

HOW-TO-VOTE CARDS

This fact sheet relates to candidates, groups of candidates and registered political parties who produce how-to-vote cards for local government elections.

Definition of a how-to-vote card

The *Local Government Electoral Act 2011* (Schedule 2 - Dictionary) defines how-to-vote (HTV) cards for local government elections.

For an election where optional-preferential voting applies, (e.g. for a single member divided council, and when voting for the mayor in all councils), a HTV 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
- 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 (e.g. for an undivided council or multi-member divided council), a HTV 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
- directs or encourages the casting of a vote **for the number of candidates equal to the number of candidates to be elected**.

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.*)

HTV cards distributed must carry an authorisation and HTV cards authorised for a candidate, group or political party must have been accepted for distribution by the Electoral Commission of Queensland (ECQ).

Authorisation

An authorisation must appear on each printed face of a HTV card and this must contain the name and street address (not a PO Box) of the person who authorised the card.

HTV cards that are authorised for an individual candidate must contain the word 'candidate' in the authorisation. HTV cards may be authorised by the candidate or by another person. Example: '**Authorised R. Jones, 88 Queen Street Brisbane for R. Jones (candidate)**'.

HTV cards that are authorised for a group of candidates, or for a candidate who is a member of a group, must also state the name of the group in the authorisation. The authoriser must be a member of the group. Example: '**Authorised M. Taylor, 99 King Street Port Douglas for [name of group]**'.

HTV cards that are authorised for a registered political party, or for a candidate who is endorsed by a political party, must also state the name of the political party, or the registered abbreviation, if applicable. Example: '**Authorised P. Smith, 123 Main Street Brisbane for [name of political party]**'.

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.

The authoriser named on the HTV card is responsible for ensuring the HTV card is compliant with the legislated requirements under the *Local Government Electoral Act 2011* and will be the ECQ's point of contact in relation to all HTV cards carrying their authorisation.

More information

For more information relating to local government elections, please contact the ECQ on 1300 881 665 or by emailing ecq@ecq.qld.gov.au.

Acceptance of HTV cards by the ECQ

A candidate or group of candidates wishing to distribute HTV cards to voters must first lodge copies of their HTV cards with the Returning Officer in their local government area. Political parties must lodge HTV cards for their endorsed candidates directly at the ECQ head office in Brisbane.

Hard copies of each HTV card must be provided to the Returning Officer or the ECQ. The required number of hard copies of each HTV card is **12 more than the number of polling booths** within the local government area in which the cards are to be distributed.

A **high-quality electronic copy** of each HTV card (preferably in PDF format) must 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.

A completed **statutory declaration** must accompany the HTV cards lodged with the RO or ECQ. This must state if any **financial contribution** in relation to the production of the HTV card was received from a political party or another candidate (whether directly or from someone else on behalf of a party or candidate), as well as:

- who the financial contribution was received from or on behalf of, and
- the nature and amount of the financial contribution.

Once a HTV card has been lodged with the Returning Officer for the local government area 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 regulations.

The **deadline for lodgement** is 7 business days before they are to be distributed to voters. The ECQ then has five business days to approve the HTV card, or alternatively refer the card back to authoriser to seek amendments. The ECQ has a further two business days to consider the amendments.

The ECQ may reject the HTV card if it does not comply with the above requirements, or if it is otherwise likely to mislead or deceive voters due to its content. A card may also be rejected if it constitutes a group campaigning activity by candidates who are not part of a registered group or endorsed by a political party.

The authoriser of the HTV card will receive advice that the HTV card has been accepted or rejected, and the reasons for the rejection, **in writing**.

Accepted cards will be made available for **public inspection** prior to election day:

- at the office of the Returning Officer for the local government area
- at the public office of the local government for which the election is being held, and
- on the ECQ website.

Accepted HTV cards will also be made available for public inspection at each polling place within the local government area, as far as practicable.

Under the *Local Government Electoral Act 2011*, electoral staff at a polling place may require a person to produce a HTV card for inspection and may confiscate HTV cards which have not been accepted by the ECQ.

Only HTV cards that are authorised for candidates, groups of candidates and political parties are required to be lodged. HTV cards produced by other persons, lobbyists or interest groups do not require acceptance by the ECQ but they must still carry a compliant authorisation.

Note: How-to-vote cards, which meet the definitions above but have not been accepted by the ECQ, **cannot** be distributed to voters. It is an offence for a person to distribute a HTV card that was not lodged and accepted. Distribution of a HTV card that has not been accepted by the ECQ carries a maximum penalty of 20 penalty units (\$2,669 as at 1 July 2019).