



## NOMINATION PAPER FOR CANDIDATE IN A BY-ELECTION FOR THE OFFICE OF Councillor – Eastern Ward

Important

\* **Nominations close at 12 noon on Tuesday 14 February 2012.**

\* Nominators and Candidate should read notes and additional information on the back of this paper before completing.

To: The Electoral Officer  
Ashburton District Council  
5 Baring Square West (PO Box 94)  
Ashburton

A For the <b>Nominators</b> to complete all sections			
We, the undersigned electors of the Ashburton District hereby nominate:			
(First Names)		(Surname)	
(Address)			
with his/her consent, as a candidate for the office of <b>Ashburton District Councillor</b> for the <b>Eastern Ward</b> , the election for which is appointed for Wednesday, 4 April 2012.			
Dated at _____ this _____ day of _____ 2012			
1. Signature:		2. Signature:	
Full Names:		Full Names:	
Address:		Address:	
Ward			
B For the <b>Candidate</b> to complete all sections			
I, _____ hereby consent to the above nomination and confirm that:			
<ul style="list-style-type: none"> <li>I am eligible for election in terms of section 25 of the Local Electoral Act 2001 (ie I am a parliamentary elector and a New Zealand citizen) and in terms of any other Act, and</li> <li>I am not disqualified by section 58 of the Local Electoral Act 2001.</li> </ul>			
In the public notice given under section 65 of the Local Electoral Act 2001, I wish my affiliation (or other designation) to be shown as:			
(If left blank no affiliation or designation will be shown on the voting documents)			
I wish my name to be shown on the voting document as:			
Signature:			
Address:			
Phone No: Home:		Bus:	
Mobile:		Email:	
Candidate Profile provided (circle option)      YES / NO			
Candidate Photo provided (circle option)      YES / NO			
I understand that, in not providing a profile or photo, the words "Profile/Photo not supplied" will appear below my name in the Profile Booklet.			
C For the <b>Electoral Officer</b> to complete			
Received at the hour of _____ on the _____ day of _____ 2012			
Signature:			
(The receipt given in respect of this nomination paper does not constitute an acknowledgement that the nomination paper is in order). <b>MEDIA</b> <input type="checkbox"/>			

- 1 If the election is for a subdivision of a local government area (ward, constituency or community), the nominators must be electors of that subdivision. If under any enactment a candidate is not qualified for election unless he/she is an elector of the subdivision, then the nominee must also be an elector of that subdivision.
- 2 A nominator in the case of a candidate for city, district and regional council or a community board may be a residential or ratepayer elector.
- 3 A candidate cannot nominate themselves for office.
- 4 Where no affiliation is claimed, or an affiliation is disallowed by the electoral officer under section 57 of the Act, nothing will be shown in the public notice against the candidate's name, whether or not any other candidates have claimed an affiliation. You may identify yourself as an independent candidate, ie "Independent".
- 5 Under section 121 of the Local Electoral Act 2001, any person is liable to a fine of \$2,000 who:
  - (a) consents to being nominated as a candidate when knowing themselves to be ineligible for election, (for further information about candidate qualifications please see the [Attachment](#) to this nomination paper); or
  - (b) nominates any person as a candidate whom he/she knows to be ineligible for election; or
  - (c) not being the candidate signs any nomination paper knowing that they are not qualified to vote at the election.
- 6 A candidate may, under section 56 of the Local Electoral Act, be nominated under a name which the candidate is commonly known, provided that the name will not:
  - cause offence to a reasonable person
  - be unreasonably long
  - include or resemble an official rank or title
  - cause confusion or mislead electors
- 7 In the case of a nomination for election to a DHB the candidate must provide the electoral officer with a Conflict of Interest Statement required by Clause 6, Schedule 2, New Zealand Public Health and Disability Act 2000.
- 8 A candidate may, in accordance with section 61 of the Local Electoral Act 2001 and Regulations 26 to 29 of the Local Electoral Regulations 2001, provide a candidate profile statement including a recent photograph for dispatch to electors with the voting documents. For further information about candidate profile statements please see the [Attachment](#) to this nomination paper.
- 9 Nominations of candidates must be in the hands of the Electoral Officer, Ashburton District Council Administration Building, 5 Baring Square West, Ashburton, not later than noon on 14 February 2012.
- 10 Each nomination must include the required deposit of \$200.00 (inclusive of GST).
- 11 Evidence of New Zealand citizenship may be requested by the electoral officer at time of candidate nomination. Acceptable evidence includes New Zealand Passport, New Zealand Birth Certificate, or New Zealand Citizenship documentation, eg Certificate of Citizenship or Determination of Citizenship.

# CANDIDATE QUALIFICATIONS

## Elections of district, city, regional councils and community boards

### Candidate qualification

Under section 25 of the Local Electoral Act 2001, every parliamentary elector is qualified to be a candidate at every election held under the Act if that person is a **New Zealand** citizen.

### Restrictions on candidature

Sections 57A, 57B, 58 and 58A of the Local Electoral Act 2001, set out the restrictions on candidature which are that:

- no person may, at the same time, be a candidate for election for more than 1 ward or constituency of the same local authority or for more than 1 subdivision of a community;
- no person may, at the same time, be a candidate for election in a ward and a candidate for election by the electors of the district as a whole as a member of the territorial authority of which that ward forms part;
- no person may, at the same time, be a candidate for election to both
  - **[name of local authority] (as Mayor and/or Councillor or Community board member)**, and
  - **[name of]** Regional Council.

Under section 3(1) of the Local Authorities (Members' Interests) Act 1968, no person can be elected to a local authority if he/she is concerned or interested in contracts over \$25,000 in any financial year, with that local authority. This restriction is waived if prior approval from the Office of the Controller and Auditor-General is obtained.

Under section 41(5) of the Local Government Act 2002 an employee of a local authority elected to that local authority must resign as an employee of the local authority before taking office as member of the local authority.

## Elections of licensing trusts

- Section 200, Sale of Liquor Act 1989 requires that a candidate for a licensing trust must be a residential elector of the trust, district or ward. The section also provides that the following persons are incapable of being elected or appointed to be or of being members of a licensing trust.
  - (a) A person who is not an elector of the trust district or, in the case of the election or appointment of any member for a ward of a divided trust district, is not an elector entitled to vote at elections of members for that ward.
  - (b) (repealed by Schedule 3 , Part 1 of the Local Electoral Act 2001)
  - (c) A person who carries on the business of a brewer, wine or spirit merchant, maltster, or distiller, or of an importer for sale of or a dealer in fermented or spirituous liquors, or who is in partnership with any person carrying on any such business, or who is a member or employee or the husband or wife of a member or employee of an incorporated company that carries on any such business as a substantial part of its undertaking.
  - (d) A person who is the owner of an estate in fee simple or any less estate in any licensed premises, or who is a member or employee or the husband or wife of a member or employee of an incorporated company that owns any such estate.
  - (e) A person who is mentally disordered within the meaning of the Mental Health Act 1969.

- (f) A bankrupt who has not obtained an order of discharge, or whose order of discharge is suspended for a term not yet expired or is subject to conditions not yet fulfilled.
- (g) A person who is convicted of an offence punishable by imprisonment for a term of 2 years or more, unless (in the case of a person seeking election) that person has obtained a pardon or has served the sentence or otherwise suffered the sentence imposed on that person.
- (h) A person who is convicted of any offence punishable by imprisonment for a term of less than 2 years and is sentenced to imprisonment for that offence, unless (in the case of a person seeking election) that person has obtained a pardon or has served the sentence.

## CANDIDATE PROFILE STATEMENTS

### Right to submit a candidate profile statement (CPS)

- Every candidate for election to a city, district and regional council, a community board, and district health board and a licensing trust, may submit a CPS with their nomination paper [section 61 Local Electoral Act]. This is a permissive right – it is not mandatory to submit a CPS.
- Where a candidate is standing for two or more offices, e.g. Mayor and Councillor – he/she may submit a CPS for each office [Clause 26, Local Electoral Regulations].

### Candidate profile statement conditions

- Under section 61(2)(a) and (3) and Regulation 27, a CPS:
  - if in Maori and/or English, must not exceed 150 words in each of the languages used in the CPS. The information contained in each language must be substantially consistent with the information contained in the other language;
  - in any other language or combination of languages, must not exceed 150 words or their equivalent if symbols are used rather than words. Where a CPS is in a language other than English or Maori, then the candidate must provide a translation of the CPS in English or Maori for verification of content. This translation is not published with the CPS.
- Every CPS must be submitted to the electoral officer before noon on nomination day [section 61(2)(b)].
- The content of a CPS under section 61(2)(c) must be confined to information:
  - concerning the candidate (including any affiliation made in the nomination paper or status as an independent and the candidate's contact details);
  - on the candidate's policies and intentions if elected.
- A CPS cannot be used to comment on the policies, performance, etc, of any other candidate.
- A CPS may include a recent photograph of the candidate alone which:
  - must be approximately 50mm by 40mm (passport size); and
  - as a general guide, has been taken within 12 months of the candidate's date of nomination.
  - there is no set standard for the photograph but the quality will be reflected in the image that is reproduced in the CPS. A passport standard photograph is ideal.