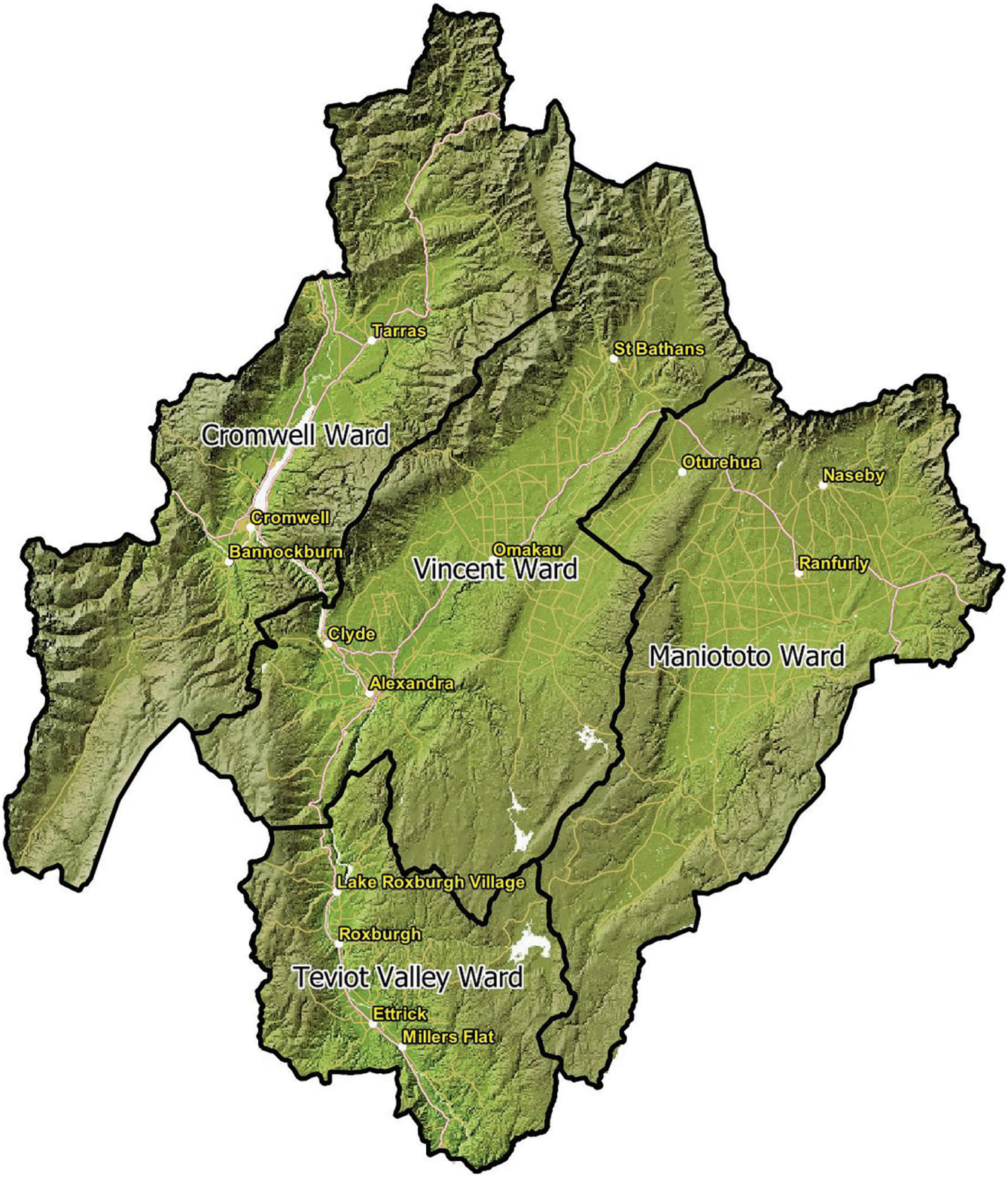
A recount can be requested by a candidate within 3 working days after the public declaration of the final election results. This sometimes happens when a result is very close, i.e. less than 5-10 votes, depending on the size of the election.

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

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

Ngā Mahere ā Rohe
Ward Maps

Central Otago District Wards



Appendix 1

Ngā Korero Whaitake o ngā Kaitono
Candidate Profile Statements

Local Authority Elections 2025

Right to Submit a Candidate Profile Statement (CPS)

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

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

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

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

Note: Soft (electronic) versions of the candidate photos may be submitted with the CPS. These should be either copied onto a media device or emailed to the Deputy Electoral Officer, at elections@codc.govt.nz.

Photos must be submitted at the same time as all other nomination documents on or before 12 noon on 1 August 2025. [Section 61(2)(c) and Clause 28].

(Refer to pages 17 and 18 for the production specifications for the CPS and candidate photograph).

Duties, Powers and Responsibilities of Electoral Officers

Where an Electoral Officer is not satisfied that a CPS complies with section 61(2) and (3), 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 they 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 EO is not liable in relation to:

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

Distribution of Candidate Profile Statement

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

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

Appendix 2

Whakahokia o ngā Pōtitanga Koha Utu Whakahaere

Return of Electoral Donations and Expenses (page 1)

RETURN OF ELECTORAL DONATIONS AND EXPENSES
(Under section 112A of the Local Electoral Act 2001)

electionz.com voting made easy

PŌTI 2025 VOTE 2025 LOCAL ELECTIONS

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
All candidates are required to complete and return a signed declaration, even if it is a NIL return.

I	

was a candidate for the following election(s) held on 11 October 2025.
List all elections at which the candidate stood for election on the above date:

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**	

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)	PAID TO ELECTORAL OFFICER	
Date received	Amount		Date paid	Amount
			Total	

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

Appendix 3

Ngā Koha me ngā Utu Whakahaere Pōti
Electoral Expenses and Donations

The following sections of the Act 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 they 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 they proves that they took all reasonable steps to ensure that the electoral expenses did not exceed the relevant prescribed maximum amount.

112A Return of electoral donations and expenses

(1) Within 55 days after the day on which the successful candidates at any election are declared to be elected, every candidate at the election must file a return of electoral donations and expenses.

(2) However, in any case where a candidate is outside New Zealand on the day on which the successful candidates are declared to be elected (**election result day**), the return must be filed within 76 days after election result day.

(3) The return of electoral donations and expenses must set out—

(a) the details specified in subsection (4) in respect of every electoral donation (other than a donation of the kind referred to in paragraph (c)) received by the candidate that, either on its own or when aggregated with all other donations made by or on behalf of the same donor for use in the same campaign, exceeds $1,500 in sum or value; and

(b) whether any donation is funded from contributions, and if so, and to the extent known or ascertainable from the information supplied under section 103D, the details specified in subsection (5) in respect of every contribution that, either on its own or when aggregated with other contributions by the same contributor to the donation, exceeds $1,500 in sum or value; and

(c) the details specified in subsection (6) in respect of every anonymous electoral donation received by the candidate that exceeds $1,500; and

(d) details of the candidate's electoral expenses.

(4) The details referred to in subsection (3)(a) are—

(a) the name of the donor; and

(b) the address of the donor; and

(c) the amount of the donation or, in the case of aggregated donations, the total amount of the donations; and

(d) the date the donation was received or, in the case of aggregated donations, the date that each donation was received.

(5) The details referred to in subsection (3)(b) are—

(a) the name of the contributor; and

(b) the address of the contributor; and

(c) the amount of the contribution or, in the case of aggregated contributions, the total amount of the aggregated contributions.

(6) The details referred to in subsection (3)(c) are—

(a) the date the donation was received; and

(b) the amount of the donation; and

(c) the amount paid to the electoral officer under section 103J(1) or (2) and the date that payment was made.

(7) Every return filed under this section must be in the form prescribed in Schedule 2.

(8) It is the duty of every electoral officer to ensure that this section is complied with.

(9) In this section, **file** in relation to a return, means to send the return to the electoral officer responsible for the conduct of the election.

112B Nil return

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

112C Failure to file return of electoral donations and expenses

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 they have been elected to office, a further fine not exceeding $400 for every day that they 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 they 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) they had no intention to misstate or conceal the facts; and

(ii) they 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 and contact details of the person or persons for whom or at whose direction it is published.

(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 and contact details of the person or persons for whom or at whose direction it is published; 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.

(7) In this section, **contact details** means 1 or more of the following:

(a) a residential or business address:

(b) an email address:

(c) a post office box number:

(d) a phone number:

(e) a link to a page on an Internet site, if the page contains 1 or more of the contact details specified in paragraphs (a) to (d).

114 Use of public money

Sections 111 and 112 do not validate any use of public money that would otherwise be unlawful.

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 they considers may be relevant.

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

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

Appendix 4

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 is usually completed on the Monday or Tuesday following polling day

  Note: With electronic processing, the count processes are computerised tasks undertaken once required reconciliations have been completed. Both counts (preliminary and official) are likely to take several minutes to complete
- **Recount** (section 91 LEA). A recount takes place on the order of a district court judge following an application from a candidate. When required, it involves a recount of the relevant voting documents.

In observing the processes above, it is lawful for a scrutineer to pass on information to any person of the names of persons who have voted (section 68 LEA). The passing on of any other information is not permitted – see offences later in this booklet

Given that all local authority elections are currently conducted by postal voting and not by booth voting as per parliamentary elections, scrutineers are less involved in the local elections process compared to 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, they should draw the matter to the attention of the Electoral Officer.

Appointment of Scrutineers

- For a local authority election a candidate may appoint one or more scrutineers (section 66 LEA)
- In relation to a local authority poll, 10 or more electors, who are either in favour of or opposed to the proposal being polled, may appoint 1 or more scrutineers (section 67 LEA)
- Every scrutineer appointed under sections 66 or 67 of the Act must be appointed in writing using a form available from the Electoral Officer using a form available from the Electoral Officer (a model letter of appointment is contained in the back of this section)
- An appointment as scrutineer is not valid unless a copy of the notice of appointment is delivered by the candidate or the 10 electors to the Electoral Officer. The Electoral Officer **must** receive this notice not less than **24 hours** before the close of the voting period. The deadline is **12 noon Friday, 10 October 2025** in the case of this year's local authority elections (section 68(1) LEA). It is suggested that a scrutineer should always carry a copy of this notice when undertaking scrutineering duties.
- section 68(3) of the Act contains three restrictions on who may be appointed a scrutineer. No person can be a scrutineer if they are:
  - a candidate in the elections;
  - a member or employee of any local authority or community board for which 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 they have completed a declaration (section 14(2) LEA and clause 91 LER)

The key obligations for a scrutineer arising from the declaration is that they:

- will well and truly serve in the office of scrutineer; and
- will not directly or indirectly disclose any fact coming to their knowledge at the election or poll that they are 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 they 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 they are 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 they have been appointed for
- what restrictions apply to scrutineers; and
- how that person is expected to conduct themselves.

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

The Electoral Officer will advise the scrutineer:

- where they should go, and at what time, to complete the required declaration before any scrutineering duties can be undertaken
- when and where any planned briefing of candidates and scrutineers about election processes is to be held
- when and where any planned briefing of electoral officials about the election or poll process is to be held
- where the scrutiny of the roll will be conducted (address and office)
- what days and time that the scrutiny of the roll will take place
- that the preliminary count of voting documents will commence at 12 noon on Saturday, 11 October 2025
- 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 attendance costs thereof are to be met by the candidate.

Restrictions on Scrutineers During Election and Poll Processes

- Pursuant to section 80 of the Act, the EO will process voting documents during the voting period. Scrutineers are prohibited under section 81 of the Act from being present during the early processing of voting documents. Early processing of voting documents does not involve counting or totalling votes for any candidate for election or for or against any proposal in a poll. Counting of votes can only commence for the preliminary count after the close of voting i.e. after 12 noon on Saturday 11 October 2025.
- 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 their benefit and repeat the activities in relation to voting documents that were dealt with in their absence. The same practice will apply if a scrutineer is late for the commencement of any of these processes.

Conduct of Scrutineers

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 they 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 or other electoral officials any vote count updates.

The scrutiny and the preliminary and official counts are critical processes to the outcome of an election or poll and demand a high level of concentration from electoral officials. Accordingly, it is incumbent upon scrutineers not to distract, annoy, linger close by or talk loudly to one another so as to disrupt or upset any electoral officials

In keeping with the needs of electoral staff, scrutineers are not allowed to use or have mobile phones switched on within the area where scrutiny of the roll, the preliminary or official count or a recount is being conducted.

The LEA and LER are silent on the display of any party affiliation by scrutineers. The adopted policy will be what normally applies to scrutineers at parliamentary elections. This provides for the following items, in party colours but without party name, emblem, slogan or logo, may be worn on the person or displayed in a vehicle:

- streamers
- ribbons
- rosettes (but see also the special rule about party lapel badges below)
- items of a similar nature.

Party lapel badges may be worn anywhere on the person. A party lapel badge is any badge or rosette designed to be worn on the lapel and bearing a party name, emblem, slogan or logo. None of the above items may be displayed on bags or briefcases. Political parties will be asked to supply the Electoral Officer with a sample of their rosette prior to the commencement of the polling period. In the case of this year's local authority elections, the polling period commences on Tuesday, 9 September 2025

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 their knowledge at the election or poll that they are required by the Act or Regulations not to disclose..

Should a scrutineer break their declaration and disclose information which is prohibited then they are likely to have committed an offence under one or more of the following provisions of the LEA:

- section 123, Offences in respect of official documents
- section 129, Infringement of secrecy
- section 130, Disclosing voting or state of election or poll.

These three sections are reprinted in full later. Scrutineers are advised to become familiar with them before they complete their declaration and undertake any scrutineering duties.

Appendix 5

Whakaritenga o ngā Kaititiro
Appointment of Scrutineers

Pōti Pāerotanga Kawanatanga ā Rohe | 2025 Local Government Elections

LETTER OF APPOINTMENT OF SCRUTINEER

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

Notes for candidates:

1. A copy of this letter of appointment must be given to the electoral officer no later than 24 hours before the close of voting (i.e. by 12 noon Friday 10 October 2025).
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.

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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 legal requirements:

- Ensure all election advertising includes a proper authorisation statement. Such a statement will include your name (or your agent's name) and an acceptable contact option (see page 19).
- Do not interfere or try to influence anyone who is about to vote. Do not offer to collect, post or deliver to the Council completed voting papers from any other elector.
- Do not give, as part of your campaign, any gift or item of value to any other person. An item of value is anything you would expect to pay for and typically may be useful to the recipient other than as election literature. Examples of such items in the lower value category might include pens, biros, message or note pads, rulers, fridge magnets, key-chains and the like.
- Do not, as part of your campaign, provide without reasonable charge 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 is jealously guarded and electoral law is written in such a way so as to reinforce this through prescribing high standards for electoral behaviour.

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

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

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

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

Local Electoral Act 2001

121 Illegal nomination, etc

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

(a) consents to being nominated as a candidate for an elective office knowing that they are 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 they are 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 they 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 their 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, they, directly or indirectly, on their 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, they directly or indirectly, on their 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 their 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 they 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 their vote; or

(b) attempt to obtain, in the building or other place where the voter has marked or recorded their 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 their 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 their 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 they 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.

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