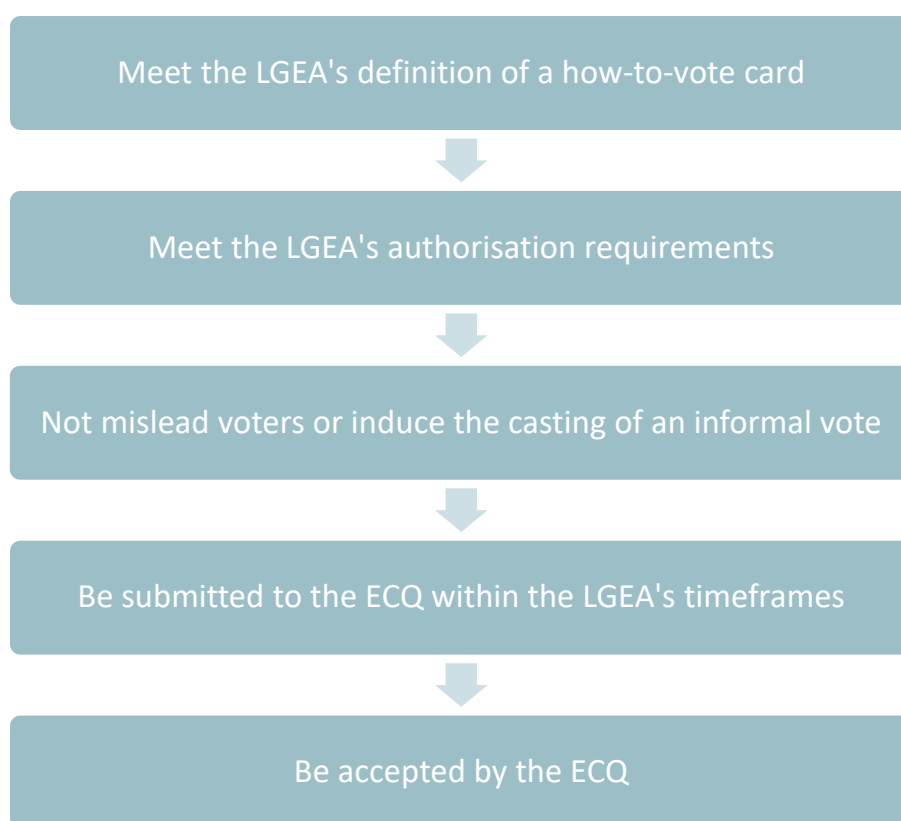


ALL ELECTION PARTICIPANTS

How-to-vote cards

Unless otherwise stated, all references to legislation are to the *Local Government Electoral Act 2011* (LGEA). The information in this fact sheet does not replace legislation. If you are concerned about your obligations, you should seek independent legal advice.

How-to-vote cards allow election participants to communicate how they would like their supporters to vote and distribute their preferences in a local government election or by-election. This fact sheet will explain the steps that candidates, groups of candidates or registered political parties intending to distribute how-to-vote cards must follow before distributing the cards to voters during an election period. How-to-vote cards must:



This process helps to ensure transparency in the direction of preferential votes for local government elections, while also helping election participants to meet their compliance obligations for how-to-vote cards under the LGEA.

The election period begins on the day the notice of election is published and ends when the polls close on election day. The ECQ does not regulate authorisation or distribution of how-to-vote cards outside of the election period.

Version: December 2024

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.



**Electoral
Commission**
QUEENSLAND

What is a how-to-vote card?

How-to-vote cards have a specific definition under Schedule 2 of the LGEA for local government elections and by-elections.

A how-to-vote card is a card, handbill or pamphlet that contains a representation or intended representation of a ballot paper, or part of a ballot paper, or:

- For an election where optional-preferential voting applies (i.e. for a single member divided council, or when voting for mayor in all councils):
 - lists the names of any or all candidates with numbers indicating an order of voting preference against the names of any or all of the candidates, or
 - directs or encourages the casting of preference votes, other than a first preference vote.
- For an election where first-past-the-post voting applies (i.e. for an undivided council or multi-member divided council):
 - directs or encourages the casting of a vote for the number of candidates equal to the number of candidates to be elected.

Only cards that meet this definition are required to be submitted to the ECQ for acceptance prior to their distribution. Example images of how-to-vote cards are provided at the end of this fact sheet.

Cards or other materials that do not meet the above definition of a how-to-vote card are considered election materials, and not how-to-vote cards for election purposes. They do not need to be accepted by the ECQ prior to distribution but must still carry proper authorisation. Please refer to [Fact sheet 3 – Authorisation of election materials](#) for more information.

‘Vote 1’ materials

A card, handbill or pamphlet containing a phrase like ‘Vote 1 [candidate’s name]’ is a how-to-vote card in an election or by-election using optional-preferential voting. It is listing the name of any (in this case, one) candidate with a number indicating voting preference.

A card, handbill or pamphlet containing a phrase like ‘Vote 1 [Candidate’s name]’ is a how-to-vote card in a by-election using first-past-the-post voting where there is only one candidate being elected. The card is directing the casting of a vote for the number of candidates to be elected – in this case, one candidate.

Any such material must be authorised as a how-to-vote card and submitted to the ECQ for approval prior to its distribution.

‘Vote 1’ materials for candidates are considered how-to-vote cards for:

- elections or by-elections using optional-preferential voting
- by-elections using first-past-the-post voting (where there is only 1 vacancy).

An example of a card that meets the definition of a how-to-vote card by containing a phrase like ‘Vote 1 [candidate’s name]’ is on page 11 of this fact sheet.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

What is the distribution of a how-to-vote card for election purposes?

The distribution of how-to-vote cards is also defined by the LGEA. A person distributes a how-to-vote card if they make the card available to other persons to take away; they do not distribute a how-to-vote card simply by displaying it publicly.

First-past-the-post elections

Voting in Queensland local government elections uses either an optional preferential voting or a first-past-the-post voting system. For more information about either system and where they apply, refer to the ECQ's [voting systems webpage](#).

Anyone distributing a how-to-vote card for a first-past-the-post election must ensure their card directs voters to vote for the number of candidates to be elected, so as not to encourage the casting of an informal vote. This may be through the numbering of the correct number of boxes, or by other clear instruction on the card regarding the number of preference votes required for casting a formal vote.

The ECQ monitors submitted how-to-vote cards for content which may mislead electors as part of our compliance approach.

EXAMPLE

Example A

Candidate A is contesting in an undivided council as a candidate – this council type has first-past-the-post voting and will be electing 4 councillors from a field of 7 nominated candidates. Candidate A intends to print and distribute how-to-vote cards so voters understand and cast votes that Candidate A prefers.

Candidate A's how-to-vote card should therefore direct voters to vote for 4 candidates, because this is the only way that voters in this undivided council can cast a formal vote.

Example B

Candidate B is contesting in a multi-member divided council. Candidate B's division has first-past-the-post voting and will be electing 7 councillors from a field of 12 nominated candidates. Candidate B has not made arrangements with any other candidates and wants voters to choose their own preferences. Candidate B decides to print and distribute a how-to-vote card to this effect.

Candidate B's how-to-vote card should indicate a number 1 next to their name but must also include clear instructions to voters to make an additional 6 votes so they are not being directed to cast an informal vote by only marking a 1 in a single box.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

How must a how-to-vote card be authorised?

If an election participant wants to distribute a how-to-vote card during an election period, section 178 of the LGEA requires an authorisation to appear at the end of each side of the card that contains print. It must state the name and address (not a post office box) of the person who authorised the card, and –

If the card is authorised for:	The authorisation must state:	For example:
A registered political party or their endorsed candidate	The party's full name or their registered abbreviation, as they appear on the ECQ's register of political parties	Authorised P. Smith, 123 Main Street Brisbane for [name of political party]
A group of candidates or a candidate who is a member of a group	The group's name	Authorised M. Taylor, 99 King Street Port Douglas for [name of group]
Any candidates not included in the above	The candidate's name, and the word <i>candidate</i>	Authorised R. Jones, 88 Queen Street Brisbane for R. Jones (candidate)

If the card is authorised for a member of a group of candidates, or for the group itself, the authorising person must be a member of the group.

Section 178 also sets out the authorisation's required font sizes for different how-to-vote cards sizes. The authorisation must appear in prominent and legible characters in print at least:

- 10 point if the card is A6 or smaller
- 14 point if the card is larger than A6 up to A3 size (includes DL, A5 and A4)
- 20 point if the card is larger than A3.

A double-sided how-to-vote card must have an authorisation on each side containing text.

How and when to submit a how-to-vote card to the ECQ

The person who authorised the how-to-vote card must first submit copies of their cards to the ECQ for acceptance prior to their distribution to voters. This submission must include:

- A completed Form LG 53 – Lodgement of how-to-vote cards which includes a statutory declaration relating to any financial contribution received in relation to the production of the how-to-vote card, and
- If submission is via a hard copy: the required number of hard copies is 12 more than the number of polling booths within the local government area in which the cards are to be distributed, with
- A high-quality electronic copy of each how-to-vote card (as this will be published to the ECQ's website once accepted). PDF is preferred, which can be provided by email. The electronic proof supplied by a commercial printer will usually meet this requirement.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

Note: how-to-vote cards in languages other than English must be submitted with a written translation.

Submissions can be made either to the Returning Officer in a candidate's or group of candidates' local government area, or directly to the ECQ's head office in Brisbane if preferred. Form LG 53 provides the required ECQ contact information if required. Once a submission has been made to the ECQ, each how-to-vote card will undergo a multi-step scrutiny process to assess it for compliance under the LGEA.

Submissions to the ECQ must be made **at least 7 business days** before the day the how-to-vote card is to be distributed. The ECQ then has up to 5 business days to accept or reject the card and inform the card's authoriser of the decision in writing (including reasons for rejection).

If a rejection is issued, the card can be revised and resubmitted at least 2 business days before the day the how-to-vote card is to be distributed. The ECQ then has 2 business days to accept or reject the revised card and inform the card's authoriser of the decision in writing (including reasons for rejection).

Election participants should be mindful of these timeframes if large print runs are being planned. The ECQ recommends that print runs be completed after the ECQ accepts a how-to-vote card, confirming that no amendments are required. Any printing costs incurred before the ECQ accepts a how-to-vote card will be at the candidate's risk.

Accepted cards will be made available by the ECQ for public inspection prior to election day on the ECQ website.

Only how-to-vote cards that are authorised for candidates, groups of candidates and political parties are required to be lodged. How-to-vote cards produced by third parties do not require acceptance by the ECQ but they must still carry a compliant authorisation, and not be misleading about the ways of voting.

Compliance

Under the LGEA, electoral staff at a polling place may require a person to produce a how-to-vote card for inspection and may confiscate cards which have not been accepted by the ECQ.

Publishing or distributing any material during an election period that is likely to mislead an elector about the ways of voting is an offence. Breaking this rule carries penalties for non-compliance. Please see [Fact sheet 7 – Offences relating to electoral advertising](#) for further information.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.



RELATED FORMS AND FACT SHEETS

Fact sheet 5 – Authorisation of election material

Fact sheet 7 – Offences relating to electoral advertising

Fact sheet 10 – Definition of gifts and loans

Fact sheet 12 – Definition of electoral expenditure

Form LG 54 – Lodgement of how-to-vote cards

Forms and facts sheets can be found on the [ECQ's website](#).

Examples of how-to-vote cards

The final pages of this fact sheet contain examples of cards that might be accepted or rejected by the ECQ, focusing on key compliance issues.

It is important to remember that **optional preferential voting** and **first-past-the-post voting** have different requirements for voters to cast a formal vote – the type of election therefore affects what will be acceptable and not misleading to voters.

A list of which voting system is used in each local government area is available [on the ECQ's website](#). All mayoral elections use optional preferential voting.

For more information about these systems, what constitutes a formal or informal vote for either system, or where they apply, please refer to the ECQ's [voting systems webpage](#).

The following how-to-vote cards are generic examples only to illustrate key compliance issues.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

Examples for optional preferential voting


This is an example of a how-to-vote card for a candidate in a council where **optional preferential voting** applies:

HOW TO VOTE 1

Candidate A

BALLOT PAPER
for EXAMPLE REGIONAL
COUNCIL

1	CANDIDATE A
4	CANDIDATE D
3	CANDIDATE B
2	CANDIDATE C



Authorised by Candidate A, 123 Example St, Brisbane for Candidate A (Candidate)

This card:

- ✓ Meets the definition of a how-to-vote card by containing a representation of a ballot paper, so must be submitted to the ECQ for acceptance
- ✓ Meets the LGEA's authorisation requirements for a candidate
- ✓ Does not provide direction that could lead to an informal vote being cast.

The how-to-vote card **would be accepted** by the ECQ.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

This is another example of a how-to-vote card for a candidate in a council where **optional preferential voting** applies:

HOW TO VOTE FOR

Candidate A

Example Regional Council


Place your vote as shown on the list below to support Candidate A in this election.

CANDIDATE C

1 CANDIDATE A

CANDIDATE B

CANDIDATE D



Authorised by Candidate A, 123 Example St, Brisbane for Candidate A (Candidate)

This card:

- ✓ Meets the definition of a how-to-vote card by listing the names of any or all candidates with a number next to any or all candidates' names, so must be submitted to the ECQ for acceptance
- ✓ Meets the LGEA's authorisation requirements for a candidate
- ✓ Does not provide direction that could lead to an informal vote being cast.

The how-to-vote card **would be accepted** by the ECQ.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

This is another example of a how-to-vote card for a candidate in a council where **optional preferential voting** applies:



This card:

- ✓ Meets the definition of a how-to-vote card by listing the names of any or all candidates (in this case, one) with a number next to any or all candidates' names, so must be submitted to the ECQ for acceptance
- ✓ Meets the LGEA's authorisation requirements for a candidate
- ✓ Does not provide direction that could lead to an informal vote being cast.

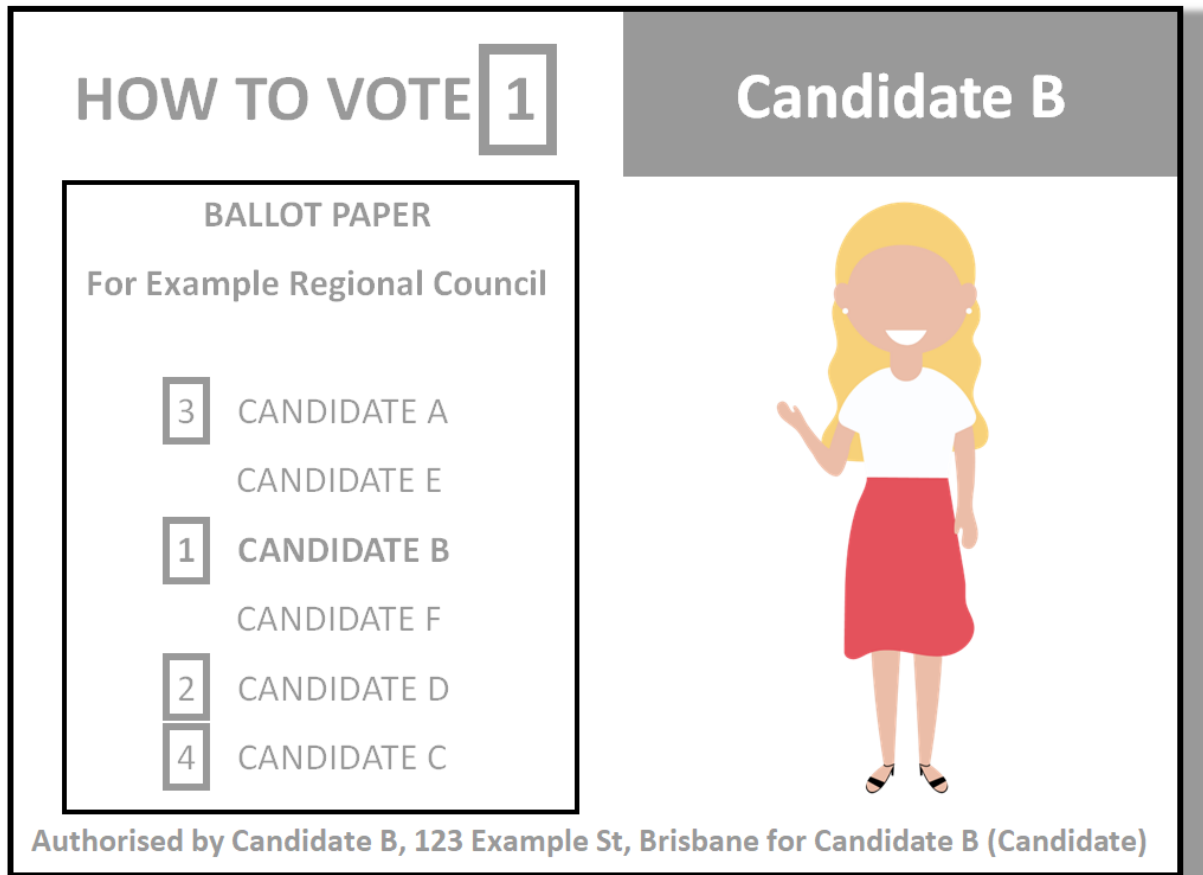
The how-to-vote card **would be accepted** by the ECQ.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

Examples for first-past-the-post voting

This is an example of a how-to-vote card in a council where **first-past-the-post voting** applies, in a council requiring the election of 4 candidates:



This card:


- ✓ Meets the definition of a how-to-vote card by containing a representation of a ballot paper, so must be submitted to the ECQ for acceptance
- ✓ Meets the LGEA's authorisation requirements
- ✓ Does not provide direction that could lead to an informal vote being cast.

The how-to-vote card **would be accepted** by the ECQ.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

This is another example of a how-to-vote card in a council where **first-past-the-post** voting applies, in a council requiring the election of 4 candidates:

HOW TO VOTE 1		Candidate B
Example Regional Council		
Vote 1 next to Candidate B, then number 2, 3 and 4 next to candidates of your choice for your vote to count.		
	CANDIDATE A	
	CANDIDATE E	
1	CANDIDATE B	
	CANDIDATE F	
	CANDIDATE D	
	CANDIDATE C	
Authorised by Candidate B, 123 Example St, Brisbane for Candidate B (Candidate)		

This card:

- ✓ Meets the definition of a how-to-vote card by directing voters to cast a vote for the number of candidates to be elected , so must be submitted to the ECQ for acceptance
- ✓ Meets the LGEA's authorisation requirements
- ✓ Does not provide direction that could lead to an informal vote being cast.

The how-to-vote card **would be accepted** by the ECQ.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.

This final example is also for a council where **first-past-the-post voting** applies, in a council requiring the election of 4 candidates:

HOW TO VOTE 1


Candidate B

Example Regional Council

Thanks for voting 1 for Candidate B!

1

CANDIDATE A
CANDIDATE E
CANDIDATE B
CANDIDATE F
CANDIDATE D
CANDIDATE C



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

This card:

- ✓ Meets the definition of a how-to-vote card by representing part of a ballot paper, so must be submitted to the ECQ for acceptance
- ✓ Meets the LGEA's authorisation requirements.
- ✗ **Provides direction that could lead to an informal vote.**

The how-to-vote card **would be rejected** by the ECQ and its distribution would be an offence under section 182(3) of the LGEA.

More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.