



# GUIDE FOR CANDIDATES

FOR STATE ELECTIONS AND BY-ELECTIONS

Handbook 1

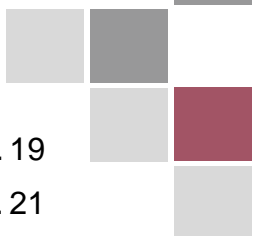




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# 1. Introduction

This guide is compiled to assist candidates who are contesting Queensland State elections and by-elections.

## Disclaimer

The Electoral Commission of Queensland (ECQ) publications are not intended to be a substitute for the *Electoral Act 1992* (the Act) or Electoral Regulation 2013 (the Regulation). 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 ECQ, who 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 for every electoral district in Queensland. In addition, ECQ may appoint Assistant Returning Officers as required.

## Who Can Be a Candidate?

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.

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

## Who Cannot be a Candidate?

You are a disqualified person if:

- you are subject to a term of imprisonment or detention, periodic or otherwise
- you have, within two 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 one year's imprisonment
- you have been convicted within seven years before the day of nomination of an offence against the Criminal Code, Section 59 or 60
- 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.)
- you have been convicted, and not pardoned, of treason, sedition or sabotage under the law of Queensland, another State or the Commonwealth
- you are an undischarged bankrupt under the *Bankruptcy Act 1966* (Commonwealth), or a corresponding law of another jurisdiction
- you have executed a deed of arrangement as debtor under Part X (10) of the *Bankruptcy Act 1966* (Commonwealth), or a corresponding law of another jurisdiction, and have not fully complied with the terms of the deed
- you have creditors who have accepted a composition under Part X (10) of the *Bankruptcy Act 1966* (Commonwealth), or a corresponding law of another jurisdiction, and have not made a final payment under that composition
- you are not entitled to be a candidate for election, or to be elected as a member of the Assembly, under another law.

The following people are also disqualified:

- 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.

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

## Code of Ethical Standards: Queensland Legislative Assembly

The Legislative Assembly has adopted a code of ethical standards applying to all members of the Assembly. You can obtain a copy of the code of ethical standards booklet from Members' Ethics and Parliamentary Privileges Committee, Parliament House, Cnr George and Alice Streets, Brisbane, Queensland, or by email: [clerksoffice@parliament.qld.gov.au](mailto:clerksoffice@parliament.qld.gov.au). The code is also available on the Queensland Parliament's website [www.parliament.qld.gov.au](http://www.parliament.qld.gov.au).

## 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 ECQ 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.

| Announcement         | Period   |
|----------------------|--|
| Issue of writ        | No fixed date  |
| Close of rolls       | 5 to 7 days after issue of writ  |
| Close of nominations | 8 to 18 days after issue of writ   |
| Polling day          | The last Saturday in October, 4 years after the last ordinary general election (under section 19B of the <i>Constitution of Queensland 2001</i> ). |
| Return of writ       | Not more than 84 days after issue of writ  |

*(The table above shows the minimum and maximum number of days prescribed in the legislation, but the actual days, determined by the Government, will be specified in the writ).*

ECQ will:

- arrange for a copy of the writ to be published in the Gazette.
- advertise the days specified in the writ in such other ways as ECQ considers appropriate.



## Return of Writ

The Electoral Commissioner endorses on the writ the name of the person elected in each electoral district, and the date of the election.

The writ is returned to the Governor or the speaker within the specified time. ECQ will publish in the Gazette the name of each candidate elected.

## Funding & Disclosure

Election funding and disclosure for candidates relates to:

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

Queensland's electoral laws govern the allocation of election funding and candidates' obligations with regard to the disclosure of gifts and loans and electoral expenditure. Refer to the Election and Disclosure Obligations Handbooks for candidates, registered political parties and third parties (available on the [ECQ website](#)) for more information.

In October 2018, legislation banning political donations from property developers and industry bodies representing property developers was introduced, with retrospective effect from 12 October 2017. These amendments to Queensland electoral laws reinforce integrity measures and minimise the corruption risk of political donations from property developers as well as improve the transparency and accountability in State government. The laws specifically include candidates in State elections, among others. Depending on the circumstance, ECQ can impose a broad range of penalties if a prohibited donor makes an unlawful donation. Penalties can range from the State recovering the donation from the recipient to prosecution with a maximum sentence of 10 years in prison. More information on the [Prohibited Donors Scheme](#) (PDS) is available on the ECQ website.

### Obligations of Candidates and their Agents

Candidates and their agents have a responsibility to familiarise themselves with all relevant and current legislative provisions. Failure to do so cannot be used as an excuse for failing to comply with any legislative requirement.

Guidance on the funding and disclosure obligations of candidates, registered political parties and associated entities, third party campaigners and broadcasters and publishers can be found on the ECQ website:

- Guidance for all election participants - [www.ecq.qld.gov.au/election-participants/state-election-participants](http://www.ecq.qld.gov.au/election-participants/state-election-participants)
- Fact sheets and handbooks - [www.ecq.qld.gov.au/election-participants/handbooks,-fact-sheets-and-forms](http://www.ecq.qld.gov.au/election-participants/handbooks,-fact-sheets-and-forms).



## 2. Assistance & Enquiries

Contact: Electoral Commission of Queensland

Postal Address: GPO Box 1393, BRISBANE QLD 4001

Telephone: 1300 881 665

Email: [ecq@ecq.qld.gov.au](mailto:ecq@ecq.qld.gov.au)

Website: [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au)





## 3. 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 website [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au). The candidate's nomination portal will open only after the writ for the election is issued.

Your details and, if you are to nominate as an independent candidate, the details of six or more people nominating you, are entered electronically and enrolment details validated against the roll. Once the details are correctly entered and verified, print the form for signing. The signed form together with the nomination fee of \$250 must be lodged with ECQ or the Returning Officer for the district as soon as possible but before 12 noon on nomination day. A paper copy of the nomination form can also be requested from the ECQ or obtained from the Returning Officer.

Nominations will be accepted only after 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, you will be nominated by the Registered Officer or Deputy Registered Officer of the party that has endorsed you as its candidate:
  - Your party's Registered Officer will enter your details electronically. They will print a Nomination Form which includes a Consent Form, which you will need to sign.
  - The nomination must then be lodged with ECQ at its Brisbane office.
- If you are NOT endorsed by a registered political party, you must be nominated by six or more people who are enrolled for the electoral district you intend to contest, none of whom has previously nominated a candidate for the election;
  - In this case, you will enter your details and those of your six 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. You and your six or more nominators must sign the paper copy of the form.
- The nomination may then be lodged with either:
  - the Returning Officer for the electoral district you are contesting, or
  - the ECQ head office.

It is the responsibility of the candidate to ensure the accuracy of the information recorded on the nomination form.



## When to Nominate

A nomination may be lodged only:

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

Late nominations cannot be accepted. You are encouraged to lodge your nomination as soon as possible to allow for any errors or omissions to be corrected within the nomination period.

## Nomination Name

ECQ 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 the name of a party or a public body. If ECQ decides a person is not properly nominated for an election, it must tell them the reasons for the decision.

## 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:

- the candidate withdraws consent to the nomination before noon on the cut-off day for nomination
- the candidate is elected
- the candidate dies before polling day, or
- the candidate gains at least 4% 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.

People nominated officially become candidates as soon as the Returning Officer displays their names at the RO's office on nomination day.



## Failure of Election

An election is deemed to have taken no effect if:

- a candidate dies before polling day
- 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 one candidate for an electoral district, the candidate is deemed to be elected.

## The Ballot Paper Draw

The Returning Officer, in the presence of witnesses, will conduct a draw to determine the order candidates' names appear on the ballot paper. The timing and location of the draw will be advised by the Returning Officer.

After 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 Queensland electoral roll showing the names and addresses of electors as at the date of roll closure. Electors who are 'silent electors' will have their address suppressed.

The roll will be included in the candidate's pack which is supplied as soon as practicable after nominations close.

## 4. Election advertising and offences

### Election 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:

- influence an elector in relation to voting at an election
- affect the result of an election.

### Author of election matter must be named (section 181)

Any advertisement, handbill, pamphlet or notice containing election matter must include the name and street address (not a PO Box) of the person who authorised it. This does not apply to car stickers, T-shirts, lapel buttons or badges, pens, pencils or balloons that may carry the name of the candidate, political party or campaign slogan. However, it does apply to material that is broadcast or published on the internet or through social media.

### Headline to electoral advertisements (section 184)

The proprietor of a newspaper, journal or its electronic equivalent is guilty of an offence if paid election material is printed in the paper without “advertisement” being included in the headline above it. The headline must be in letters not smaller than 10 point or long primer.

### Misleading voters (section 185)

It is an offence during an election campaign to publish, broadcast or distribute anything that is intended or likely to mislead an elector in relation to the way of voting at the election.

That includes knowingly publishing, broadcasting or distributing a false statement, purporting to be a fact, about the personal character or conduct of the candidate.

It is also prohibited to publish, broadcast or distribute a document representing a ballot paper that could mislead a voter. Publishing includes publishing or broadcasting on the internet or through social media.

## Other offences under the *Electoral Act 1992*

Various sections of the *Electoral Act 1992* cover the following offences:

- false or misleading information
- bribery
- forging or uttering electoral or referendum paper
- illegally influencing voting
- providing money for illegal payments
- voting if not entitled.

## Canvassing in or near polling places

Candidates and their representatives are not permitted to canvass for votes, distribute how-to-vote material to electors or display a political statement:

- inside a room with voting compartments
- within six metres of the entrance to a building with voting compartments (ECQ is empowered to reduce the six metre limit in the cases of early voting centres if circumstances warrant it.)

## Election signage

During an election period election signage must carry an authorisation in accordance with the *Electoral Act 1992*.

Election signage must remain outside the six-metre exclusion zone to the entrance of any polling booth and adhere to the regulations limiting the size, quantity and placement of election signage at polling places for State elections and by-elections. The restricted signage area extends 100 metres from the building where polling is taking place.

Candidates, registered political parties, associated entities and third parties must ensure they are familiar with signage regulations prior to displaying any signage at a polling place. Refer to [Fact sheet 17 - Election signage](#) for more detail.

ECQ staff will request the removal of any signage that does not comply with the regulations. ECQ staff are authorised to remove signage that does not comply. Significant penalties for non-compliance also apply.

The placement of election signage in public places is the responsibility of the [Department of Transport and Main Roads](#), as well as the local council. If you have any questions on this matter, you should direct these to both agencies.



## 5. How-to-vote cards

### Definition of 'how-to-vote card'

Schedule 1 of the *Electoral Act 1992* (the Act) defines how-to-vote (HTV) cards for State elections.

For full-preferential voting in a State election (where voters must number every box on the ballot paper in their preferred order), a HTV card is a card, handbill or pamphlet that is or includes:

- a representation of a ballot paper or part of a ballot paper; or
- something apparently intended to represent a ballot paper or part of a ballot paper; or
- lists the names of any or all of the candidates for an election with a number **indicating an order of voting preference** against the names of any or all of the candidates; or
- otherwise directs or encourages the **making of a preference vote, (other than a first preference vote)**.

Printed material that does not meet one of these criteria may be election material, but not a HTV card. It is important to note the differences, as the rules for HTV cards differ from other election material. Election material does not require approval by the ECQ and can still be distributed at a polling booth. Note that it will still be required to carry an **authorisation**.

### Authorisation

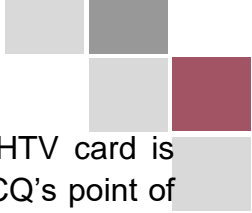
An authorisation must appear on each printed face of a HTV card and this must contain the name and street address of the person who authorised the card. Note that the address of the authoriser must be the street address where the authoriser can be contacted and cannot be a PO box.

The authorisation must appear in prominent and legible characters, in print no smaller than:

- if the card is not larger than A6 - 10 point font;
- if the card is larger than A6 but not larger than A3 - 14 point font; or
- if the card is larger than A3 - **20 point font**.

### Examples

- For a registered political party or a candidate endorsed by the political party - the party's name - e.g. '**Authorised P. Smith, 100 Green Street Brisbane for [name of political party]**'.
- For a candidate who is not endorsed - the candidate's name and the word 'candidate' - e.g. '**Authorised R. Jones, 1 Green Street Brisbane for R. Jones (candidate)**'.



The authoriser named on the HTV card is responsible for ensuring the HTV card is compliant with the legislated requirements under the Act and will be the ECQ's point of contact in relation to all HTV cards carrying their authorisation.

## Distribution and approval of HTV cards by the ECQ


HTV cards that are authorised for a registered political party, an endorsed candidate or an independent candidate for distribution on polling day must be lodged with the ECQ for approval no later than 5pm on the Friday that is 7 days before the polling day. **In 2020, this is 5pm on Friday 23 October.** While a HTV card must be approved by the ECQ for distribution on polling day, any political participant seeking to distribute HTV cards prior to polling day is also encouraged to lodge their HTV card with the ECQ as soon as practicable.

The authoriser of a HTV card for a candidate must lodge copies of their HTV cards with the ECQ, or with the Returning Officer in their electoral district. Registered political parties must lodge the HTV cards for their endorsed candidates at the ECQ head office in Brisbane.

## Lodgement of HTV cards

HTV cards lodged with the ECQ for approval must include:

- The HTV lodgement form - **Form 53** for cards for a registered political party or for a candidate endorsed by a registered political party; and **Form 53B** for independent candidates' cards.
- The **required number of HTV cards** (i.e. 12 cards, plus one for each polling place in the electoral district in which they are to be distributed); and
- A **high-quality electronic copy** of each HTV card (preferably in PDF format) should also be provided to the Returning Officer or the ECQ. This should be provided by email, memory stick or similar. The electronic proof supplied by a commercial printer will usually meet this requirement. It is in the interests of the candidate to provide a high-quality electronic copy as it will be published on the ECQ website, as required by electoral legislation; and
- A **statutory declaration**, stating:
  - if related to a political party, any financial contributions received from another registered political party or another candidate, whether directly or from someone else on behalf of the party or candidate in relation to the production of the how-to-vote card, stating who the financial contribution was received from and the nature and amount of the financial contribution (under section 183(1)(b) of the Act); or
  - if other than a candidate endorsed by a registered political party, any financial contribution received from a registered political party or another candidate, whether directly or from someone else on behalf of the party or candidate in relation to the production of the HTV card, stating who the financial contribution was received



from and the nature and amount of the financial contribution (under section 183(2)(b) of the Act).

Once a HTV card has been lodged with the Returning Officer for the electoral district or the ECQ head office, each HTV card will undergo a multi-step scrutiny process during which it will be assessed by the ECQ for compliance with the legislation.

The ECQ may reject the HTV card if it does not comply with the above requirements, or if is otherwise likely to mislead or deceive voters due to its content in the way or manner of voting. The authoriser of the HTV card will receive advice that the HTV card has been accepted or rejected, and the reasons for the rejection.

Accepted cards will be made available for public inspection prior to election day at the office of the Returning Officer for the electoral district and on the ECQ website.

If on polling day a member of the ECQ's staff reasonably suspects a HTV card being distributed has not been approved, they may require the HTV card to be produced for inspection and verification, resulting in possible confiscation.

## Special arrangements for the 2020 State General Election

Under section 392T of the Act 1992, the ECQ **may** determine that it is in the public interest to regulate, limit or prohibit the distribution or display of HTV cards or other election material at a polling booth for the 2020 State General Election.

In this case, the ECQ will give a direction (which will be published on the ECQ website) about:

- how, where, when or whether HTV cards may be distributed or displayed at a polling booth for the 2020 State general election; or
- prohibiting a person from canvassing for votes in or near polling booths; or
- permitting the display of political statements within a polling booth or within 6 metres of the entrance to a polling booth.

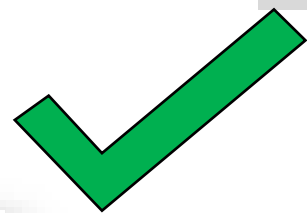
Penalties apply for non-compliance with an ECQ direction regulating the display of HTV cards and election material.



## Examples of how-to-vote cards and election material

### Example 1: All boxes numbered consecutively

– requires ECQ approval



# HOW TO VOTE 1

## BILL BLUE

### Example District

Place the number one ('1') in the square opposite the candidate of your choice.

You must number every square in the order of your preference.

- 4 GREEN, Graham
- 9 RED, Roy
- 8 YELLOW, Yasmin
- 1 BLUE, Bill
- 3 PINK, Paula
- 5 LILAC, Lou
- 7 PURPLE, Paul
- 6 GREY, Greg
- 2 BLACK, Bianca

All boxes  
numbered  
consecutively

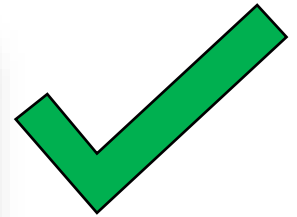
This is a HOW TO VOTE card  
that requires approval by ECQ.

Authorised by B Blue, 123 Example St,  
Brisbane for Bill Blue (Candidate)



## Example 2: Some boxes numbered consecutively

- requires ECQ approval



# HOW TO VOTE 1

## BILL BLUE

### Example District

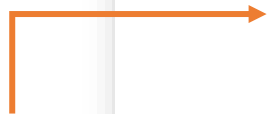
Place the number one ('1') in the square opposite the candidate of your choice.

You must number every square in the order of your preference.

- GREEN, Graham
- RED, Roy
- YELLOW, Yasmin
- 1 **BLUE, Bill**
- 3 **PINK, Paula**
- LILAC, Lou
- PURPLE, Paul
- GREY, Greg
- 2 **BLACK, Bianca**

Mark all preferences in the order of your choice

Authorised by B Blue, 123 Example St, Brisbane for Bill Blue (Candidate)

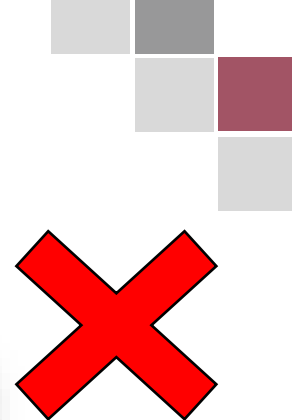


Some boxes numbered consecutively

This is a HOW TO VOTE card that requires approval by ECQ.

### Example 3: Only one box numbered

- does not require ECQ approval



# HOW TO VOTE 1 BILL BLUE

## Example District

Place the number one ('1') in the square opposite the candidate of your choice.

You must number every square in the order of your preference.

- GREEN, Graham
- RED, Roy
- YELLOW, Yasmin
- 1** BLUE, Bill
- PINK, Paula
- LILAC, Lou
- PURPLE, Paul
- GREY, Greg
- BLACK, Bianca

Mark all preferences in the order of your choice.

Only one box numbered

**This is ELECTION MATERIAL that does NOT require approval by ECQ.**

Authorised by B Blue, 123 Example St, Brisbane for Bill Blue (Candidate)

## 6. Party workers and scrutineers

### Scrutineers

#### Role

ECQ welcomes scrutineers during the election process. Their presence helps ensure that the election is transparent, free and fair.

#### Number allowed

Each candidate for an electoral district may appoint adults as scrutineers:

- during polling and beforehand, one scrutineer for each Issuing Officer at each polling place
- at the examination of declaration envelopes and the counting of votes, one scrutineer for each member of ECQ staff at the polling place, Returning Officer's office or any ECQ premises.

#### Appointment

You must appoint each scrutineer on **Form 11 - Scrutineer's Appointment and Declaration**. These forms will form part of the candidate's pack issued following the close of nominations.

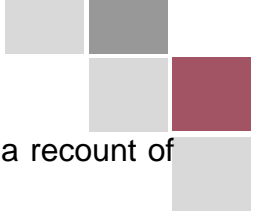
Before scrutineers commence duty, they sign the top portion of Form 11 in the space provided and complete the declaration section in the presence of the Supervisor of a polling booth or the Returning Officer. Scrutineers should keep the top portion with them at all times; the Supervisor or Returning Officer will retain the bottom portion.

They will receive a scrutineer badge and scrutineer bib and must wear these at all times while carrying out scrutineering duties. The Returning Officer will advise you of the times and locations of election activities where scrutineers may be present.

#### 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 is 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
- 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
- observe the Supervisor or an Issuing Officer assisting an elector who needs help
- 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 1992* and you should familiarise yourself with these provisions
- countersign endorsements on any parcels of ballot papers or the statement of first preference votes.

### Scrutineers **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) in 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 enter the polling booth only to record their own vote. The one exception is when they are nominated by an elector to help them 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

Anyone arranging for photographers and/or media to visit polling booths should contact ECQ in time for arrangements to be made with the relevant Booth Supervisor. The media and/or photographers must observe certain requirements as stipulated by the Returning Officer or Supervisor.

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

Only authorised persons may enter a polling booth.



## 7. Voting

### Certified lists

Before polling begins, each Issuing Officer is supplied with an electronic certified list of electors for the district for which they are appointed. The certified list is used to confirm the identity of the voter, mark them off the roll, and provide them with the appropriate ballot paper.

Apart from declaration electors (see later in this guide), only people whose names on the certified list are entitled to cast an ordinary vote at a State election or referendum.

### ECQ Voter Information Card (VIC)

ECQ will send a voter information card to everyone eligible to vote in this election outlining their enrolment details and the options available for casting a vote.

Electors who don't receive or don't retain their voter information card will not be prevented from voting.

### 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 return the spoiled ballot paper to the Issuing Officer and receive a new one.

### Voting options

Scrutineers will observe electors voting in various ways and polling officials using various methods to record votes. Consequently, they should be aware of the different methods electors will be voting and the categories votes that will be issued, as their rights and duties differ slightly in the observation of each:

- early or pre-poll voting
- postal voting
- polling day voting

- 
- declared institutions voting
  - electoral visit voting
  - remote area voting (district of Cook only).

## Methods of recording a vote

- Ordinary voting
- Declaration voting:
  - absent voting
  - not-on-roll voting
  - postal voting
  - already-marked-as-voted.

### Early voting (in-person)

Early voting in-person (or pre-poll) voting begins three clear days after nominations close and ends at 6pm on the Friday before polling day. Early voting polling locations and their opening hours will be published on the ECQ website.

If the elector is voting in the district for which they are enrolled, they are marked off the roll and given a ballot paper for their district. The elector then completes the ballot paper and places the folded ballot paper in the pre-poll ballot box.

If the elector is voting outside their district, they are given a declaration vote.

## Postal voting


Any Queensland elector may apply for a postal vote.

**For the 2020 State General Election, applications for a postal vote close at 7pm on Friday 16 October 2020.** An application on the approved form must be received by ECQ or a Returning Officer.

On receipt of the postal vote material: a postal vote declaration envelope, a ballot paper and a reply-paid envelope, the elector must:

- fill out and sign the postal vote envelope in the presence of an authorised witness before 6pm on polling day (anyone over 18 years of age can be a witness)



- 
- have the authorised witness sign the postal vote envelope
  - cast a vote in the presence of the authorised witness, whilst ensuring the secrecy of their voting preferences
  - immediately enclose the ballot paper in the declaration envelope, insert it into and then seal the reply paid envelope. Post, send or deliver it, so that it is received by 6pm on the 10th day after polling day.

Depending on their category, electors who are registered special postal voters will automatically receive a letter explaining voting options and/or postal voting material.

## Declared Institutions

The *Electoral Act 1992* allows the ECQ to gazette various institutions, such as nursing homes and aged care facilities as declared institutions for voting purposes for the election. This enables the ECQ to send small teams of polling officials into those institutions to enable residents to cast their vote in person.

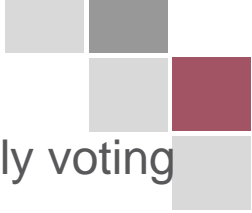
Following the advice of Queensland's Chief Health Officer, ECQ will not be undertaking mobile polling at declared institutions during the 2020 State general election. Those electors will be offered the opportunity to apply for a postal vote through a centralised application process and will involve the bulk delivery and collection of postal ballot material.

## Electoral Visitor Voting

Following the advice of Queensland's Chief Health Officer, ECQ will not be undertaking electoral visitor voting during the 2020 State general election.

## Remote Area Voting (District of COOK Only)

Electors in some Aboriginal settlements on Cape York Peninsula and 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.



## Ordinary voting at a polling booth (including at an early voting 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 on the electoral roll and mark off the elector on the list. The Issuing Officer will give a 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.

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
- 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 Returning Officer after polling day and, if accepted, added to the count.

## Declaration voting

An elector who is unable to be found on the electoral roll for the address at which they claim to be entitled may cast a declaration vote.

To make a declaration vote, an elector must complete and sign a declaration envelope claiming they are entitled to vote at the election for the address they claim to be enrolled at. Electors can 'enrol and vote' during the early voting period only, by completing an enrolment form and a declaration vote.

The person's eligibility to be enrolled for the district is determined in the days following election day when the details on the declaration envelope are checked against an updated Queensland electoral roll. Where that occurs, the vote is admitted to the count. Electors are notified in writing if their declaration vote is not admitted to the count.

## Absent voting

An elector who is away from the district for which they are enrolled may vote on polling day as an absent elector.

The elector is given the correct ballot paper for the district where they are enrolled, and they mark their vote in the normal manner.

## 8. Formality and scrutiny of votes

### Preferential voting

A system of full preferential voting applies for all Queensland State elections. Preferential voting means numbering all candidates on the ballot paper in the order of your preference.

### Informality of Votes

These will be regarded as informal:

- any ballot paper with no marking on it
- any ballot paper that contains the number 1 more than once
- any ballot paper that does not have consecutive numbers starting from 1
- any ballot paper with a distinguishing mark or writing (if such marks may identify the elector)
- any ballot paper where the intent of the elector's preference is not clear
- any ballot paper which has been placed in a discarded ballot paper envelope. (*These envelopes remain sealed*).

### Scrutiny of votes

#### Scrutineers at the count


Scrutineers are entitled to observe all proceedings at any scrutiny whether conducted at a polling booth, at the Returning Officer'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 electors' 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 Returning Officer 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:

- district ballot papers are sorted into candidates according to the first preference votes marked
- the ballot papers are then counted and the result for the polling booth is telephoned to the Returning Officer.

The indicative two candidate preferred count commences after the count of first preference votes for the district (this count is described later in this guide).

When the first preference count and the indicative two candidate preferred count of ordinary votes are completed, the ballot papers are placed in sealed parcels and delivered to the Returning Officer.

# 9. Indicative Count

## Declaration Votes

The scrutiny of declaration votes is carried out by the RO and ECQ staff after election day.

The scrutiny is conducted in two stages:

1. preliminary scrutiny declarations to determine whether the claimant is entitled to vote; and
2. the count.


## Preliminary Scrutiny of Postal Votes

Scrutineers are entitled to be present during the scrutiny of postal votes and the Returning Officer will advise you when this will take place.

Postal ballot papers are to be admitted to the count if the Returning Officer is satisfied that the details on the postal vote envelope meet all requirements.

## Indicative Two Candidate Preferred Count

This is an indicative allocation of preferences to two candidates selected by the Electoral Commissioner. It is an information activity that gives an indication of the likely successful candidate but does NOT negate the later conduct of a full preference count to produce a



winning candidate (if the seat isn't won on first preferences) or for statistical purposes. The count will be done in all districts with more than two candidates.

The names of the two selected candidates will be provided to Booth Supervisors after 6pm on polling day.

As soon as possible, after the results of the first preference count have been transmitted to the Returning Officer, the Supervisor will carry out the indicative two candidate preferred count. The primary votes of all the non-selected candidates are examined to see which of the selected candidates that elector preferred. Those votes are then attributed to one of the selected candidates to determine the notional flow of preferences.

**NOTE:** Even if the two selected candidates have not polled first and second at every booth, the count is still done to those two selected candidates.

If the two selected candidates eventually prove to be not the highest polling candidates for the whole district, a fresh indicative count may be carried out after polling day.

Scrutineers are able to observe the procedure.

## Declaration of the Poll

A declaration of the successful candidate will be made when, and only when, the result of the election is clear. This decision is made by the Electoral Commissioner.

Candidates will be informed by their Returning Officer when a declaration is imminent.



## 10. Glossary

### Absent Vote

A vote recorded by an elector who attend a polling booth outside the district where they're enrolled.

### Ballot Box

The sealed container into which an elector places a completed ballot paper.

### Ballot Paper

The paper on which a vote is marked. The ballot paper shows the candidates' names, party affiliations or, in the case of a referendum, a question(s) related to a new proposal.

### By-Election

An election conducted for an electoral district vacated by a Member of the Legislative Assembly during the life of the Parliament, usually as a consequence of death or resignation.

### Candidate

A person who nominates for election.

### Canvassing

The process of attempting to persuade electors to vote in a particular way.

### Central Postal Voting (CPV)

This is an office within ECQ which receives and processes applications for postal votes.

### Certified List

An electronic list of names and addresses of electors entitled to vote in an election or referendum.

### Declaration Vote

The completion of a declaration is required by electors at a polling booth in the following circumstances:

- name cannot be found on the certified list
- name is on the certified list but voting outside their enrolled district
- name on the certified list is already marked as having voted
- name is on the certified list but not the address (silent elector).

Signing the envelope is a declaration that the elector is entitled to vote.

### District

An electorate in the Legislative Assembly of Queensland.

### Elector

A person who is eligible to vote at the election.

### Electoral Act

The Act of Parliament which stipulates statutory requirements for the conduct of an election (i.e. *Electoral Act 1992*).

### Electoral Commissioner

The independent officer, appointed by the Governor-in-Council, with the responsibility for the proper conduct of parliamentary and other statutory elections.

### Formal Vote

A ballot paper which has been correctly marked according to instructions, and which is counted towards the outcome of the poll.

### Full Preference Count

The distribution of preferences shown by electors on their ballot papers. This process is com

### How-to-Vote Card

An approved card or pamphlet handed out on polling day showing how a party or candidate would prefer the elector to vote.

### Independent

A candidate or elected Member of Parliament who is not endorsed by a registered political party.

### Informal Vote

A ballot paper which is not eligible to be included in the count because it has been filled out incorrectly.

### Issuing Officer

A person appointed by the Returning Officer to issue votes.



## Nomination

The process by which a person becomes a candidate for election.

## Notional Two Candidate Preferred Count

An indicative sort and count of votes following the primary vote count of the full or optional preferential system.

## Ordinary Vote

A vote cast by an elector at a polling place appointed for the electoral district in which they're enrolled.

## Polling

The process of electors recording their votes.

## Polling Booth

A place where electors can vote on polling day. It is supplied with voting screens and ballot boxes and is staffed by polling officials. Places where mobile polling is conducted are also official polling booths. In most cases, mobile polling booths operate in the week leading up to polling day.

## Polling Officials

Staff appointed to conduct electoral visits, or to work in polling booths, declared institutions, all districts centres, the central postal voting office and Returning Officers' offices.

## Postal Voting

An elector who is unable to attend a polling booth on polling day may apply to receive ballot papers by post. Once the ballot papers are completed, they are returned in a secure envelope to the Returning Officer.

## Pre-Poll Vote

A vote cast by an elector before polling day.

## Preliminary Scrutiny

All declaration votes are subject to preliminary scrutiny which determines whether the vote can be admitted to the count.

## Primary Vote

The primary vote for a candidate is the number of first preferences received on formal ballot papers in a count.





## Prohibited Donor

A property developer, their close associates or an industry representative organisation with property developers as the majority of its members.

## Property developer

A corporation engaged in a business that regularly involves the making of relevant planning applications by or on behalf of the corporation in connection with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit; or a person who is a close associate of such a corporation.

## QGAP (Queensland Government Agency Program)

These are Queensland Government agencies located in country towns. They provide facilities for local residents to access government services. At election time some QGAPs are appointed as pre-poll voting centres.

## Registered Political Parties

Those political parties which are officially registered by ECQ.

## Remote Area Mobile Polling

Undertaken in the electoral district of Cook in the northern peninsular area and Torres Strait Islands to enable electors in remote areas to vote at a polling booth.

## Returning Officer

An electoral officer responsible for the conduct of the election for an electoral district who is appointed by the Governor-in-Council upon the recommendation of the Electoral Commissioner.

## Roll

See Certified List.

## Scrutineer

A person appointed by a candidate to observe the polling and counting procedures during an election.

## Scrutiny

Observation by people appointed to determine the acceptability of votes for the count and the result of the election.

## Secret Ballot

A vote made in secret, with no-one able to see how the elector marks the ballot paper or to be able to identify who marked it.



## Silent Elector

A person whose address details are omitted from the roll for personal safety reasons.

## Special Postal Voter

These are electors who are registered to automatically receive postal ballot material because:

- they live more than 20km from a polling booth
- have their address suppressed from the roll for reasons of personal safety
- whose religious beliefs prevent them from attending a polling booth or have been certified by a Doctor as incapable of signing their name.

## Vote

The indication of a choice of a parliamentary representative by completion of a ballot paper.

## Writ

The legal instruction authorising an election to be held and which also sets key elements of the election timetable. Writs are issued by the Governor on advice by the Premier, or in some cases the Speaker of the Legislative Assembly and given to the Electoral Commissioner.