



# CANDIDATE HANDBOOK

FOR LOCAL GOVERNMENT QUADRENNIAL ELECTIONS  
AND BY-ELECTIONS

**Handbook 4**



**Electoral  
Commission**  
QUEENSLAND

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# 1. Introduction

This handbook is designed to assist candidates at Queensland local government elections and by-elections. It is not intended to be a complete guide, nor is it meant as a substitute for reading the law.

Please read this handbook in conjunction with:

- the *Local Government Electoral Act 2011*
- the *Local Government Act 2009*
- the *City of Brisbane Act 2010*
- ECQ Guide to Election and Disclosure Obligations for Candidates and Groups of Candidates for Local Government Elections
- ECQ fact sheets for local government elections.

# 2. Electoral Commission of Queensland

Elections are conducted by the Electoral Commission of Queensland (ECQ), which has its office at Level 20, 1 Eagle Street, Brisbane. The ECQ provides electoral information, but does not provide legal advice to candidates, scrutineers or their representatives.

A Returning Officer is appointed for each of the local government areas in Queensland and for each ward in Brisbane City Council.

# 3. Who can be a candidate?

A person is qualified to be a councillor of a local government only if the person:

- (a) is an adult Australian Citizen at least 18 years old, and
- (b) resides in the local government area, and
- (c) is enrolled on an electoral roll kept under Section 58 of the *Electoral Act*, and
- (d) is not disqualified from being a councillor because of a section in this division.

Please refer to [Local Government Fact Sheet 1 – Eligibility to become a councillor](#) on the ECQ website.

## 4. Who can nominate?

Under Section 26 of the *Local Government Electoral Act 2011*:

- (1) A person can nominate as a candidate, or for appointment, as a councillor only if the person is qualified to be a councillor under the:
  - (a) for a councillor of the Brisbane City Council—*City of Brisbane Act 2010*, section 152; or
  - (b) for a councillor of another local government—*Local Government Act 2009*, section 152.
- (2) Also, a person may be nominated as a candidate for an election only if the person has, within six months before the nomination day for the election, successfully completed a training course approved by the department's chief executive about:
  - (a) the person's obligations as a candidate, including the person's obligations under part 6; and
  - (b) the person's obligations as a councillor, if the person is elected or appointed, including obligations under a Local Government Act within the meaning of the *Local Government Act 2009*.
- (3) However, a person who is a candidate for election as a member of an Australian Parliament, cannot be nominated for election or appointment as a councillor until:
  - (a) for an election under the *Electoral Act 1992*—the day the electoral commission is notified, under section 131(1) of that Act, of the candidate elected for the electoral district for which the person is a candidate; or
  - (b) for an election under the *Commonwealth Electoral Act 1918* (C'wlth)—
    - (i) the day the result of the election and the candidates elected are declared under section 283 of that Act; or
    - (ii) the day the candidate elected for the division for which the person is a candidate is declared under section 284 of that Act.
- (4) To remove any doubt, it is declared, that a person is not disqualified from being nominated as a candidate, or for appointment, as a councillor only because the person is a member of the Legislative Assembly or a local government employee.

Example—

A person who is a member of the Legislative Assembly may nominate as a candidate for election as a councillor but must resign on becoming a candidate.

Please refer to [Local Government Fact Sheet 2 - Guide to nominating as a candidate for local government election](#) on the ECQ website for further details.

## 5. Notice of Election

A Notice of Election will be advertised by the ECQ and posted on the ECQ's website at [ecq.qld.gov.au](http://ecq.qld.gov.au). Once the Notice has been published, nominations may be accepted by the Returning Officers or the ECQ.

## 6. Mandatory training for candidates

All candidates are required to complete a free online training course with the Department of Local Government, Racing and Multicultural Affairs (DLGRMA) within the six-month period prior to nominating for a quadrennial election or by-election.

This applies to **ALL** candidates – whether they have previously contested an election or have never contested an election.

To access the training, candidates should refer to 'So you want to be a councillor' on the DLGRMA website – <https://www.dlgrma.qld.gov.au/so-you-want-to-be-a-councillor.html>.

Please refer to [Local Government Fact Sheet 2 - Guide to nominating as a candidate for local government election](#) on the ECQ website for further details.

## 7. Nominating for local government election

Candidates can nominate electronically via the [Self-Service Portal](#) on the ECQ's website at [ecq.qld.gov.au](http://ecq.qld.gov.au). You may also print a blank form and complete it by hand.

**NB.** If you do not have access to a computer, you can phone your local Returning Officer or the ECQ and request that a printed nomination form be sent to you.

Once you have accessed the Self-Service Portal, you should follow the prompts to complete the nomination form.

You must print out the nomination form, complete it, sign it yourself, have your nominators sign, then lodge it with your Returning Officer.

Under the *Local Government Electoral Act 2011*, candidates must declare their personal and material interests and affiliations, and those of their close associates, on the nomination form. These include:

- any membership of a registered political party or trade or professional organisation held by the candidate within the 12 months prior to nominating
- whether the candidate, or a close associate of the candidate, has a contractual arrangement with the council being contested
- whether the candidate, or a close associate of the candidate, is engaged in a contractual process with the council being contested

- whether the candidate, or a close associate of the candidate, has made any applications, or representations about particular applications (which are yet to be decided), to the council being contested.

Note that, for the purpose of candidate nominations, a person is a close associate of a candidate if the person is:

- a spouse of the candidate
- a partner in a partnership with the candidate
- an entity for which the candidate is an executive officer or board member.

## 8. Nominating for mayor

You may nominate in either of the following ways:

- by the Registered Officer of a political party registered pursuant to the *Electoral Act 1992* that has endorsed you as its candidate for Mayor
- by six or more persons who are enrolled at an address within the local government area you intend to contest.

It is your responsibility to check the accuracy of personal information entered electronically by you or on your behalf.

## 9. Nominating for councillor

You may be nominated as councillor in any of the following ways:

- by the Registered Officer of a political party registered pursuant to the *Electoral Act 1992* that has endorsed you as its candidate for councillor of a local government area (Undivided) or a division/ ward within a local government area (divided)
- by six or more persons who are enrolled at an address within the local government area (undivided council) or the division/ward within the local government area (divided council) you intend to contest.

It is your responsibility to check the accuracy of personal information entered electronically by you or on your behalf.

## 10. Dual candidacy not permitted

A person cannot stand as a candidate for both councillor and mayor, be a candidate for more than one local government area or be a candidate for more than one division or ward in a local government area.

# 11. Groups of candidates

Candidates can form a group to contest the election. Under the *Local Government Electoral Act 2011*, candidates who wish to form a group **must register** with the ECQ **before** they begin campaigning as a group.

Group campaign activities may include:

- using a common platform to promote the election of the candidates (e.g. promoting the same political policies)
- using the same advertisements (e.g. pamphlets, billboards)
- using the same campaign slogans
- using the same brands or images
- using the same how-to-vote cards
- participating in the same fundraising activities or events
- sharing the same resources for election campaigns (other than volunteers), and/or
- sharing gifts or loans.

The group name will appear on the ballot paper next to the name of the candidate.

A group of candidates for an election does not include a political party or an associated entity. Candidates endorsed by a registered political party are not required to register as a group and are able to engage in group campaigning activities without registering with the ECQ.

Unplanned activities that may result in candidates having the same outcomes would not be considered group campaign activities. This sometimes occurs during election campaigns, particularly in regional and remote areas. For example, if two candidates independently choose to campaign on the same issue, and do not share policy documents, resources, advertising, or financially assist one another, the ECQ would be unlikely to consider those candidates to be engaging in group campaign activities.

Please refer to [Local Government Fact Sheet 5 - Groups of candidates](#) on the ECQ website for further details.

# 12. When to nominate

A nomination may only be lodged:

- **AFTER** the Notice of Election has been issued
- **BEFORE** 12 noon on the cut-off day for nomination of Candidates for the Election. This day/date is shown in the Notice of Election.



## 13. Where to nominate

Nominations are lodged with the Returning Officer, who is the ECQ's representative in each local government area. Contact details for Returning Officers and their office locations are advised following the publication of the Notice of Election. Nominations for candidates (including candidates who are members of a group) must be lodged on the approved nomination form, which can be accessed via:

- the ECQ candidate portal
- downloaded from the ECQ website
- obtained from the Returning Officer.

Completed nomination forms can be submitted online via the Candidate Portal or can be lodged with the Returning Officer responsible for the local government area being contested, or the ECQ head office, in person or by post. The completed form must be received by the Returning Officer or the ECQ before midday on the day nominations close, along with the \$250 nomination fee.

If a candidate is endorsed by a political party registered in Queensland, the Registered Officer of the political party is responsible for lodging the candidate's nomination form directly with the ECQ head office in Brisbane. In this case, the candidate must ensure that all required information is provided to the party's Registered Officer in advance of the nomination process.

## 14. Deposit required

A deposit of \$250 (paid by cash, electronic funds transfer (EFT) or a bank cheque made payable to the ECQ) must be lodged upon nomination with the Returning Officer.

The deposit will be returned to candidates who:

withdraw consent to the nomination before noon on the cut-off day for nominations or:

- are elected, or
- gain more than four per cent of the total number of formal first preference votes polled in the local government area or division or ward which they contested, or
- in the case of First-Past-the-Post voting, gain more than four per cent of the total number of formal votes cast for the local government area.

As soon as practicable after the conclusion of the election, the deposits of eligible candidates or political parties will be refunded.

Where a candidate does not qualify for a refund, the deposit becomes the property of the state government.

# 15. Announcement of nominations

The Returning Officer decides whether a person is properly nominated and must give the nominee reasons for a decision to reject their nomination. The *Local Government Electoral Act 2011* provides examples where a candidate may not be properly nominated because the nomination name is one or more of the following:

- a party name
- so nearly resembles a party name that it is likely to be confused with or mistaken for the party name
- includes the word 'independent'
- is a public body name
- so nearly resembles a public body name that it is likely to be confused with or mistaken for the public body name
- is obscene or offensive.

If the Returning Officer decides that a person is not properly nominated, they must give a notice to the person that states the decision and the reasons for that decision.

If the Returning Officer is satisfied that a person has been properly nominated, they must certify the nomination and give a copy of the certification to the candidate. The certification of nomination must contain details of the time, day and place for the draw for the order of listing of candidates' names on the ballot paper.

As soon as practicable after receipt of a nomination, the nomination form will be put on the ECQ's website. Some information provided on the nomination form is held by the ECQ and will not be disclosed to the public as part of the nomination process. This includes the:

- residential address of a candidate who is a silent elector
- residential address of close associates named on a candidate's nomination form
- residential address of a person who is an elector endorsing a candidate
- details of the dedicated campaign bank account, including BSB and account number, name of account and financial institution, of the candidate or group of candidates.

By signing the nomination form, candidates are:

- declaring that they are eligible to be a councillor and not disqualified under any provisions of the governing legislation, and
- consenting to the information provided in their nomination form being published by the ECQ.

## 16. The ballot paper draw

The order of candidates' names on the ballot paper is determined by a draw conducted by the Returning Officer. The mayoral ballot paper draw for the Brisbane City Council election will be conducted by the ECQ at the ECQ office. Details of the time and location of the ballot draws will be confirmed by the Returning Officer and the ECQ. Candidates or their representatives are welcome to attend the draw.

Following the draw, the Returning Officer will display the candidates' names in ballot paper order at the ECQ office and on ECQs website.

## 17. Electoral roll data

The ECQ will provide councillor candidates with an electoral roll showing the names and addresses of electors enrolled within their local government area/division/ward as at the date of roll closure. Mayoral candidates will receive the whole of their local government area roll.

There are regulations around how electoral roll information may be used, disclosed and accessed. Refer to [Local Government Fact Sheet 7 – Provision of electoral roll information to candidates](#) on the ECQ website for further details.

## 18. Electoral advertising

Candidates must ensure that during an election period, all election material that is printed, published, distributed or broadcast, is properly authorised. Election material includes any advertisement, handbill, pamphlet, notice or social media post that can, or intended to, influence an elector about voting, or affect the result of the election. This applies to materials distributed by candidates, or a group of candidates, or any person in support of the campaign of a candidate or group of candidates.

The authorisation must state the name and address (other than a post office box) of the person who authorised the election material. Election material may be authorised by the candidate or by another person.

Authorised by J. Bloggs  
24 Standard Address Road, Happy Vale, QLD 4000

A person must not deliberately try to mislead electors when printing, publishing, distributing and broadcasting material during an election period, including advertising anything that is intended to, or likely to mislead an elector about the ways of voting at the election, or pretends to be a representation of a ballot paper for use in an election if it is likely to induce an elector to cast an informal vote.

A person must also not knowingly publish a false statement about the person's character or conduct of a candidate, with the intent of affecting the election of that candidate.

There are regulations relating to the display of election signage (such as continuous signs and corflutes). **Candidates should check these requirements prior to displaying any signage.** For information about election signage next to state-controlled roads, contact the [Queensland Department of Transport and Main Roads](#).

For information about signage next to local roads, private property and certain state-controlled roads in a local area, contact the local council.

Please refer to [Local Government Fact Sheet 6 – Electoral advertising and signage](#) on the ECQ website for further details.

## 19. Offences relating to electoral advertising

The *Local Government Electoral Act 2011* provides for various offences relating to electoral advertising carried out by candidates. You should refer to the Act for a full list of offences. Sections 177 to 182 are included below.

### **Section 177 Author of election material must be named**

- (1) *A person must not, during the election period for an election —*
  - (a) *print, publish, distribute or broadcast; or*
  - (b) *allow or authorise another person to print, publish, distribute or broadcast; any advertisement, handbill, pamphlet or notice containing election material 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 that —*
  - (a) *is printed, published or distributed on a car sticker, T-shirt, lapel button, lapel badge, pen, pencil or balloon; or*
  - (b) *is of a kind prescribed by regulation.*
- (4) *Also, subsection (1) does not apply to distributing, or allowing or authorising another person to distribute, a how-to-vote card.*
- (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.*

### **Section 178 Distribution of how-to-vote cards**

- (1) *During the election period for an election, a person must not distribute, or allow or authorise another person to distribute, a how-to-vote card that does not comply with subsections (2) to (5).*
- (2) *A how-to-vote card must state the name and address of the person who authorised the card.*

- (3) *A how-to-vote card must also state —*
- (a) *if the card is authorised for a political party or a candidate endorsed by a political party-*
    - (i) *if the register of political parties includes an abbreviation of the party's name – the party's abbreviated name; or*
    - (ii) *otherwise—the party's full name included in the register of political parties; or*

*Example for paragraph (a)—*

*'Authorised P. Smith, 123 Main Street Brisbane for [name of political party]'*

- (b) *if paragraph (a) does not apply and the card is authorised for a group of candidates or for a candidate who is a member of a group of candidates—the group's name; or*

*Example for paragraph (b)—*

*'Authorised M. Taylor, 99 King Street Port Douglas for [name of group]'*

- (c) *otherwise—the candidate's name and the word 'candidate'.*

*Example for paragraph (c)—*

*'Authorised R. Jones, 88 Queen Street Brisbane for R. Jones (candidate)'*

- (4) *For subsection (2)—*

- (a) *the address must not be a post office box; and*
- (b) *if the card is authorised for a group of candidates or for a candidate who is a member of a group of candidates, the authorising person must be a member of the group.*

- (5) *The particulars mentioned in subsections (2) and (3) must appear-*

- (a) *at the end of each side of the how-to-vote card that contains print; and*
- (b) *in prominent and legible characters in print no smaller than-*
  - (i) *if the card is not larger than A6—10 point; or*
  - (ii) *if the card is larger than A6 but not larger than A3-14 point; or*
  - (iii) *if the card is larger than A3—20 point.*

- (6) *During the election period for an election, a person must not distribute, or allow or authorise another person to distribute, a how-to-vote card if the person knows, or ought reasonably to know, that the particulars, or any of the particulars, mentioned in subsections (2) and (3) on the card are false.*

### **Section 179 Giving of how-to-vote cards to electoral commission**

- (1) *The person who authorised a how-to-vote card for a political party, or for a candidate endorsed by a political party, for an election must, no later than 5pm on the Friday*

*that is at least 7 days before the polling day for the election, give the electoral commission—*

- (a) the required number of the how-to-vote cards; and*
  - (b) a statutory declaration relating to any financial contribution received from another 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 that states—*
    - (i) who the financial contribution was received from or on behalf of; and*
    - (ii) the nature and amount of the financial contribution.*
- (2) The person who authorised a how-to-vote card for a candidate or a group of candidates for an election, other than a candidate or group of candidates endorsed by a political party for the election, must, after the start of the election period and at least 7 business days before the how-to-vote card is to be distributed on a day when votes may be cast for the election, give the electoral commission—*
- (a) the required number of the how-to-vote cards; and*
  - (b) a statutory declaration relating to any financial contribution received from a 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 that states—*
    - (i) who the financial contribution was received from or on behalf of; and*
    - (ii) the nature and amount of the financial contribution.*
- (2A) The electoral commission must, within 5 business days after receiving the things mentioned in subsection (1)(a) and (b) or (2)(a) and (b)—*
- (a) decide to accept or reject the how-to-vote card; and*
  - (b) inform the person who authorised the how-to-vote card of the decision.*
- (3) The electoral commission must reject a how-to-vote card received under subsection (1) or (2) if-*
- (a) the how-to-vote card does not comply with section 178(2) to (5); or*
  - (b) the electoral commission is satisfied, on reasonable grounds, the how-to-vote card—*
    - (i) is likely to mislead or deceive an elector in voting under this Act; or*
    - (ii) constitutes a group campaign activity relating to a candidate who is not a member of a group of candidates, in contravention of section 183.*
- (4) If the electoral commission rejects a how-to-vote card under subsection (3) (b), the electoral commission must give the person who authorised the how-to-vote card written reasons for the rejection.*

- (5) *A person to whom reasons are given under subsection (4) may, at least 2 business days before the polling day for the election—*
- (a) *revise the how-to-vote card; and*
  - (b) *give the electoral commission the things mentioned in subsections (1)(a) and (b) or (2)(a) and (b) in relation to the revised how-to-vote card.*
- (5A) *The electoral commission must, within 2 business days after receiving the things mentioned in subsection (5)(b)—*
- (a) *decide to accept or reject the revised how-to-vote card; and*
  - (b) *inform the person who authorised the revised how-to-vote card of the decision; and*
  - (c) *if the revised how-to-vote card is rejected—give the person who authorised the revised how-to-vote card written reasons for the rejection.*
- (6) *As soon as practicable after the electoral commission accepts a how-to-vote card, the returning officer must ensure the how-to-vote card is available—*
- (a) *for public inspection for free at—*
    - (i) *the place of nomination under section 25; and*
    - (ii) *if the place of nomination is not also the public office of the local government for which the election is to be held—the local government’s public office; and*
  - (b) *on the electoral commission’s website.*
- (7) *The returning officer must, to the extent practicable, make an accepted how-to-vote card available for public inspection at a place where, and on a day when, votes may be cast.*
- (8) *An election is not invalid only because the returning officer does not comply with subsection (6) or (7).*
- (9) *In this section —*
- (a) *financial contribution means a contribution in the form of money, property or other valuable consideration.*
  - (b) *required number, of how-to-vote cards, means 12 more than the number of polling booths within the local government’s area at which the cards are to be distributed.*

### **180 Unauthorised how-to-vote cards**

- (1) *A person must not distribute, or authorise someone else to distribute, a how-to-vote card to which section 179(1) or (2) applies on a day when votes may be cast for an election unless section 179(1) or (2) has been complied with for the card. Maximum penalty—20 penalty units.*

- (2) *If, on a day when votes may be cast for an election, an electoral officer reasonably suspects a person is distributing a how-to-vote card to which section 179(1) or (2) applies and that section 179(1) or (2) has not been complied with for the card, the electoral officer may—*
- (a) *require the person to produce the how-to-vote card for inspection; and*
  - (b) *confiscate any how-to-vote cards that have not been given as required under section 179(1) or (2).*
- (3) *A person must not obstruct an electoral officer in the exercise of the power under subsection (2)(b), unless the person has a reasonable excuse.*

### **181 Headline to electoral advertisements**

*The proprietor of a newspaper must not print in the newspaper any article, or a paragraph, containing information that relates to an election or a matter debated in the election if—*

- (a) *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*
- (b) *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 long primer.*

### **182 Misleading electors**

- (1) *During an election period for an election, a person must not print, publish, distribute or broadcast anything that is intended or likely to mislead an elector about the ways 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 about the personal character or conduct of the candidate.*
- (3) *During an election period for an election, a person must not print, publish, distribute or broadcast by television anything that purports to be a representation of a ballot paper for use in the election, if it is likely to induce an elector to cast an informal vote.*
- (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.*

Please go to [Local Government Fact Sheet 9 - Offences and penalties for candidates and councillors](#) on the ECQ website for further details.



## 20. Lodging how-to-vote cards

### How-to-vote cards at electoral visits and declared institutions

Your Returning Officer will give you the opportunity to provide them with how-to-vote (HTV) cards for polling officials to display at electoral visits and declared institutions during voting times.

Candidates who participate in this arrangement will have their HTV cards glued on a manila folder or similar, in the same order as their names appear on the ballot paper.

### HTV cards to be distributed during the election period

#### **MAYORAL HTV CARDS**

If authorised for a registered political party or are a candidate authorised by a registered political party:

- 12 cards, plus one for each polling place in the local government area, are to be lodged together with Form 53 (Lodgement of a How-to-Vote Card) with the Returning Officer.

If authorised for a candidate not endorsed by a registered political party (e.g. an independent candidate):

- 12 cards, plus one for each polling place in the local government area, are to be lodged together with Form 53 (Lodgement of a How-to-Vote Card) with the Returning Officer.

#### **COUNCILLOR HTV CARDS**

If authorised for a registered political party or a candidate authorised by a registered political party:

- for each type of card, 12 cards, plus one for each polling place in the local government area in which the particular card is to be distributed, are to be lodged together with Form 53 (Lodgement of a How-to-Vote Card) with the Returning Officer.

If authorised for a candidate not endorsed by a registered political party (e.g. an independent candidate):

- 12 cards, plus one for each polling place in the local government area in which the card is to be distributed, are to be lodged together with Form 53 (Lodgement of a How-to-Vote Card) with the Returning Officer.

#### **GROUP HTV CARDS**

If authorised for a group of candidates not endorsed by a registered political party:

- 12 cards, plus one for each polling place in the local government area, are to be lodged together with Form 53 (Lodgement of a How-to-Vote Card) with the Returning Officer.

Please go to [Local Government Fact Sheet 8 - How-to-vote cards](#) on the ECQ website for further information on definitions and requirements of how-to-vote cards.

**NOTE: The ECQ may issue a directive, in accordance with advice from Queensland's Chief Health Officer, which limits or alters permissible arrangements for the distribution of how-to-vote cards at polling places during polling for the election. The Returning Officer for the local government area will advise candidates should this occur.**

## 21. Party workers and scrutineers

### SCRUTINEERS

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

- (1) Each candidate for an election may, by notice given to the returning officer for the election in the approved form, appoint 1 or more adults as scrutineers for the candidate.
- (2) Scrutineers are entitled to be present in each polling booth at times when electors are allowed to vote at the booth.
- (3) Scrutineers are also entitled to be present-
  - (a) beforehand at each polling booth to-
    - (i) inspect ballot boxes; and
    - (ii) observe the examination of declaration envelopes received before 6pm the day before the polling day for the election; and
  - (b) afterwards at each polling booth and other places to observe the examination of declaration envelopes and the counting of votes.
- (4) For subsections (2) and (3), the number of scrutineers each candidate is entitled to have at a polling booth or other place is 1 scrutineer for each issuing officer present at the booth or place.
- (5) A scrutineer may-
  - (a) object to an issuing officer's decision on a person's entitlement to vote at the election; and
  - (b) object to the acceptance or rejection of a ballot paper by the returning officer or a presiding officer; and
  - (c) record the identification details given to an issuing officer at a polling booth by a person who votes at the election at the polling booth; and
  - (d) remove from the polling booth the scrutineer's record of identification details mentioned in paragraph (c); and
  - (e) do anything else permitted by this Act.

(6) A scrutineer must carry adequate identification to show that the person is a scrutineer.

**NOTE: The ECQ may issue a directive, in accordance with advice from Queensland's Chief Health Officer, which limits or alters permissible arrangements for the attendance of scrutineers at polling places during the counting of votes. The returning officer for the local government area will advise candidates should this occur.**

### **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. They must not wear or display in the polling booth on Election Day any badges or emblem of a candidate or political party.

## 22. Photographers and media

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

**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 always be maintained.**

## 23. Electoral funding and financial disclosure requirements

All candidates and groups are required to comply with the electoral funding and financial disclosure requirements.

Handbooks containing guidance on how to comply with the provisions of the *Local Government Electoral Act 2011* for Candidates, Groups of Candidates, Registered Political Parties, associated entities and third parties are available on the ECQ's website at [ecq.qld.gov.au/candidates-and-parties/handbooks-and-forms](http://ecq.qld.gov.au/candidates-and-parties/handbooks-and-forms).

## 24. Methods of recording a vote - attendance elections

Please note there is **no absent voting** in **local council** elections.

Scrutineers will observe electors using various methods to cast a vote. Consequently, they 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
- Declared institutions
- Electoral visit
- Declaration voting
- Early voting.

### Ordinary voting at a polling booth

An ordinary vote is a vote recorded by an elector on election day at a polling booth appointed for the local government area for which they are enrolled.

### Declared institutions

Polling officials take ballot boxes and voting equipment to patients and residents at these institutions and will:

- advise scrutineers of 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.

Scrutineers should not contact electors in any way that could be construed as canvassing for their vote.

Scrutineers should observe proceedings but have regard at all times for the secrecy of the vote.

### Electoral visit

An 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.

Advise your scrutineers of the date, time and place of departure of polling officials. They should:

- observe proceedings in a low-key manner having regard for the particular needs of this type of voter and the secrecy of the vote
- refrain from assisting the polling official 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.

### Declaration voting

An elector who is unable to vote as an ordinary voter on election day may vote as a declaration voter.

To make a declaration vote, an elector must complete and sign a declaration claiming they are entitled to vote at the election.

An elector who claims a vote but whose name cannot be found on the certified list of electors may, upon making a declaration, vote a polling place in the local government area or ward in which he or she claims to be enrolled.

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

### Early voting

An elector may vote early (at any advertised early voting centre in their local government area).

Early voting may commence two weeks before election day and ceases at 6pm on the Friday before election day. This is subject to variation and is dependent on local government area requirements. Individual operating times will be available on the ECQ's website.

### Postal voting

No qualifications apply to electors for postal voting. Electors can apply online at the ECQ's website [ecq.qld.gov.au](http://ecq.qld.gov.au)

Applications for a postal vote close at 7pm on the Monday 12 days before election day.

After voting, immediately enclose the ballot papers in the declaration envelope, and post, send or deliver the sealed envelope to the Returning Officer, so it is received by 6pm on the tenth day after polling day.

Electors who are registered special postal voters, will automatically receive postal ballot material as soon as they become available following the close of nominations.

## 25. Full postal ballots

Local governments can apply to the relevant Minister to conduct some or part of the council's elections by postal ballot. If approved, all electors are automatically sent postal ballot material to their enrolled postal address.

## 26. Formality and scrutiny of votes

### COUNTING OF VOTES

At each polling booth and the Returning Officer's office, counting of votes begins after voting closes on election day.

There are two systems of voting at local government elections depending on the divisional arrangements of your council.

## VOTING SYSTEMS

### First-past-the-post (FPTP)

This voting system covers only undivided local government areas and local government areas which have a division or divisions with two or more councillors representing the divisions.

FPTP is a system of voting whereby the candidate with the highest number of formal votes is elected.

### Optional Preferential Voting (OPV)

OPV is required for election of all mayors and where the local government areas are divided into single member divisions (i.e. one councillor represents each division).

Under this system the elector has a choice about how they mark the ballot paper.

The elector can record a preference for one or more other candidates. The elector need not give a preference to all candidates.

OPV is a system of voting whereby a candidate is elected with an absolute majority of formal votes remaining in the count.

At each polling booth and the Returning Officer's office, counting of votes begins after the poll closes on election day.

## 27. Declaration vote scrutiny

Scrutiny of declaration votes is carried out by the Returning Officer. The scrutiny is conducted in two stages:

1. preliminary scrutiny of declaration votes to determine whether claimant is entitled to vote, and
2. the count.

If it is found that the claimant was, or should have been, enrolled for the local government area as claimed, the ballot papers are removed from the declaration envelope and counted.

## 28. Declaration of results

Local government area results will be posted on the ECQ's website after voting closes, and as the count proceeds, with regular updates. The Returning Officer for each local government area will declare the persons elected as mayor and councillor/s once the result is beyond doubt. The final results will then be published on ECQ's website.