

## 6. APPOINTMENT OF NEW ELECTORAL OFFICER FOR THE CHRISTCHURCH CITY COUNCIL

<b>General Manager responsible:</b>	General Manager Regulation & Democracy Services, DDI 941-8462
<b>Officer responsible:</b>	Democracy Services Manager
<b>Author:</b>	Lisa Goodman, Democracy Services Manager

### PURPOSE OF REPORT

1. To seek the Council's approval to appoint a new Electoral Officer for the Christchurch City Council.

### EXECUTIVE SUMMARY

2. The resignation of Max Robertson as Electoral Officer will be effective from 1 August 2008. Section 12(1) of the Local Election Act 2001 requires every local authority to have at all times an electoral officer appointed to exercise the powers and carry out the duties conferred on the electoral officer by that Act.
3. An electoral officer, unless he or she dies, resigns, is dismissed from office, or becomes incapable of acting, remains in office until his or her successor comes into office.
4. The general duties of an electoral officer apply to all election and polls for which the electoral officer is responsible, and include:
  - the compilation and certification of electoral rolls
  - the publication of any public notice in relation to elections and polls
  - receiving nominations, candidate profile statements and deposit required to be paid
  - issuing and receiving ordinary and special votes and other official documents
  - the processing and counting of votes
  - the declaration of results
  - receiving returns of electoral expenses
  - investigating and reporting on offences.
5. When appointing an electoral officer a local authority should consider people with appropriate attributes, characteristics and competencies. An electoral officer should be able to demonstrate, amongst other attributes: integrity, honesty, impartiality, ability to deal with difficult issues, ability to deal with the public and the media, attention to detail, and common sense.
6. It is considered that Clare Sullivan, the Council Secretary, has the appropriate attributes, competencies and experience to be appointed. Clare is currently the Council's Deputy Electoral Officer.

### FINANCIAL IMPLICATIONS

#### Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

7. Not applicable.

### LEGAL CONSIDERATIONS

#### Have you considered the legal implications of the issue under consideration?

8. Yes. As noted above, a local authority must have an appointed electoral officer at all times. There are few restrictions on the appointment of an electoral officer. The appointee may be a council officer (with the exception of the Chief Executive unless there are no other reasonably practicable options), but does not have to be.
9. The Public Health and Disability Act 2000 does require that the person appointed as electoral officer for a DHB must also be the electoral officer of a territorial authority in the district of the DHB. Furthermore, one person may be appointed electoral officer for more than one local authority. Currently Max Robertson is the Electoral Officer for the Christchurch District Health Board and for the Canterbury Regional Council, in addition to the Christchurch City Council.

10. It should be noted that neither the Chief Executive nor the Council can direct the Electoral Officer in undertaking their role, other than under sections 8(a) and 9(a) of the Local Electoral 2001 Act (which refer to the holding of referendums, or the holding of any poll or election not held under that Act).

#### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

##### **Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

11. Yes, under Democracy and Governance the conduct of triennial elections and any intervening by-elections and polls is covered.

#### **ALIGNMENT WITH STRATEGIES**

##### **Do the recommendations align with the Council's strategies?**

12. Not applicable.

#### **CONSULTATION FULFILMENT**

13. No consultation is required.

#### **STAFF RECOMMENDATION**

That pursuant to Section 12(1) of the Local Electoral Act 2001, Clare Margaret Sullivan is appointed as the Christchurch City Council's Electoral Officer, with effect from 1 August 2008.