

# Guide for Candidates

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## HANDBOOK

FOR STATE GENERAL ELECTIONS  
AND BY-ELECTIONS



HANDBOOK

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## INTRODUCTION

This Guide is compiled to assist candidates at Queensland State Elections and By-Elections.

### Disclaimer

Commission publications are not intended to substitute for the *Electoral Act 1992* or *Electoral Regulation 2013*. Candidates, agents and others are advised to obtain a copy of the Act and Regulation and seek their own independent advice if necessary. The Act and Regulation are available on the Queensland Legislation website: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

## ELECTORAL COMMISSION OF QUEENSLAND

State electoral events and By-elections are conducted by the Electoral Commission of Queensland (ECQ) which has its office at Level 6, Forestry House, 160 Mary Street, Brisbane. *(ECQ will assist you where possible by providing information, but it does not provide legal advice to candidates, scrutineers or their representatives.)*

ECQ has a Returning Officer (RO) for each of the 89 electoral districts throughout Queensland. In addition, the Commission may also appoint Assistant Returning Officers as required.

## WHO CAN BE A CANDIDATE?

***(For further information see section 64 of the Parliament of Queensland Act 2001)***

You may be nominated as a candidate for the Legislative Assembly of Queensland if you are:

- Enrolled for any electoral district in Queensland.
- An adult Australian citizen living in Queensland.
- NOT a disqualified person.

## WHO CAN NOT BE A CANDIDATE (DISQUALIFIED PERSON)?

***(For further information see section 64 of the Parliament of Queensland Act 2001)***

You are a disqualified person if:

- You are subject to a term of imprisonment or detention, periodic or otherwise; or
- You have, within 2 years before the day of nomination, been convicted of an offence against the law of Queensland, another State or the Commonwealth and sentenced to more than 1 year's imprisonment; or
- You have been convicted within 7 years before the day of nomination of an offence against the *Criminal Code, Section 59 or 60*; or
- You have been convicted within 10 years before the day of nomination of a disqualifying

electoral offence (Section 2 - *Definitions, of the Electoral Act 1992 defines Disqualifying Electoral Offences*); or

- You have been convicted, and not pardoned, of treason, sedition or sabotage under the law of Queensland, another State or the Commonwealth; or
- You are an undischarged bankrupt under the *Bankruptcy Act 1966* (Commonwealth), or a corresponding law of another jurisdiction; or
- You have executed a deed of arrangement as debtor under Part X of the *Bankruptcy Act 1966* (Commonwealth), or a corresponding law of another jurisdiction, and the terms of the deed have not been fully complied with; or
- You have creditors who have accepted a composition under Part X of the *Bankruptcy Act 1966* (Commonwealth), or a corresponding law of another jurisdiction, and a final payment has not been made under that composition; or
- You are not entitled to be a candidate for election, or to be elected as a member of the Assembly, under another law.

Also the following persons are disqualified persons–

- The Governor-General, Administrator or head of government of the Commonwealth or the Governor, Administrator or head of government of a State;
- The holder of a judicial office of any jurisdiction of a State or the Commonwealth.

## THE WRIT

- A Writ for the conduct of a general election is issued by the Governor.
- A Writ for a by-election is issued by either the Governor or the Speaker, depending on the circumstances.
- Writs are addressed to the Electoral Commission of Queensland and specify the following:
  - Day of issue of Writ.
  - Cut-off day for close of rolls.
  - Cut-off date for nominations.
  - The polling day.
  - Day for return of Writ.

## FUNDING & DISCLOSURE

Election funding and disclosure by candidates relates to elections and includes:

- claims for public election funding;
- disclosure of electoral expenditure; and
- disclosure of gifts.

## Obligations of candidates, agents and third parties

All candidates, agents and third parties are required to comply with the electoral funding and financial requirements set out in Part 11 of the Electoral Act 1992.

Handbooks setting out detailed required requirements of the Act for Candidates, agents and third parties are available from ECQ. Copies are also available on ECQ's website at [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au).

### ASSISTANCE & ENQUIRIES

Contact	Electoral Commission of Queensland
Postal Address	GPO Box 1393, BRISBANE QLD 4001
Office Location	Level 6 Forestry House, 160 Mary Street, BRISBANE QLD 4000
Telephone	1300 881 665
Facsimile	(07) 3036 5776
E-mail	<a href="mailto:ecq@ecq.qld.gov.au">ecq@ecq.qld.gov.au</a>
Internet	<a href="http://www.ecq.qld.gov.au">www.ecq.qld.gov.au</a>

### NOMINATIONS

Nominations are initiated electronically by the nominee (or, if endorsed by a Registered Political Party, by the Registered Officer of that Party) by visiting the ECQ's website at: [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au)

Once in the website, the nominee or Registered Officer clicks on NOMINATION, selects Electoral Event and follows the prompts.

Your details and, if you are to nominate as an Independent, the details of 6 or more persons nominating you, are entered electronically and enrolment details validated against the Roll. Once the details are correctly entered and verified, the form is printed for signing. The signed form together with the Nomination Fee must be lodged with ECQ or the Returning Officer for the District (as relevant) as soon as possible but before 12.00 Noon on Nomination Day.

Nominations can only be accepted once signed hard copies are lodged and the Nomination Fee paid.

### How to Nominate

You may be nominated in either of the following ways: If you are endorsed by a registered political party –

- By the Registered Officer or Deputy Registered Officer of that party that has endorsed you as its candidate.
  - Your party's Registered Officer will enter your details electronically. They will print a

**Nomination Form 5** which includes a Consent Form, **Form 5A** which must be signed by you. The Registered Officer will arrange for you to sign the consent Form. The nomination **MUST** then be lodged with the Electoral Commission of Queensland, at its Brisbane office.

If you are NOT endorsed by a registered political party -

- By 6 or more persons who are enrolled for the electoral district you intend to contest, none of whom has previously nominated a candidate for the election.
- You will enter your details and those of your 6 or more nominators electronically. Once the details are validated, print a Nomination for the Legislative Assembly for Candidates NOT Endorsed by a Registered Political Party (**Form 6**). You and your 6 or more nominators must sign the Form.
- The nomination may then be lodged with either:
  - The Returning Officer for the electoral district concerned; or
  - The Electoral Commission of Queensland.

It is your responsibility to check the accuracy of information on the Nomination Form.

If you do not have access to a computer, you may phone ECQ and request that a printed Nomination Form be sent to you or visit your Returning Officer.

## When to Nominate

A nomination may only be lodged -

- AFTER the day of issue of the Writ for the election, and
- BEFORE noon on the cut-off day for nomination of candidates for the election.

## Nomination Name

The Commission may decide that a person is not properly nominated if their nominated name is obscene, offensive or may cause confusion. The nominated name cannot be or resemble a party or public body name. If the Commission decides a person is not properly nominated for an election, it must give notice of the reasons for the decision to that person.

## Deposit Required

A deposit of \$250 by cash or bank cheque **ONLY** must be lodged upon nomination. A personal cheque is NOT acceptable.

The deposit will be returned if:

- A candidate withdraws consent (**Form 7**) to the nomination before noon on the cut-off day for nomination; or
- A candidate is elected; or
- A candidate dies before polling day; or

- A candidate gains at least 6% of the total number of formal First Preference Votes polled in the election for the electoral district concerned.

## Announcement of Nominations

ECQ does not release nomination details until immediately before the draw for ballot paper order on the cut-off day for nominations.

Persons nominated become candidates as soon as the RO displays their names at their office on nomination day.

## FAILURE OF ELECTION

An election in an electoral district is deemed to have failed if:

- A candidate dies before polling day or
- There are no candidates for the election. *(In these circumstances, the Governor will issue a Writ for a fresh election for the electoral district concerned.)*

## UNCONTESTED ELECTION

If there is only 1 candidate for an electoral district, the candidate is deemed to be elected.

## THE BALLOT PAPER DRAW

At the time advised by the Returning Officer, the Returning Officer, in the presence of 2 witnesses, will conduct a draw to determine the order candidates' names appear on the ballot paper.

Following the draw, the Returning Officer will display the names in ballot order with the party affiliation appearing alongside the names of candidates endorsed by a registered political party.

## THE ROLL

ECQ will furnish all candidates with an electronic copy of the roll showing the names and addresses of electors as at the date of roll closure.

## ELECTORAL ADVERTISING

The *Electoral Act 1992* provides for various offences and associated penalties relating to electoral advertising by political parties and candidates. ***(For further information refer to the Act.)***

In relation to electoral advertising:

***Electoral matter*** is defined as "a matter relating to elections".

***Election matter*** means anything able to, or intended to:

*(a) influence an elector in relation to voting at an election; or*



*(b) affect the result of an election.*

The relevant sections of the *Electoral Act 1992* are listed on the following pages.

### **Author of Election Matter Must be Named (Section 181)**

*(1) Subject to subsection (3), a person must not, during the election period for an election:*

*(a) print, publish, distribute or broadcast; or*

*(b) permit or authorise another person to print, publish, distribute or broadcast;*

*any advertisement, handbill, pamphlet or notice containing election matter unless there appears, or is stated, at its end the particulars required by subsection (2).*

*(2) The particulars are the name and address (other than a post office box) of the person who authorised the advertisement, handbill, pamphlet or notice.*

*(3) Subsection (1) does NOT apply to an advertisement—*

*(a) that is printed, published or distributed on a car sticker, T-shirt, lapel button, lapel badge,*

*pen, pencil or balloon; or*

*(b) that is of a kind prescribed for the purposes of this subsection.*

*(4) Also, subsection (1) does not apply to distributing, or permitting or authorising another person to distribute, a how-to-vote card. (Provisions relating to How-to-Vote Cards appear later in this Guide.)*

*(5) In this section—*

*“publish” includes publish on the internet, even if the internet site on which the publication is made is located outside Queensland.*

### **Headline to Electoral Advertisements (Section 184)**

*The proprietor of a newspaper is guilty of an offence if:*

*(a) an article, or a paragraph, containing electoral matter is printed in the newspaper; and*

*(b) either:*

*(i) the insertion of the article or paragraph is or is to be paid for; or*

*(ii) any reward or compensation, or promise of reward or compensation, is or is to be made for the insertion of the article or paragraph; and;*

*(c) the proprietor does not cause the word “advertisement” to be printed as a headline to the article or paragraph in letters not smaller than 10 point or longprimer.*

## MISLEADING VOTERS (SECTION 185)

(1) A person must not, during the election period for an election, print, publish, distribute or broadcast anything that is intended or likely to mislead an elector in relation to the way of voting at the election.

(2) A person must not for the purpose of affecting the election of a candidate, knowingly publish a false statement of fact regarding the personal character or conduct of the candidate.

(3) A person must not, during the election period for an election, print, publish, distribute or broadcast by television any representation or purported representation of a ballot paper for use in the election if it is likely to induce an elector to vote other than in accordance with this Act.

(4) In this section –  
“**publish**” includes publish on the internet, even if the internet site on which the publication is made is located outside Queensland.

## OTHER OFFENCES OF INTEREST TO CANDIDATES

### Criminal Code

Various sections of the Code cover the following offences:-

- **False or misleading information**
- **Bribery**
- **Forging or uttering electoral or referendum paper**
- **Influencing voting**
- **Providing money for illegal payments**
- **Voting if not entitled**

## HOW-TO-VOTE CARDS

Reference: Electoral Act 1992, Section 2, 181, 182 and 183

### How-to-Vote Cards

A How-to-Vote (HTV) card is any card, pamphlet or handbill prepared by a political party, endorsed candidate or independent candidate used to show electors how to mark a ballot paper in a preferred order.

The information presented on these cards is restricted by the provisions of the *Electoral Act 1992* (the Act) and all cards to be distributed or displayed on polling day, at declared institutions or during electoral visits must be lodged and approved by the Electoral Commission. How-to-vote cards to be distributed during the election pre-poll period are not

required to be lodged or approved by the Commission however they must meet the requirements stipulated in section 182 of the Act.

Cards, pamphlets, handbills, flyers or leaflets containing electoral matter or content designed to affect the result of an election and distributed during the election period are considered electoral advertisements. Electoral advertisements are not how-to-vote cards and are therefore not required to be lodged and approved by the Commission. However, all electoral advertising must meet the requirements stipulated in section 181 of the Act.

## Lodging How-to-Vote Cards

How-to-vote cards must be lodged by the person who has authorised the card by 5pm on the Friday that is seven days prior to polling day. Under no circumstances can the Commission approve a card that is lodged after 5pm on the cut off day.

Any person who distributes a how-to-vote card on polling day that has not been lodged with the Commission may be fined in accordance with the Act. Booth supervisors are empowered to confiscate unauthorised cards.

## Political Parties

How-to-vote cards for political parties or candidates **endorsed** by a political party must be lodged directly to the Commission, along with:

- completed statutory declaration form 53 and 53A,
- an electronic copy of the how-to-vote card in pdf format, and
- 12 printed copies plus one for each polling booth in the electoral district.

## Independent Candidates

How-to-vote cards for independent candidates can be lodged directly to the Commission or with the returning officer for the electoral district in which you are nominated, along with:

- completed statutory declaration form 53B,
- an electronic copy in pdf format only, and
- 12 printed copies plus one for each polling booth in the electoral district.

## Approval of How-to-Vote cards

Section 182 of the Act outlines the requirements to be met when designing and producing a how-to-vote card. Please pay attention to each of the requirements to ensure your card is approved for distribution.

### **The presentation of a how-to-vote card must:**

- represent or intend to represent a ballot paper or part of a ballot paper;
- list the names of any or all candidates in the election; and
- encourage electors to cast a formal vote by clearly indicating the requirements for an elector to number, in preference order, the square of every candidate/square on the election ballot paper.

### **Your how-to-vote card must clearly state the following:**

- name and street address (not a post office box) of the person who authorised the card;
- for a registered political party or endorsed candidate state the name of the political party;  
*Example: 'Authorised P. Smith, 100 Green Street Brisbane for [name of registered political party]'.*
- or for an independent candidate, state the candidate's name and the word 'candidate'.  
*Example: 'Authorised R. Jones, 1 Green Street Brisbane for R. Jones (candidate)'.*

### **The authorisation must appear at the end of each printed face in font no smaller than:**

- 10 point for A6 sized card; or
- 14 point for a card larger than A6 but smaller than A3; or
- 20 point for a card larger than A3.

## **Rejection and resubmission**

The Commission must reject a how-to-vote card that does not comply with the requirements of sections 2, 181, 182 and 183 of the Act.

How-to-vote cards must provide clear instructions and be well designed so as to assist electors in casting a formal vote. Misleading or deceptive statements may confuse voters and influence them to cast an informal vote. Under the Act the Commission is empowered to reject any how-to-vote card that is likely to mislead or deceive an elector in voting.

A how-to-vote card which has been rejected as misleading or deceptive may be revised in order to comply with the requirements of the Act and resubmitted for approval, no later than 5pm on the Wednesday immediately before polling day.

How-to-vote cards which have been rejected for failing to meet the stipulations outlined in section 182 of the Act, such as font size or authorisation, may be revised and resubmitted however this must be done by 5pm on the day that is seven days prior to polling day. No extended timeframes are permissible for how-to-vote cards that have been rejected for failing to comply with section 182 or the Act.

## Public inspection of How-to-Vote cards

How-to-vote cards which have been approved by the Commission will be made available for public inspection at:

- the Commission's head office in Brisbane CBD;
- the office of the returning officer for the electoral district in which the candidate is nominated; and
- on the Commission's website.

## SCRUTINEERS

### Number Allowed

Each candidate for an electoral district may appoint adult persons as scrutineers:

- During polling and beforehand, one scrutineer for each Issuing Officer at each polling place;

and;

- At the examination of Declaration Envelopes and the counting of votes, one scrutineer for each member of the Commission's staff at the polling place, Returning Officer's office or any Electoral Commission premises.

### Appointment

You must appoint each scrutineer on **Form 11 (Scrutineer's Appointment and Declaration)**.

The RO will advise you of the times and locations of election activities where scrutineers may be present.

### Role

The presence of scrutineers during the election process helps ensure that the election is perceived as free and fair.

### Times When Scrutineers are Entitled to be Present

Scrutineers are entitled to be present at the times and places indicated below:

- On polling day and beforehand at polling places at times when electors are allowed to vote.
- Before polling commences at a polling place for the purpose of inspecting ballot boxes.
- On polling day, beforehand and afterwards at polling booths or elsewhere to observe the examination of Declaration Envelopes and the counting of votes.
- After polling day, at any place where further counting, a check count or a recount of votes are taking place.

## Functions of a Scrutineer

Scrutineers MAY:

- Inspect ballot boxes to be used for voting, before they are sealed.
- Observe the operation of polling.
- Object to the entitlement of a person to vote.
- Record details of electors who vote at the election, and take this record out of the polling place.
- Observe the Supervisor or an Issuing Officer assisting an elector who needs help.
- Where requested by the elector, assist by doing any or all of the following functions:
- Explain or read the ballot paper to the elector.
- Mark the ballot paper in accordance with the elector's instructions.
- Ask if the elector wishes to have another person inspect the marked ballot paper.
- When the elector is satisfied, fold the ballot paper and place it in the appropriate ballot box or, if relevant, firstly in a security or Declaration Envelope and deposit the envelope in the ballot box.
- Challenge the formality of a ballot paper at a count or recount or object to the count of a vote for a particular candidate. A challenge must be made in accordance with Section 123 of the *Electoral Act* and you should familiarise yourself with these provisions.
- Countersign endorsements on any parcels of ballot papers or the Statement of First Preference Votes.

They **MAY NOT**:

- Touch ballot papers or Declaration Vote Envelopes.
- Communicate with any person in a polling booth except in the performance of their specific duties as a scrutineer.
- Wear or display a political party or candidate emblem or badge, or other material or statement of a political nature (such as a political slogan) into a polling booth or within six metres of its entrance.
- Canvass for votes within six metres of the entrance to a building with voting compartments;
- Touch or help carry any electoral material or ballot box while attending places of Electoral Visits, Declared Institutions or mobile polling booths.

## PARTY WORKERS

Party workers, other than those appointed as scrutineers, may only enter the polling booth to record their own vote. The only exception is when they are nominated by an elector to help that person vote. In the polling booth, they must not wear or display any badges or emblem of a candidate or political party.



**At all other times party workers must remain at least six metres from the entrance of the polling booth.**

## PHOTOGRAPHERS AND MEDIA

Any person arranging for photographers and/or media to visit polling booths must contact the RO in sufficient time to enable arrangements to be made with the relevant Booth Supervisor.

It should be noted that photographers and members of the media or their equipment are not to hinder, inconvenience or delay any polling staff or electors and that the total secrecy of the vote must be maintained at all times.

## CERTIFIED LISTS

Before polling begins, each Ordinary Vote Issuing Officer is supplied with a copy of the certified list (this may be in electronic form) of electors for the district for which they are appointed.

Only those persons whose names are on the certified list are entitled to cast an ordinary vote at a State election or referendum. Other electors who believe they are entitled to vote at the election cast a declaration vote.

## ECQ VOTER INFORMATION LETTER

The Commission will send a Voter Information Letter to all persons eligible to vote in this election as at close of rolls date outlining their enrolment details and the options available for casting a vote.

## BALLOT PAPERS

An elector is issued with a ballot paper for their district after their name has been marked off the certified list or they have filled out a Declaration Envelope.

Any elector who spoils a ballot paper before it is placed in the ballot box or the relevant Declaration Envelope may, on returning the spoilt ballot paper to the Issuing Officer, receive a replacement.

## METHODS OF RECORDING A VOTE

Scrutineers should be aware of the different categories and methods of voting, as their rights and duties differ slightly in the observation of each:

Ordinary Voting at a polling booth including at a Pre-Poll Centre;  
Declared Institution Voting;  
Electoral Visit Voting;  
Remote Area Voting (*District of COOK only*);  
Declaration Voting;  
Absent Voting;  
Unenrolled Voting including at a Pre-Poll Centre;  
Telephone Voting; and  
Postal Voting

### Ordinary Voting at a Polling Booth including at a Pre-poll Centre

An ordinary vote is a vote recorded by an elector at a polling booth appointed for the district for which they are enrolled. The Issuing Officer will ask the elector for their full name and address. The officer will look up their name and address in the certified list and mark-off the elector on the list. The Issuing Officer will hand a folded ballot paper to the elector and ask them to go to a vacant voting compartment and read the instructions on top of the ballot paper.

Proof of identity is **NOT** required to cast an ordinary vote. This legislative requirement has been removed.

The elector must then retire alone to a voting compartment and, in private:

- Mark their vote on the ballot paper;
- Fold it so that the vote is concealed; and
- Place it in the ballot box and leave the polling booth.

**NOTE:** If an elector is already marked as voted, they can complete a declaration vote which will be scrutinised by the RO after polling day and, if accepted, added to the count.

### Declared Institutions

A scrutineer may be present during the conduct of polling in Declared Institutions. Polling officials take ballot boxes and necessary voting equipment to patients and residents in these institutions prior to polling day. The polling official may display a “**How-to-Vote Card (HTV) board of participating candidates**” (who have provided a copy of their HTV to the RO) to any elector who requests it.

Advise scrutineers as to the date, time and place at which voting will commence.

Advise scrutineers to be sensitive to the particular needs of these electors and perform their scrutineering duties in as low-key a manner as possible. They should not contact the electors in any manner during voting periods which could be construed as canvassing for their vote.

Scrutineers should undertake their duties of observing proceedings, but having regard at all times for the secrecy of the vote.



## Electoral Visits

Scrutineers may be present during the conduct of Electoral Visit Voting. Any elector who has qualified through illness, disability or advanced pregnancy or being a carer of such a person, and is therefore unable to get to a polling booth, is entitled to an Electoral Visit Vote. Polling officials will take ballot boxes and necessary voting equipment to electors who qualify.

Polling Officials may display a How to Vote card board of participating candidates (who have provided a copy of their HTV card to the RO) to any elector who requests it.

Advise your scrutineers of the date, time and place of departure of the Polling Officials.

Scrutineers should:

- Observe proceedings in a low-key manner having regard for the particular needs of this type of elector and the secrecy of the vote.
- Refrain from assisting Polling Officials in any way.
- Refrain from any action which might be construed as canvassing for the elector's vote.
- An elector may request that scrutineers do not enter their residence to observe the taking of their vote; if this occurs scrutineers may not enter the premises.

## Remote Area Voting (*District of COOK Only*).

Electors residing on Cape York Peninsula and the Torres Strait Islands are visited prior to polling day to have their vote taken. Ordinary and Declaration Voting is available to them. Scrutineers intending to observe this form of voting must organise their own transport.

## Declaration Voting

An elector who is unable to vote as an Ordinary Voter on Election Day may cast a Declaration Vote. Declaration votes include absent votes, unenrolled votes, postal votes and uncertain identity.

To cast a Declaration Vote, an elector must complete and sign a Declaration Envelope claiming they are entitled to vote at the election. These votes will only be counted if ECQ can establish that the elector is entitled to have their vote admitted to the count.

## Absent Voting

An elector who is away from the district for which they are enrolled but still within the State may, upon making a declaration, vote on polling day as an absent elector at any polling booth in the State. (Not applicable for By-Elections).

## Unenrolled Voting including at a Pre-Poll Centre

An elector who claims a vote but whose name cannot be found on the certified list of electors for the District they reside in may make a declaration vote for the District which he/she claims to reside in.

The following procedures apply to unenrolled voting:

After the Declaration Issuing Officer has established the elector's name is not on the roll, the elector completes a Declaration Envelope stating their particulars (name, address, date of birth);

Electors can update their enrolment details after the first close of rolls date but before 6pm

on the day before Polling Day and claim a declaration vote for their updated enrolled address.

The elector signs a declaration in the presence of the Issuing Officer who must sign as witness to the signature;

On receipt of the correct ballot paper for the District for which the elector claims to be enrolled, the elector marks their vote; and

The elector returns to the Issuing Officer with the folded ballot paper. The ballot paper is placed in the signed and witnessed Declaration Envelope, sealed and placed in the ballot box.

These votes will only be counted if ECQ can establish that the elector is entitled to have their vote admitted to the count.

## Postal Voting

No qualifications apply to electors for postal voting. Electors can apply online at ECQ's website [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au). Applications close 7pm on the Wednesday before Polling Day.

On receipt of the postal vote material the elector must:

Fill out and sign the postal vote declaration envelope in the presence of an authorised witness (Before 6pm on polling day);

Have the authorised witness sign the postal vote declaration envelope;

Cast a vote in the presence of the authorised witness, but so that the authorised witness cannot see the vote; and

Immediately enclose the ballot paper in the declaration envelope, insert into reply paid envelope and then seal the reply paid envelope. Post, send or deliver, so that it is received by 6pm on the 10<sup>th</sup> day after polling day.

Electors who are registered special postal voters will automatically receive postal ballot material as soon as it becomes available after the close of nominations.

## Pre-Poll (In Person) Voting

An elector may cast a Pre-Poll (in person) vote at any advertised pre-poll voting centre during the advertised hours. Pre-Poll (In person) voting commences 3 clear days after nominations close and ceases at 6pm on the Friday before polling day.

## FORMALITY OF VOTES

A system of Full Preferential Voting applies for Queensland State elections.

An elector must vote by writing in a ballot paper –

(a) the number 1 in the square opposite the name of the candidate for whom the elector votes as the elector's first preference; and

(b) the numbers 2,3 and so on in the squares opposite the names of all the other candidates to indicate the order of the elector's preference for them.

The numbers mentioned in (b) must be consecutive numbers, without the repetition of a

number.

A ballot paper is taken to contain writing or marks that indicate the voter's intended order of preferences, even though the square opposite the name of 1 of the candidates has been left blank, if –

(a) the voter has written the number 1,2,3 and so on in all the squares opposite the candidates' names except for the blank square; and

(b) the numbers mentioned in paragraph (a) are consecutive numbers, without the repetition of a number.

A ballot paper mentioned in section (a) is taken to indicate that the candidate whose name is opposite the blank square is the voter's last preference.

## Informality of Votes

- These will be regarded as informal:
  - Any ballot paper that does not show a preference for all candidates in numerical order.
  - Any ballot paper with no marking on it.
  - Any ballot paper that only has ticks and/or crosses.
  - Any ballot paper that contains a number more than once.
  - Any ballot paper where the identity of the elector is clear.
  - Any ballot paper which has been placed in a **Discarded Ballot Paper Envelope (Form 20)** (*These envelopes remain sealed*).

## SCRUTINY OF VOTES

### Scrutineers at the Scrutiny (Count)

Scrutineers are entitled to observe all proceedings at any scrutiny whether conducted at a polling booth, at the RO's office or at any other designated location.

Scrutineers may challenge the formality of ballot papers at a polling booth. The Issuing Officer will refer them to the Polling Booth Supervisor for an interim decision and the RO will give a final determination at the check count.

At an RO's office, scrutineers may challenge the admittance or rejection of elector's declarations and the formality of ballot papers.

The scrutiny must proceed smoothly and efficiently and scrutineers should not unnecessarily communicate with anyone at the scrutiny. **Scrutineers must not handle ballot papers, declaration envelopes or any other election material.**

Scrutineers are entitled to observe all the markings on ballot papers but they must not delay scrutiny proceedings, except where it is necessary in the performance of their duties.

The RO must inform scrutineers of any adjournment of the scrutiny and advise the location and time the scrutiny will be continued.

## Ordinary Votes

At each polling booth the counting of votes begins after the poll closes on Election Day:

Ballot papers are sorted into candidates according to the first preference votes marked; and

The ballot papers are then counted and the result for the polling booth is telephoned to the RO.

## Declaration Votes

The scrutiny of Declaration Vote envelopes is carried out by the RO.

Preliminary scrutiny of declaration envelopes determines whether the claimant is entitled to vote and the Ballot Papers within to be counted

In the event the claimant is found not to be entitled the declaration vote envelope is rejected and remains sealed.