



CHRISTCHURCH

CITY COUNCIL · YOUR PEOPLE · YOUR CITY

CHRISTCHURCH CITY

Candidate Information Booklet

First Edition: 14 July 2001



LOCAL AUTHORITY ELECTIONS

13 OCTOBER 2001



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1 Introduction

This booklet outlines information which may be of interest to you as a candidate in the 2001 local body elections.



The elections are being conducted by postal vote with election day being Saturday 13 October 2001.



The conduct of local body elections is regulated by legislation, namely:

- Local Electoral Act 2001 (*effective from June 2001*)
- Local Electoral Regulations 2001 (*effective from June 2001*)
- Local Elections and Polls Act 1976 (*ceases to be operative from June 2001 except for provisions relating to compilation of electoral rolls*)
- Local Government Act 1974



Relevant key dates for your diary are:

- Nominations Open Friday 27 July 2001
- Nominations Close Noon, Friday 24 August 2001
- Delivery of Voting Papers Friday 21 September 2001 to Wednesday 26 September 2001
- Election Campaigning Close Midnight, Friday 12 October 2001
- Close of Voting Noon, Saturday 13 October 2001
- Preliminary Results Available As soon as practicable after close of voting, Saturday 13 October 2001
- Official Declaration About Saturday 20 October 2001



For further information or additional copies of this booklet, please phone 372-2200.



Candidates requiring more information should contact:

For electoral enquiries

Max Robertson, Electoral Officer
Election Office
Second Floor Haralds Fabrics Building
80 Lichfield Street
Christchurch

phone: 372-2200
fax: 372-2201
cell phone: 025-229-1735
email: max.robertson@ccc.govt.nz

For other enquiries

Christchurch City Council
Stephen Phillips, Community Relations Manager
Christchurch City Council
P O Box 237
Christchurch

phone direct line: 372-2436
fax: 371-1696
email: stephen.phillips@ccc.govt.nz

Canterbury Regional Council
Peter Berry, Manager, Secretariat
Canterbury Regional Council
P O Box 345
Christchurch

phone: 365-3828 ext 7123
fax: 365-3194
email: peter.berry@ecan.govt.nz

Canterbury District Health Board
Peter Hines
Canterbury District Health Board
P O Box 1600
Christchurch

phone: 364-1231
fax: 364-0252
email: peter.hines@cdhb.govt.nz

Prepared by Max Robertson, Electoral Officer, June 2001



2 Election Issues

- In these elections, persons may stand as:
 - Mayor of Christchurch City and/or;)
 - A member of the Christchurch City Council and/or;) Persons standing for any or all of
 - A member of the following community boards:) these issues **cannot** stand
 - Burwood/Pegasus Fendalton/Waimairi) for the Canterbury Regional
 - Hagley/Ferrymead Riccarton/Wigram) Council.
 - Spreydon/Heathcote Shirley/Papanui)
 - A member of the Canterbury Regional Council. (Persons standing for the Regional Council **cannot** stand for the Mayoralty, City Council or a Community Board.)
 - A member of the Canterbury District Health Board
- The city is divided into 12 wards and six communities. These are:

Ward	No Councillors	Approximate No Electors (2001)
Burwood	2	19,476
Fendalton	2	19,312
Ferrymead	2	19,420
Hagley	2	16,543
Heathcote	2	19,593
Papanui	2	19,556
Pegasus	2	16,467
Riccarton	2	19,155
Shirley	2	17,653
Spreydon	2	17,896
Waimairi	2	18,546
Wigram	2	18,789
Total	24	222,406

Community	Constituent Wards	No Elected Members
Burwood/Pegasus	Burwood Pegasus	3 3
Fendalton/Waimairi	Fendalton Waimairi	3 3
Hagley/Ferrymead	Hagley Ferrymead	3 3
Riccarton/Wigram	Riccarton Wigram	3 3
Shirley/Papanui	Shirley Papanui	3 3
Spreydon/Heathcote	Spreydon Heathcote	3 3
Total		36

(*See page 28 for further information regarding Community Boards)

- Christchurch City is divided into four Canterbury Regional Council constituencies. These are:

Name of Constituency	No Members	Comprising
Christchurch North	2	Papanui Ward Shirley Ward Burwood Ward
Christchurch East	2	Pegasus Ward Hagley Ward Ferrymead Ward
Christchurch South	2	Heathcote Ward Spreydon Ward Wigram Ward
Christchurch West	2	Fendalton Ward Riccarton Ward Waimairi Ward
Total	8	

- Christchurch City will elect five members of the Canterbury District Health Board. These five members will all be elected at large, across the whole of Christchurch.



3 Election Timetable

2001 TRIENNIAL ELECTION TIMETABLE
[Based on the Local Electoral Act 2001]

SATURDAY 13 OCTOBER 2001

2 March - 30 April	Ratepayer Roll Enrolment Confirmation Forms sent [Sec 7BEA, LEAPA]
2 March - 13 July	Preparation of Ratepayer Roll [Sec 7BB, LEAPA]
1 May - 31 May	Public Notices of Ratepayer Roll Qualifications and Procedures [Sec 7BEB, LEAPA]
14 July - 28 July	Compile Preliminary Electoral Roll [Sec 7BA, LEAPA]
By 30 June	Electoral Officer appointed, Declaration signed [Sec 13, LEA]
25 July	Public Notice of Election, Calling for Nominations [Sec 50, LEA]
27 July	Nominations Open
1 August	Public Notice Inspection of Preliminary Electoral Roll [Sec 7D, LEAPA]
3 August - 31 August	Public Inspection of Preliminary Electoral Roll [Sec 7D(3), LEAPA]
24 August	Nominations Close (12 noon) [Sec 53, LEA]
29 August	Public Notice of Candidate Names [Sec 63, LEA]
31 August	Preliminary Roll Closes [Sec 7D, LEAPA]
By 7 September	Receive data from Electoral Enrolment Centre
By 14 September	Electoral Officer Certifies Final Electoral Roll [Sec 49, LEA]
21 September - 26 September	Delivery of Voting Papers
28 September - 13 October	Progressive Roll Scrutiny [Sec 78, LEA] Special Voting Period Early Processing
13 October	Election Day Voting Closes at 12 noon - counting commences [Sec 79, LEA] Preliminary Results available as soon as practicable after close of voting [Sec 80, LEA]
15 October - 17 October	Official Count [Sec 80, LEA]
Approximately 20 October	Declaration of Result/Public Notice of Results [Sec 80, LEA]



4 Candidate Qualifications

1. **A candidate for a city/district/regional council must be:**

- Enrolled on a parliamentary electoral roll somewhere in New Zealand (Section 101G Local Government Act 1974); and
- A New Zealand citizen (either by birth or citizenship ceremony) or a Commonwealth or Irish citizen who was enrolled/qualified as an elector of a local authority before 1982 (Section 25 Local Electoral Act 2001)

2. **Restrictions on a candidate for a city/district/regional council:**

- A candidate need not be an elector of the local authority for which he or she is standing. Any New Zealand citizen who is enrolled as a parliamentary elector may be elected to any territorial authority and community board and to any number or combination of territorial authorities or boards. However, an individual cannot be a candidate for more than one ward or constituency of the same authority, or a candidate for either a territorial authority or community board, as well as a regional council.

In the case of Christchurch City, this means:

1. A person cannot be a candidate for election as a City Councillor in more than one of the 12 wards.
2. A person cannot be a candidate for election as a Community Board member in more than one of the two wards forming each community.
3. Persons are prohibited from standing for the Canterbury Regional Council and also as a candidate for any of the following additional issues:

Mayor
Ward Councillor
Community Board Member

(Section 23 Local Electoral Act 2001)

- A candidate cannot be a person concerned or interested in contracts over \$25,000 with the territorial local authority (Section 3(1) Local Authorities (Members' Interests) Act 1968). This restriction is waived if prior approval from the Audit Office is obtained.

3. **A candidate for a district health board must be:**

- Qualified to be a parliamentary elector (Section 4, Schedule 2, NZ Public Health and Disability Act 2000); and
- A New Zealand citizen (either by birth or citizenship ceremony) or a Commonwealth or Irish citizen who was enrolled/qualified as an elector of a local authority before 1982 (Section 25 Local Electoral Act 2001); and
- Not disqualified by clause 17, schedule 2, New Zealand Public Health and Disability Act 2000 (see page 7).

4. **Restrictions on a candidate for a district health board:**

- A person cannot be a candidate for more than one district or more than one constituency.
- Clause 17, schedule 2 (New Zealand Public Health and Disability Act 2000) provides:

“Certain persons disqualified from membership

None of the following persons may be elected or appointed as a member of a board, or appointed as a member of a committee, of a District Health Board:

- (a) *A person who has been convicted of an offence punishable by imprisonment for a term of 2 years or more, and who has not obtained a pardon, or served the sentence or otherwise suffered the penalty imposed;*
- (b) *A person who is subject to a sentence of imprisonment for an offence punishable by a term of imprisonment of less than 2 years;*
- (c) *A person who is subject to an order made under any of sections 10, 11, 12 and 30 of the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of the Act;*
- (d) *A person who is an undischarged bankrupt;*
- (e) *A person who has, since the date on which members of boards elected at the immediately preceding triennial general election came into office, been removed as a member of a board for any reason specified in clause 9(c) or (e) of Schedule 3;*
- (f) *a person who has failed to declare a material conflict of interest before accepting nomination as candidate for an election of a District Health Board.”*



5 Nominations

1. Key Dates

- Nominations open on Friday 27 July 2001
- Nominations close at noon, Friday 24 August 2001
- Public notices calling for nominations will appear in the local newspapers on Wednesday 25 July 2001 and Friday 27 July 2001.

2. Availability of Nomination Papers

- Each nomination must be made on the appropriate official nomination paper. A separate nomination paper is required for each issue or position and these will be available from 27 July 2001 at the following locations:
 - Election Office, top floor, Haraldis Fabrics building, 80 Lichfield Street
 - Civic Offices, 163 Tuam Street, Christchurch (ground floor reception desk)
 - Any of the Council's six suburban service centres

or by telephoning 372-2200.

- Nomination papers for the Canterbury Regional Council are available from the Electoral Officer for the Canterbury Regional Council (contact Peter Berry on 365-3828).
- Nomination Papers for the Canterbury District Health Board are available from the Electoral Officer for the Canterbury District Health Board (contact Peter Hines on 364-1321).

3. Candidate Profile Statement

- Every candidate may provide the Electoral Officer with a candidate profile statement with their nomination. This is a statement of up to 150 words containing information about the candidate and his or her policies and intentions if elected to office. The profile may include a recent passport size photograph. The candidate profile statement must be true and accurate and the Electoral Officer is not required to verify or investigate any information included in this statement.
- The candidate profile statement is required to be included with the voting paper sent to each elector by the Electoral Officer.
- The candidate profile statement may be in English or Maori, (maximum 150 words in either language) or in any other language (not exceeding 150 words in total). Should all or part of a candidate profile statement be provided in a language other than English, it is required that this be provided in an electronic graphic file.

Specifications (from printer): All translations must be supplied as a single image. If there is more than 1 language translated, then these are to be all supplied together in a single image.

The image to be supplied as a file with the following criteria:

1. *EPS Bit map*
2. *Black and white*
3. *600 dpi*
4. *1 mm white space included around the head and left hand side of the image*
5. *The image being 55 mm high and 85 mm wide*

The following contact details are given for a translation company, for those candidates who are unable to prepare the translation image themselves or do not know of anyone to do this for them:

Pacific International Translations (NZ) Ltd
P O Box 8567, Symonds Street, Auckland
Phone: 09 9135290 Fax: 09 9135291
Email: info@pactrans.co.nz
Contact: Ruth Jasmat

- Section 61 of the Local Electoral Act 2001 provides:
 - (1) *Every candidate may, provide to the electoral officer a candidate profile statement that complies with subsection (2) and, if applicable, subsection (3).*
 - (2) *A candidate profile statement,-*
 - (a) *if-*
 - (i) *in English or Maori or both, must not exceed 150 words in each of the languages used in the statement:*
 - (ii) *in a language other than English or Maori, must not exceed 150 words, or the equivalent,, if the language uses symbols rather than words (including any translation of those words into another language provided by the candidate); and*
 - (b) *must accompany the candidate's nomination paper; and*
 - (c) *must be confined to information concerning the candidate (including any group or organisation with which the candidate claims under section 55(4) to be affiliated, or his or her status as an independent candidate), and the candidate's policies and intentions if elected to office; and*
 - (d) *must comply with any prescribed requirements; and*
 - (e) *may include a recent photograph of the candidate alone.*
 - (3) *If a candidate profile statement is submitted in Maori and English, the information contained in each language must be substantially consistent with the information contained in the other language.*
 - (4) *If the electoral officer is not satisfied that a candidate profile statement complies with subsection (2), or, if applicable, subsection (3),the electoral officer must, as soon as practicable, return the statement to the candidate and must –*
 - (a) *specify the concerns of the electoral officer and the reasons for those concerns; and*
 - (b) *specify a period, which must not be less than 3 days from the date of return of the statement, during which the candidate may submit an amended candidate profile statement to the electoral officer.*
 - (5) *A candidate is to be treated as having failed to provide a candidate profile statement, if subsection (4) applies to the candidate and the candidate-*
 - (a) *fails to submit an amended candidate profile statement within the period specified in subsection (4)(b); or*
 - (b) *submits an amended candidate profile statement that, in the opinion of the electoral officer, does not comply with subsection (2) or, if applicable, subsection (3).*
 - (6) *An Electoral Officer-*
 - (a) *is not required to verify or investigate any information included in a candidate profile statement:*
 - (b) *may include, in or with any candidate profile statement that is published, displayed, or distributed, any disclaimer concerning the accuracy of the information contained in the statement that the electoral officer considers appropriate:*
 - (c) *is not liable in respect of-*
 - (i) *any statement contained in or omitted from the candidate profile statement or the work of a translator prudently selected by the electoral officer; or*
 - (ii) *the exercise of the powers and functions, conferred on the electoral officer by this section.*

4. District Health Board Conflict of Interest Statements

- All District Health Board nominations must be accompanied by a statement completed by the candidate that discloses any conflicts of interest that the candidate has with the District Health Board at the time of nomination or any conflicts of interest the candidate believes are likely to arise in the future. A sample conflict of interest statement is attached as Appendix A.
- The conflict of interest statement is required to be included with the voting paper sent to each elector by the Electoral Officer.
- Section 6 of the New Zealand Public Health & Disability Act 2000 provides:

Candidate to declare conflicts of interest

When a candidate gives the responsible Electoral Officer notice of the candidate's consent to being nominated as a candidate, the candidate must also give the Electoral Officer a statement completed by the candidate in good faith that –

- (a) discloses any conflicts of interest that the candidate has with the District Health Board as at the date of the candidate's notice of consent, or states that the candidate has no such conflicts of interest as at that date; and*
- (b) discloses any such conflicts of interest that the candidate believes are likely to arise in future, or states that the candidate does not believe that any such conflicts of interest are likely to arise in the future*

5. Completion of Nomination Paper

- Each nomination paper must have the consent of the candidate and be nominated by two electors whose names appear on the electoral roll for the district or subdivision of the district (eg ward).
- If a candidate is unable to sign the nomination paper (eg absent overseas), a letter of consent signed by the candidate is acceptable to attach to the nomination paper.
- If a candidate is commonly known in the community by a slightly different name (eg Edward Smith is commonly known as Ted Smith) and has been known by this name for at least the last six months (to the satisfaction of the Electoral Officer), the commonly known name may appear on the voting paper.

6. Affiliation

- The nomination paper provides for a candidate to claim an affiliation with an organisation or group.

Individual candidates not part of an organisation or group may elect to be identified as "Independent" or leave as blank (if left blank, nothing will show alongside the name on the voting paper).

- A candidate requiring a specific affiliation should have authority to adopt the affiliation from the organisation or group concerned (ie letter from group confirming its consent to use affiliation). This is a safety measure to avoid any illegal adoption of affiliations.
- No affiliation that might cause offence or is likely to confuse or mislead electors will be accepted.

The relevant extracts from sections 55 and 57 of the Local Electoral Act are set out below:

55

- (4) *A nomination under subsection (1) must state---*
- (a) *the name under which the candidate is seeking election;*
 - (b) *any organisation or group with which the candidate claims to be affiliated for the purposes of identifying that affiliation in the voting documents at the election;*
 - (c) *whether or not a candidate who does not claim any affiliation referred to in paragraph (b) wishes to be identified in the voting documents at the election as an independent candidate.*

57 Affiliation of Candidate

- (1) *If an electoral officer is in any doubt about a candidate's eligibility to claim an affiliation, the electoral officer may require the candidate to produce evidence sufficient to satisfy the electoral officer of the candidate's eligibility to claim that affiliation.*
- (2) *If an electoral officer considers that the candidate is not eligible to claim an affiliation or that the affiliation claimed might cause offence to a reasonable person or is likely to cause confusion to or mislead electors,---*
 - (a) *the electoral officer must, after consultation with the candidate, allow the affiliation that the electoral officer and the candidate agree on to appear on voting documents in place of the affiliation specified in the notice of nomination; or*
 - (b) *if the consultation referred to in paragraph (a) does not result in agreement or is not reasonably practicable to undertake, the electoral officer must not allow any affiliation in respect of that candidate to appear on voting documents.*
- (3) *In this section, an affiliation is an endorsement by any organisation or group (whether incorporated or unincorporated).*

7. Return of Nomination Paper

- Nomination papers for the **Mayor, City Council and Community Board issues** must be lodged with the Electoral Officer at the election office, which is located on the second floor of the Haralds Fabrics building, at 80 Lichfield Street, or posted to:

Max Robertson
 Electoral Officer
 Christchurch City Council
 P O Box 237
 Christchurch

- Canterbury Regional Council nominations must be lodged with:

Peter Berry
 Canterbury Regional Council
 58 Kilmore Street (P O Box 345)
 Christchurch
 Telephone 365-3828 / Fax 365-3194

- Canterbury District Health Board nominations must be lodged with:

Peter Hines
 Canterbury District Health Board
 10 Oxford Terrace (P O Box 1600)
 Christchurch
 Telephone 364-0460 / Fax 364-0438

All District Health Board nominations must be accompanied by a statement completed by the candidate that discloses any conflicts of interest that the candidate has with the District Health Board at the time of nomination or any conflicts of interest the candidate believes are likely to arise in the future.

In all cases, nominations must be lodged no later than 12 noon, Friday 24 August 2001

- Once lodged, nomination papers are checked to ensure the candidate is eligible (name appears on a parliamentary roll) and the nominators are two electors whose names appear on the electoral roll for the ward, or constituency.
- Each nomination paper lodged requires an accompanying deposit of \$200 (including GST). This is refunded if the candidate polls greater than 25% of the lowest polling successful candidate.
- The lodgement of nomination papers should not be left to the last minute. Should a nomination paper be lodged late on the morning nominations close, and be incorrectly completed or ineligible nominators provided, there may be insufficient time to correct the situation and the nomination paper could be invalidated.

Please do not leave lodging your nomination to the last minute

- Payment of the nomination deposit can be made by cash, bank cheque or personal cheque. Should a personal cheque be used and subsequently dishonoured, the nomination becomes invalid as the deposit has not lawfully been made.
- Cheques should be made payable to:
 - Christchurch City Council (for Mayor, Council and Community Board nominations)
 - Canterbury Regional Council (for Regional Council nominations)
 - Canterbury District Health Board (for District Health Board nominations)
- Nomination papers, with the deposit, can be mailed, but should they be received after the close of nominations, the nomination is invalid.



6 Campaigning and Limits on Campaign Expenditure

Campaigning

- Election campaigning can commence any time and can continue up to and including election day.
- Election offences are set out in section 16 of this booklet. Please refer to them for your own protection. In particular, note that no election material may contain an imitation voting paper which has the names of the candidates with any direction or indication as to the candidate a person should vote for, or in any way contains such direction or indication likely to influence the voter.
- Voting Papers are not permitted to be collected from electors by candidates or their assistants. Each elector is required to post or deliver his or her own voting paper to the Electoral Officer.
- For campaigning information, the approximate number of households and population for each Christchurch City Ward is as follows:

Ward	No Households 1996 Census	Estimated Resident Population as at 30 June 2000
Burwood	9,487	28,600
Fendalton	9,855	27,300
Ferrymead	10,059	28,500
Hagley	10,638	26,100
Heathcote	10,367	28,000
Papanui	10,032	29,200
Pegasus	9,156	24,400
Riccarton	9,752	28,700
Shirley	10,021	25,500
Spreydon	9,441	25,200
Waimairi	9,051	26,100
Wigram	8,762	27,300
	-----	-----
	116,621	324,900

Limits on Campaign Expenditure

Candidates should be aware that campaign expenditure limits have now been established by legislation. This means a limit has been placed on how much a candidate may spend on his or her campaign, and this includes donations and joint campaigning. The maximum amount spent must not exceed the limits set out below where the election covers a population range as detailed:

Local Government Area Population	Expenditure Limit
up to 4,999	\$3,500
5,000-9,999	\$7,000
10,000-19,999	\$14,000
20,000-39,999	\$20,000
40,000-59,999	\$30,000
60,000-79,999	\$40,000
80,000-99,999	\$50,000
100,000-149,999	\$55,000
150,000-249,999	\$60,000
250,000 or more	\$70,000

If a candidate is standing for more than one position (eg Mayor and Council) then the higher limit applies (not both combined).

Therefore, the total electoral expenses (including GST) of each candidate must not exceed the following amounts in the case of the Christchurch City elections:

	\$
Mayoral candidates	70,000
Council candidates	20,000
Community Board candidates	20,000
Canterbury District Health Board candidates	70,000
Canterbury Regional Council candidates:	
Christchurch East constituency	40,000
Christchurch North constituency	50,000
Christchurch South constituency	50,000
Christchurch West constituency	50,000

A Return of Electoral Expenses and Electoral Donations form (see Appendix B for a copy) is required to be supplied to the Electoral Officer within 55 days after the official declaration of the result of the election.

The Return of Electoral Expenses and Electoral Donations form once returned becomes a public document and can be inspected by any person for a period of six months after receipt.

Campaign expenditure limits cover a period of three months before election day (ie 14 July 2001 to 13 October 2001).

Set out overleaf are the relevant provisions of the Local Electoral Act 2001 governing the definitions of "electoral activity", "electoral expenses" and other details.

104 Interpretation:

In this Part,-

applicable period before the close of polling day means the period beginning 3 months before the close of polling day and ending with the close of polling day

electoral activity, in relation to a candidate at an election, means an activity –

- (a) that is carried out by the candidate or with the candidate's authority; and
- (b) that relates to the candidate solely in the candidate's capacity as a candidate and not to the candidate –
 - (i) in his or her capacity as a member of the local authority or community board, or as the holder of any other office; or
 - (ii) in any other capacity; and
- (c) that comprises –
 - (i) advertising of any kind; or
 - (ii) radio or television broadcasting; or
 - (iii) publishing, issuing, distributing, or displaying addresses, notices, posters, pamphlets, handbills, billboards, and cards; or
 - (iv) any electronic communication to the public, including (without limitation) the establishment or operation of a website or other method of communication to the public using the Internet; and
- (d) that relates exclusively to the campaign for the return of the candidate; and
- (e) that takes place within the applicable period before the close of polling day

electoral donation, in relation to a candidate at an election, -

- (a) means a donation (whether of money or the equivalent of money or of goods or services or of a combination of those things) of a sum or value of more than \$1,000 (such amount being inclusive of any goods and services tax and of a series of donations made by or on behalf of any one person that aggregate more than \$1,000) made to the candidate, or to any person on the candidate's behalf, for use by or on behalf of the candidate in the campaign for his or her election; and
- (b) includes, if goods or services are provided to the candidate, or to any person on the candidate's behalf, under a contract at 90% or less of their reasonable market value, the amount of the difference between the contractual price of the goods or services and the reasonable market value of those goods or services; but
- (c) does not include the labour of any person that is provided to the candidate free of charge by that person

electoral expenses, in relation to a candidate at an election, -

- (a) means expenses that are incurred by or on behalf of the candidate in respect of any electoral activity; and
- (b) includes expenses that are incurred by or on behalf of the candidate, before or after the applicable period before the close of polling day, in respect of any electoral activity; and
- (c) includes the reasonable market value of any materials applied in respect of any electoral activity that are given to the candidate or that are provided to the candidate free of charge or below reasonable market value; and
- (d) includes the cost of any printing or postage in respect of any electoral activity, whether or not the expenses in respect of the printing or postage are incurred by or on behalf of the candidate; but
- (e) does not include the expenses of operating a vehicle on which election advertising appears if that vehicle is used in good faith by the candidate as the candidate's personal means of transport; and
- (f) does not include expenses incurred by the candidate in preparing a candidate profile statement; and
- (g) does not include the labour of any person that is provided to the candidate free of charge by that person

population means the population, as at nomination day, of a local government area as specified in a certificate issued in respect of that area under section 2(5) of the Local Government Act 1974.

105 Periods for claiming and paying expenses

- (1) No claim against a candidate, or against any agent of a candidate, in respect of any electoral expenses is recoverable unless it is sent to the candidate within 30 days after the day on which the successful candidates are declared to be elected.
- (2) All electoral expenses incurred by or on behalf of a candidate must be paid within 60 days after the day on which the successful candidates are declared to be elected.

106 Procedure if claim disputed

- (1) If a candidate, in the case of a claim for electoral expenses sent in to him or her within the time allowed by this Act, disputes it, or fails to pay it within 60 days,-
 - (a) the claim is a disputed claim; and
 - (b) the claimant may, if he or she thinks fit, within a further 30 days, bring an action for the disputed claim in any court of competent jurisdiction.
- (2) Any sum paid by the candidate to satisfy the judgment or order of the Court in any action referred to in **subsection (1)** is to be treated as paid within the time allowed by this Act.

107 Leave to pay claim after time limited

- (1) A District Court may, on the application of the claimant or the candidate, grant leave to the candidate to pay a disputed claim, or to pay a claim for any electoral expenses, even though it is sent in after the time allowed by this Act, if the Court considers it in the interests of justice to grant that leave.
- (2) Any sum specified in the order granting that leave may be paid by the candidate, and when paid, is to be treated as paid within the time allowed by this Act.

108 Payments to be vouched by bill

- Every payment made in respect of any electoral expenses must, except when it is less than \$200 (inclusive of goods and services tax), be vouched by-
- (a) a bill stating the particulars; and
 - (b) a receipt

109 Return of electoral expenses

- (1) Within 55 days after the day on which the successful candidates at any election are declared to be elected, every candidate at the election must transmit to the Electoral Officer a return setting out-
 - (a) the candidate's electoral expenses; and
 - (b) the name and address of each person who made an electoral donation to the candidate and the amount of each electoral donation; and
 - (c) if an electoral donation of money or of the equivalent of money is made to the candidate anonymously and the amount of that donation exceeds \$1000,-
 - (i) the amount of that donation; and
 - (ii) the fact that it has been received anonymously.
- (2) Every return under **subsection (1)** must be in the form prescribed in **Schedule 2** or to similar effect.
- (3) If the candidate is outside New Zealand on the day on which the successful candidates are declared to be elected, the return must be transmitted by the candidate to the Electoral Officer within 21 days after the date of the candidate's return to New Zealand.
- (4) It is the duty of every Electoral Officer to ensure that this section is complied with.

110 Return to be open for public inspection

- The Electoral Officer must keep every return under **section 109** in the Electoral Officer's office, or at some other convenient place to be appointed by the principal administrative officer of the local authority, for a period of 6 months after it has been received by the Electoral Officer, and-
- (a) during that period the return must be open to inspection by any person; and
 - (b) at the expiry of that period the Electoral Officer must ensure that the return is destroyed.

111 Maximum amount of electoral expenses (refer to page 14 in this booklet)

112 Apportionment of electoral expenses

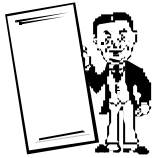
- (1) If any activity of the kind described in **paragraphs (a) to (d)** of the definition of the term **electoral activity** (as set out in **section 104**) is, in relation to a candidate at an election, carried on both before and within the applicable period before the close of polling day,-
 - (a) the expenses incurred in respect of the activity (being expenses incurred by or on behalf of the candidate) must be properly apportioned so that a fair proportion of those expenses is attributed to the carrying on of the activity in the applicable period before the close of polling day; and
 - (b) the fair proportion of those expenses are electoral expenses.
- (2) If any election activity relates exclusively to campaigns for the election of 2 or more candidates, any electoral expenses in respect of that electoral activity must be apportioned equally in relation to each of those candidates.

113 Advertisements for candidates

- (1) No person may publish or cause to be published in any newspaper, periodical, notice, poster, pamphlet, billboard, or card, or broadcast or permit to be broadcast over any radio or television station, any advertisement that is used or appears to be used to promote or procure the election of a candidate at an election, unless **subsection (2)** or **subsection (4)** applies.
- (2) A person may publish or cause or permit to be published an advertisement of the kind described in **subsection (1)** if-
 - (a) the publication of that advertisement is authorised in writing by the candidate or the candidate's agent or, in the case of an advertisement relating to more than 1 candidate, the candidates or an agent acting for all of those candidates; and
 - (b) the advertisement contains a statement setting out the true name of the person or persons for whom or at whose direction it is published and the address of his or her place of residence or business.
- (3) A candidate is not responsible for an act committed by an agent without the consent or connivance of the candidate.
- (4) A person may publish or cause or permit to be published an advertisement of the kind described in **subsection (1)** if-
 - (a) the publication of the advertisement is endorsed by an organisation or body representing residents or ratepayers in the community or district in which the advertisement is published; and
 - (b) the advertisement contains a statement setting out-
 - (i) the true name of the person or persons for whom or at whose direction it is published and the address of his or her residence or place of business; and
 - (ii) the true name of the organisation or body who has endorsed the publication of the advertisement and the address of the place of business of that organisation or body.
- (5) This section does not restrict the publication of any news or comments relating to an election in a newspaper or other periodical, or on the Internet, or in any other medium of electronic communication accessible by the public, or in a radio or television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989.

114 Use of public money

Sections 111 and 112 do not validate any use of public money that would otherwise be unlawful.



7 Advertising by or on behalf of Candidates and use of Council logos

Advertisements to be Authorised in Writing by the Candidate or the Candidate's Agent

Section 113 of the Local Electoral Act provides that no-one, other than an organisation representing residents or ratepayers of the district, may publish or permit to be broadcast any advertisements for a candidate at an election without the written authorisation of the candidate or the candidate's agent.

Furthermore, no person or organisation may publish or permit to be broadcast any advertisement for a candidate at an election without including a statement setting out the name and address of the person or organisation that directed its publication. The intention of this provision is to allow the public to be aware from whom candidate advertising originates and make their own judgement about the credibility of the information and views expressed.

Section 113(5) makes it clear that this provision does not restrict the publication of any news or comments relating to an election in any media.

Section 113 is included within the part of the Act dealing with electoral expenses. The advertising to which it relates may take place at any time - not only during the three months prior to the election.

The full provisions of Section 113 are set out on page 17 of this booklet.

Use of Council Logos

- (i) The square Christchurch Garden City logo set out below is available to anyone who wishes to use it:



- (ii) The round corporate visual identity logo for the Christchurch City Council set out below is **not** available for use by any group or individual, except the Council as a whole under the terms of its copyright. This **excludes** its use by either sitting members or other candidates in any context which could reasonably be construed as campaigning for elections.



- (iii) The formal Council crest shown below can only be used with the prior approval of the Council's Legal Services Manager. Again, it is **not** available for use by either sitting members or other candidates in any context which could reasonably be construed as campaigning for elections.





8 Council Requirements for Election Hoardings

The Council's requirements relating to election signs are as follows:

1. **Cathedral Square, City Mall and New Brighton Mall**

- (a) No vehicles are to be parked in Cathedral Square, the City Mall or the New Brighton Mall for the purpose of political party promotion, and this prohibition is to include caravans.
- (b) Tables for the purpose of checking electoral rolls are permissible.
- (c) Some tasteful candidate advertising may be attached to the campaign tables.
- (d) No charge will be made for the use of sites in Cathedral Square, the City Mall or the New Brighton Mall.
- (e) The Council's Leisure and Parks Customer Centre must be advised when such political party promotions are proposed (phone 372-2840).

2. **Advertising signs (including placards, posters and banners on or adjacent to roads)**

- (a) Signs less than 3m² in area and mounted no higher than 3 metres may be erected on private property in the city. (Note: This is a requirement of the Christchurch City District Scheme, and equates to a sign 2.5 m wide and 1.2m deep.)
- (b) A Council consent must be obtained before signs are attached to buildings. This applies to signs of solid framing or backing in excess of 2 square metres in size.
- (c) No advertising signs are permitted on any road structure such as poles or cabinets, trees or on parks and reserves, footpaths, roads, road reserves or other land owned or controlled by the Council.
- (d) Signs must not be reflectorised or erected in such a location that they will create an obvious conflict with existing road signs. Signs must not imitate or be of a form similar to any traffic signs. (This is a requirement in terms of the Traffic Regulations 1976.)
- (e) Signs must not be erected facing into any intersection controlled by traffic signals or roundabouts. Signs erected in the vicinity of other intersections must be placed so that they can be viewed by drivers leaving rather than entering the intersection. Signs erected in these locations shall be parallel to the street boundary of the property on which they are erected. Signs shall not be located so as to be likely to obscure or to confuse the interpretation of any traffic signals.
- (f) Trailer and other vehicle mounted signs are not permitted (a bylaw provision) unless associated with a street meeting in progress or attached to a parked caravan with people in attendance.

However, the following signs on vehicles are permitted:

- (i) Signs mounted on the roof of vehicles, provided they comply with the provisions of the Traffic Regulations 1976.
- (ii) Signwriting on the bodywork of candidates' vehicles, giving basic information such as the name of the candidate, their party and contact phone number(s).

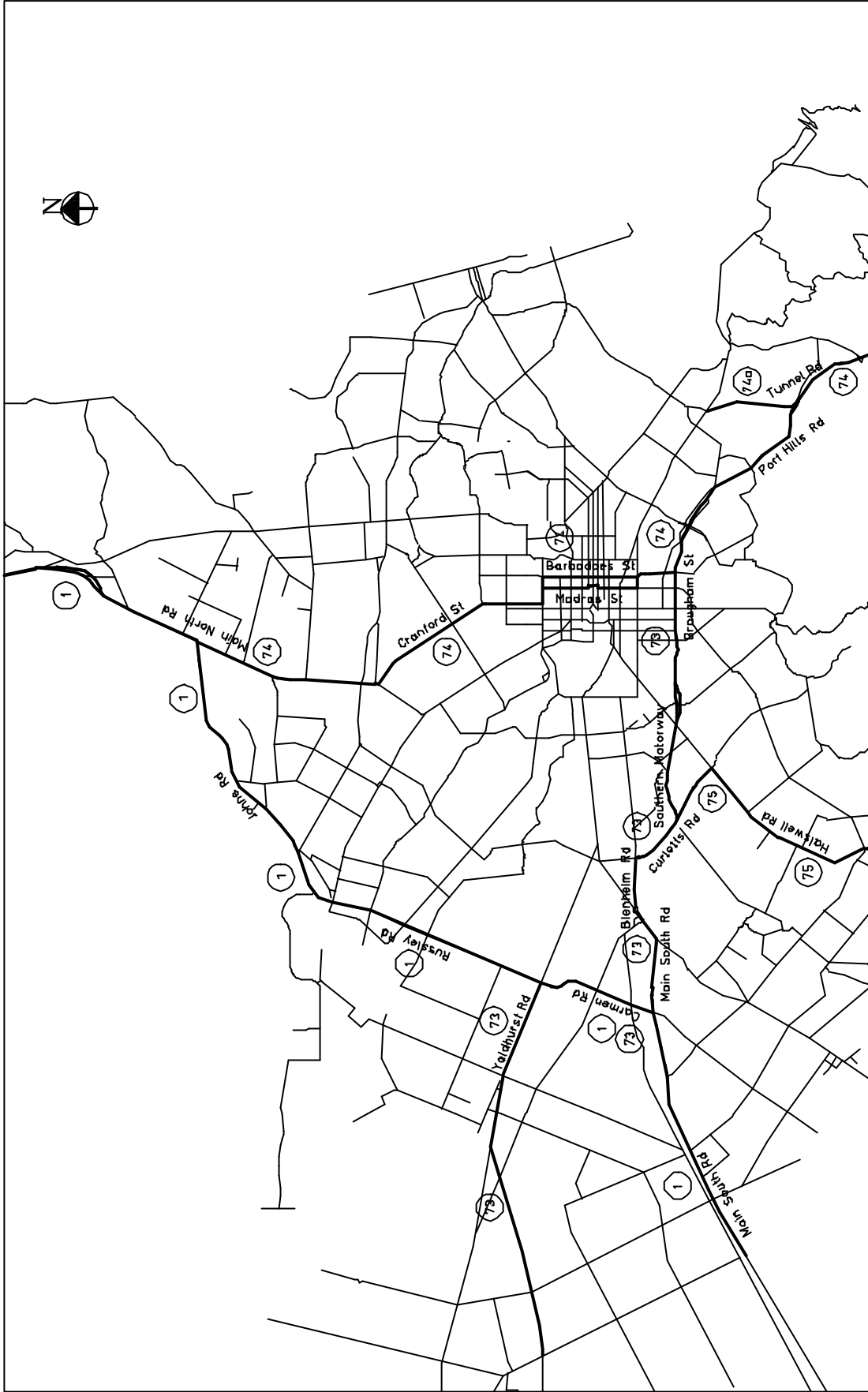
(Note: Contravention of this paragraph is an offence under the parking bylaws).

- (g) Signs must not be displayed for more than three months, and must be removed within seven days after the election if a postal voting system is used; or removed and/or covered prior to election day when the booth voting system is used.
- (h) Signs erected contrary to these requirements or in a location or manner likely to cause distraction or danger to road users may be removed by the Council without prior notice. Where a sign is removed by the Council in these circumstances, the candidate(s) will then be advised of the action taken and the sign may be recovered from the Council following the payment of a fee of \$50 to cover part of the removal costs.
- (i) Any queries regarding signs should be directed to the Council's Environmental Services Call Centre on 371-1406.

3. Signs on, or adjacent to state highways

- (a) Transit New Zealand controls the State Highways passing through Christchurch City, as shown on the **attached** map.
- (b) The following restrictions will apply to election signs erected on or adjacent to the State Highways shown on the map.
 - Signs shall not be located on the road reserve in either rural or urban sections of the State Highways (urban sections being generally defined as areas where the speed limit is 70km/h or less). In exceptional situations Transit New Zealand may permit the erection of signs within the road reserve, but this must not be done without the written approval of Transit New Zealand.
 - Signs erected on private property should have the permission of property owners and the City Council. Signs on private property should not exceed 3m² in area.
 - Signs must not be reflectorised or erected in such a location that they will create an obvious conflict with existing road signs. Signs must not imitate or be of a form similar to any traffic signs (this is a legal requirement in terms of the Traffic Regulations 1976).
 - The location of signs must give consideration to visibility and other traffic safety aspects.
 - Signs will not be permitted on or adjacent to motorways.
 - Signs erected on rural State Highways in a location or manner likely to cause distraction or danger to road users may be removed by Transit New Zealand or its agents without prior notice. Where a sign is removed by Transit New Zealand the party will then be advised of the action taken and the sign may be redeemed for a fee of \$50 to cover Transit New Zealand costs.
 - For the above noted safety reasons, vehicle mounted signs situated on State Highways are also discouraged by Transit New Zealand.
- (c) Where any individual candidate or party organisers have any uncertainties with these State Highway requirements, they should make contact with:

Murray Keast
Opus International Consultants
P O Box 1482
Christchurch
ph: (03) 363-5400
fax: (03) 365-7858



State Highways Maintained by Transit New Zealand S2427



9 Electoral Rolls

- The preliminary electoral roll for Christchurch City will be available for public inspection from Friday 3 August 2001 to 4pm Friday 31 August 2001 at the following places:

Civic Offices	163 Tuam Street (Receptionist, ground floor)
Beckenham Service Centre	66 Colombo Street
Central Public Library	Gloucester Street/Oxford Terrace corner
Fendalton Library and Service Centre	Cnr Jeffreys and Clyde Roads, Fendalton
Linwood Service Centre	180 Smith Street, Linwood
Papanui Library and Service Centre	Cnr Langdons Road and Restell Street, Papanui
Riccarton Service Centre	Post Shop, 103 Riccarton Road
Shirley Library and Service Centre	36 Marshland Road, Shirley
Sockburn Service Centre	149 Main South Road, Sockburn

The Community Libraries at:

Bishopdale	Bishopdale Mall, Harewood Road
Halswell	381 Halswell Road, Halswell
Hornby	Goulding Avenue, Hornby
Linwood	10 Cranley Street, Linwood
New Brighton	213 Marine Parade, New Brighton
Redwood	339 Main North Road, Redwood
Spreydon	266 Barrington Street, Spreydon
Sumner	14 Wakefield Avenue, Sumner

NZ Post Shops at:

Addington	Addington Shopping Mall, 332 Lincoln Road
Armagh	145 Armagh Street
Barrington	Books and More, Barrington Mall
Beckenham	Hardings Chemist Ltd, 135 Colombo Street
Bishopdale	31 Bishopdale Court
Cathedral Square	3 Cathedral Square
Christchurch City Mall	140 Hereford Street
Christchurch Mail Centre	53-59 Hereford Street
Eastgate	Eastgate Shopping Centre
Edgware	57 Edgware Road
Fendalton	19-23 Memorial Avenue
Halswell Video and Post	346 Halswell Road
Hornby	Hornby Mall, Main South Road
Ilam	Ilam Sports & Cycles, corner Waimairi & Maidstone Roads
Linwood	Stanmore Books, 108B Stanmore Road
Merivale	183 Papanui Road
New Brighton	Books and More, Carnaby Mall
Papanui	Books and More, Northlands Shopping Centre
Parklands	Chadbury Street, Parklands
Phillipstown	244 Ferry Road
Redwood	288B Main North Road
Riccarton	103 Riccarton Road
Shirley	20 Marshland Road
South City	Lotto and Post Shop, 555 Colombo Street
St Martins	92 Wilsons Road
Sumner	Sumner Village Bookshop, 13 Wakefield Avenue
Sydenham	389 Colombo Street
Upper Riccarton	349 Riccarton Road
Victoria Street	Tower Building, 374 Montreal Street
Woolston	713 Ferry Road

- The preliminary electoral roll is in 12 books - one for each ward.
- Any alterations to the residential roll should be made:
 - (i) by completing the appropriate form at any Post Shop; or
 - (ii) by telephone 0800 ENROLNOW (0800-367-656); or
 - (iii) by accessing the Electoral Enrolment Centre website on www.elections.org.nz.
- Any alterations to the ratepayer roll should be made through the Electoral Office (phone 372-2200).
- Copies of the preliminary electoral roll may be purchased from the Electoral Officer for \$60 (inc GST) for a full set of 12 books (one for each ward), or \$5 (inc GST) for one book.
- The final electoral roll is produced once the preliminary electoral roll closes on 31 August 2001. The final electoral roll is the roll used for issuing voting papers. Copies of this roll will also be available for purchase.
- Details appearing in the electoral rolls are electors names (surname, then first names) listed alphabetically by ward. The qualifying address of the elector is shown alongside. To comply with privacy provisions, no postal addresses or occupations will be made available.

SUPPLY OF ELECTORAL ROLL DATA IN ELECTRONIC FORM

Information contained on the Electoral Rolls is not available from the Electoral Office in an electronic form, but candidates or political parties may request an electronic listing of resident electors from the Electoral Enrolment Centre (provided the criteria of section 114 of the Electoral Act 1993 is met). An application form is required to be completed, and these are available upon request at the Electoral Enrolment Centre. Contact person is Bob Chandler, phone (04) 801-0700 or fax (04) 801-0709.



10 Special Voting

- Special votes are available to electors:
 - whose names do not appear on the final electoral roll, but who qualify as electors
 - who have not received a voting paper previously posted to them
 - who spoil or damage a voting paper previously posted to them
- Special votes will be available from Monday 24 September 2001 to noon, Saturday 13 October 2001 at the Civic Offices, 163 Tuam Street.
- Special votes can be posted directly out to applicants. The completed voting paper however, must be returned to the Electoral Officer by noon on election day.
- Special votes require the completion of a statutory declaration. This is a legal requirement and a protection for electors against possible duplicate voting.
- If an elector requests a special vote and is not on the parliamentary roll (eg just turned 18 years of age), the person must enrol by Friday 12 October 2001. An application for registration as a parliamentary elector may be obtained:
 - (i) from any Post Shop; or
 - (ii) by telephoning 0800 ENROLNOW (0800-367-656); or
 - (iii) by accessing the Electoral Enrolment Centre website on www.elections.org.nz.

After voting closes, Special Vote Declarations are forwarded to Registrars of Electors for verification that the elector is eligible and has enrolled as a parliamentary elector, or forwarded change of address details.

- Special votes **cannot** be collected by candidates or their assistants for distribution to electors.



11 Early Processing of Returned Voting Papers

- Returned voting papers are able to be opened and processed during all or part of the voting period before the close of voting.
- The early processing of voting papers may involve the following functions:
 - opening of envelopes
 - extracting of voting papers
 - checking for informal or duplicate votes
 - electronic capture of valid votes
- No tallying of votes is undertaken until after the close of voting (12 noon, Saturday 13 October 2001).
- The early processing functions are undertaken with strict security measures. One or more Justices of the Peace observe all early processing functions, and sign a statement at the end of the processing that all functions were undertaken correctly and conformed with the strict legal requirements.
- Candidate scrutineers are not permitted to observe the early processing functions.



12 Scrutineers

- Candidates may appoint scrutineers to oversee various functions of the election. These functions are:
 - the scrutiny of the roll
 - the official count
- Each candidate may appoint one or more scrutineers for each of the above functions, **but only one scrutineer for each candidate may be present at any one time.**
- A scrutineer cannot be:
 - a candidate;
 - a member or employee of any local authority or community board for an election being conducted;
 - under 18 years old.
- Each scrutineer must be appointed by a candidate, such appointment to be in writing to the Electoral Officer. For a person to be appointed a scrutineer, the letter of appointment must be received by the Electoral Officer seven days or more before the commencement of the voting period (ie by 14 September 2001). A sample letter of appointment is attached as Appendix C.
- Each appointed scrutineer must report initially to the Electoral Officer, when a declaration pledging not to disclose any information coming to his or her knowledge, will need to be signed and a name tag issued. When leaving the premises, scrutineers are to return their name tag to the Electoral Office.
- Any scrutineer may leave or re-enter the place where election work is being carried out, **but it is an offence** to:
 - make known for what candidate any voter has voted;
 - make known the state of the election, or give or pretend to give any information by which the state of the election may be known, before 12 noon on election day
- The scrutiny of the roll will be undertaken at the election office in the Haralds Fabrics building at 80 Lichfield Street during normal office hours between Friday 21 September 2001 and noon, Saturday 13 October 2001.
- The preliminary count of votes will commence once voting closes at 12 noon on Saturday 13 October 2001.
- The official count of votes will commence once the preliminary count is concluded and the official declaration will be made on or about Saturday 20 October 2001.
- The role of scrutineers is to ensure that the election procedures where they are permitted to be present are undertaken correctly. **It is not a means to obtain progress reports on how well certain candidates or parties are polling.**
- Scrutineers should not distract, annoy, linger close by or talk loudly to one another so as to disrupt or upset election staff. All communication should be through the Electoral Officer or one of his assistants.
- Scrutineers are requested to make their own provision for refreshments and meals.
- The use of mobile phones is prohibited in the election office. Scrutineers will be required to hand their mobile phones over to the Electoral Officer on arrival.



13 Preliminary Roll Scrutiny Count and Release of Preliminary Results

- The returned voting documents will be processed on return throughout the three week voting period. This will involve:
 - Marking the elector's name off the roll as having voted (called the Roll Scrutiny).
 - Checking for informal votes, and rejecting as informal any voting documents or parts thereof where the elector has not made his or her intention clear.
 - Recording by electronic means the votes on the voting document.

Votes recorded electronically during the voting period will not be totalled or released until after 12 noon on election day.

- Preliminary results will be emailed or faxed to candidates and the news media as soon as practicable on election day (13 October 2001). The results will also be available on the Council's internet site (www.ccc.govt.nz) or by telephoning the Election Office on 372-2200.

The Electoral Officer and his staff will do all in their power to complete the preliminary count in a reasonable time. However, no guarantee can be given as to the time when the final preliminary results will be available on election day, although it is expected they should be available by about 5pm onwards.



14 Community Boards

General

A community is a subdivision of a territorial authority district.

Christchurch City comprises six communities, as follows:

Burwood/Pegasus	Riccarton/Wigram
Fendalton/Waimairi	Shirley/Papanui
Hagley/Ferrymead	Spreydon/Heathcote

During the 2001/2004 term, each of the six community boards will comprise a maximum of 9 members, of which six will be elected by community electors. Up to three additional members may be appointed by the Christchurch City Council.

The general purposes of a community board are:

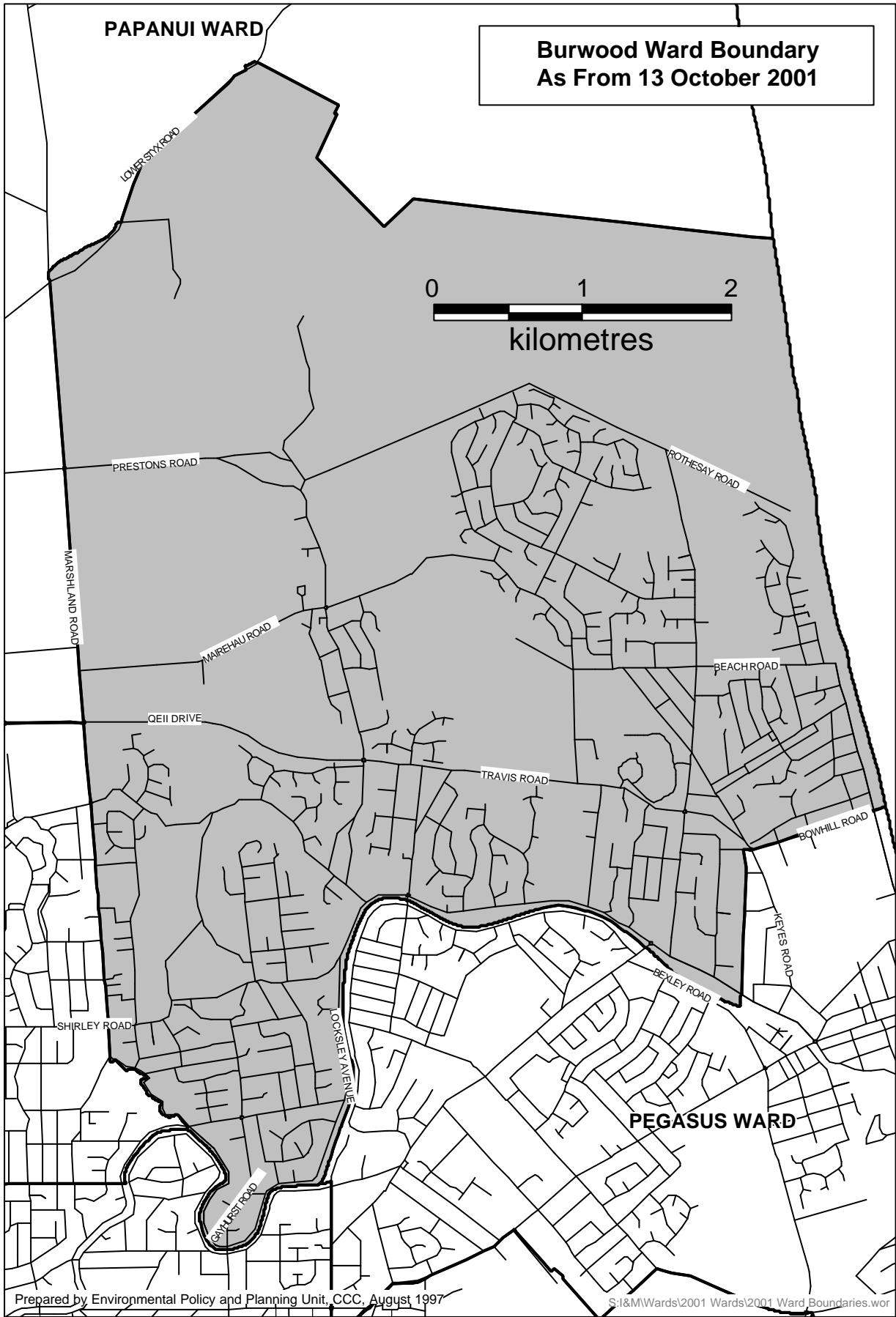
- The consideration of, and reporting on, of all matters referred to it by the Christchurch City Council or any matter of interest or concern to the community board;
- The overview of roadworks, water supply, sewerage, stormwater drainage, parks, recreational facilities, community activities, and traffic management within the community;
- The preparation of an annual submission to the budgetary process of the Council for expenditure within the community;
- Communication with community organisations and special interest groups within the community; and
- The performance of such other functions as are delegated to it by the Christchurch City Council.

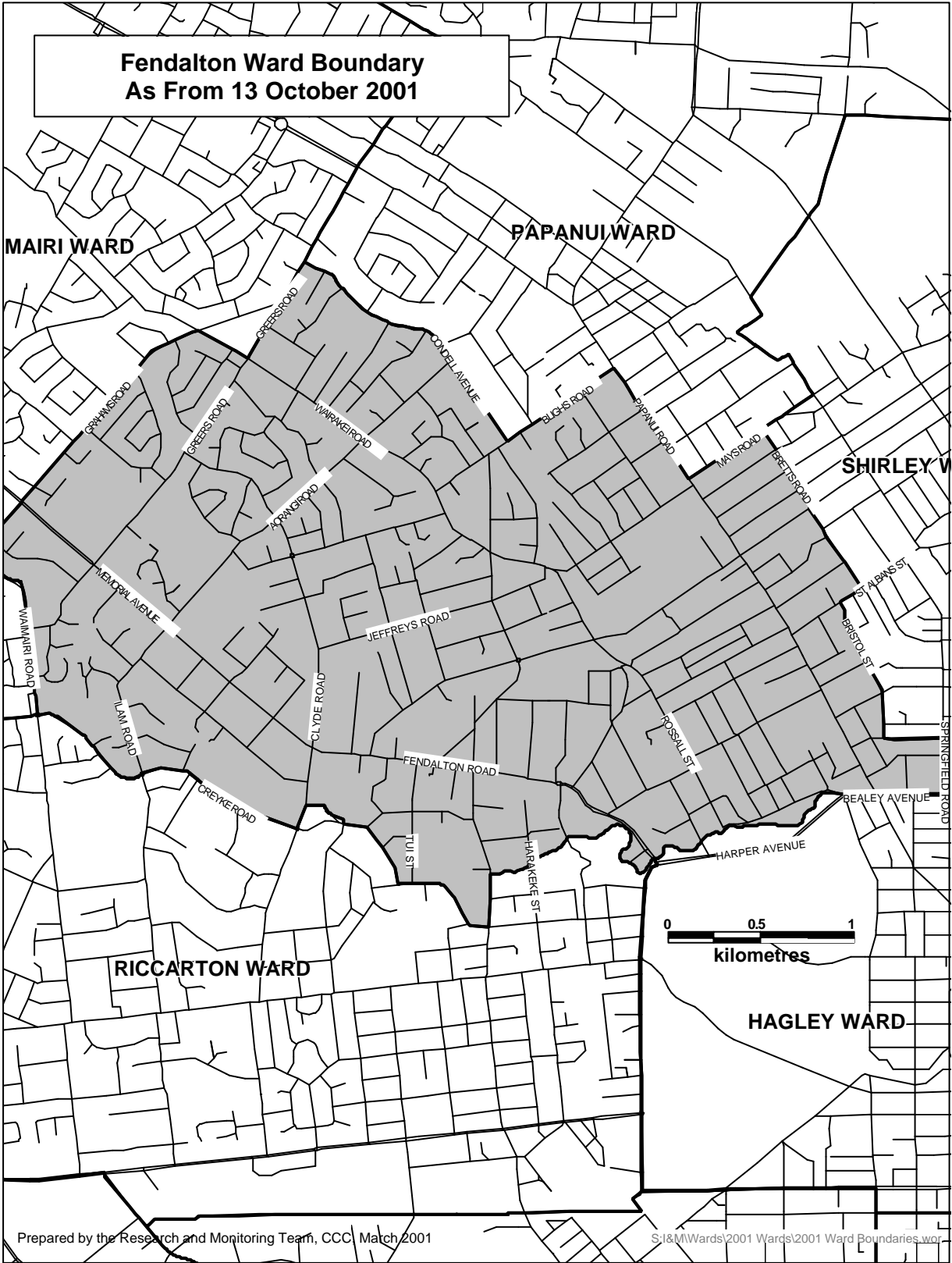
Legislative Provisions

Relevant legislation relating to membership of Community Boards are Sections 101ZP-101ZT of the Local Government Act, 1974.

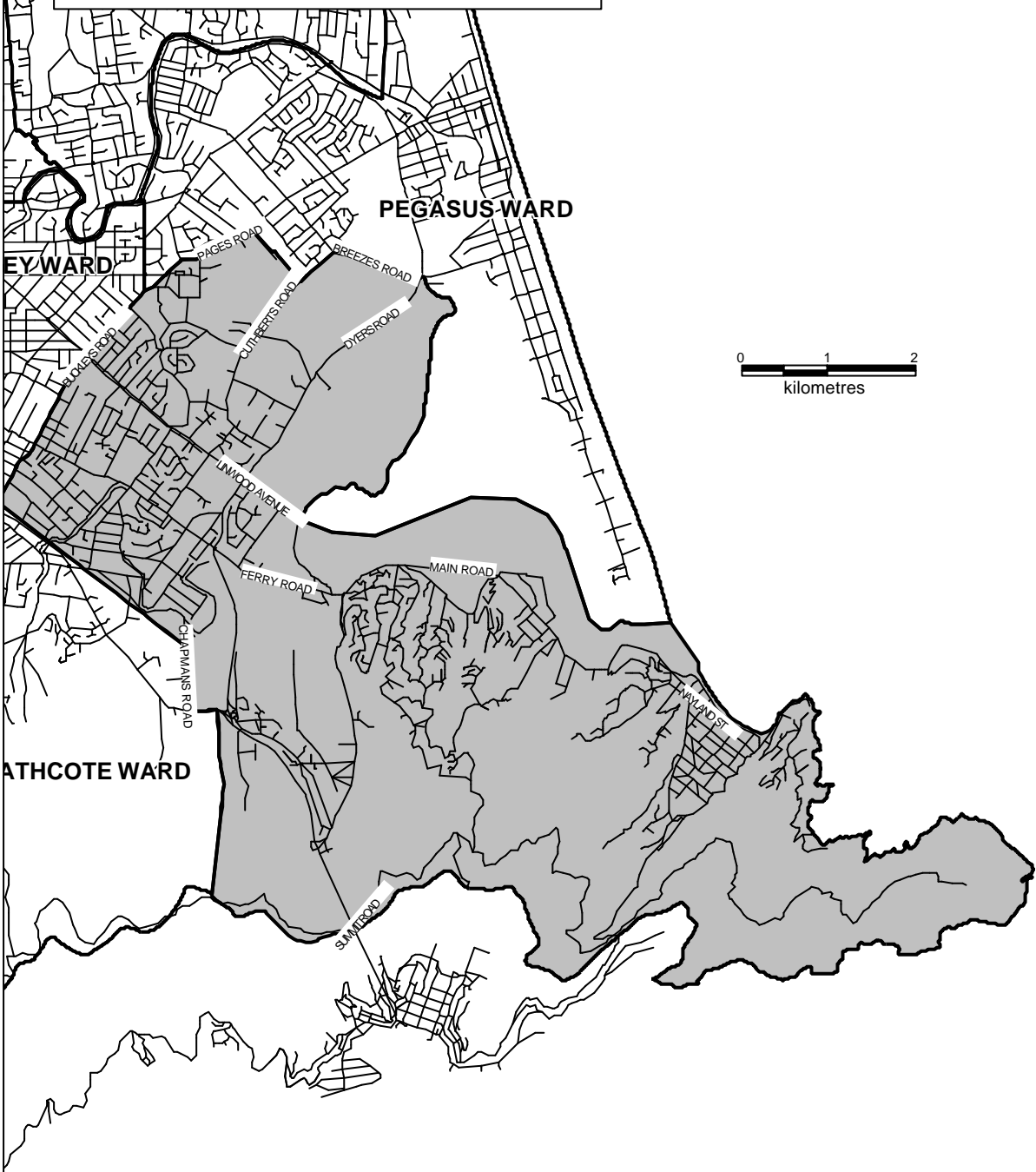
- Each Community Board must consist of between 4 and 12 members; and must include at least 4 elected members; and may include, as appointed members, up to half the number of elected members. [Section 101ZQ(1) & (2)]
- Appointed members to a Community Board must be appointed by Council from the elected Councillors representing the ward in which the Community is situated. [Section 101ZQ(3)]
- A person elected as a Councillor and a Community Board Member within the same ward may resign as an elected member if that person wishes to be appointed to the Community Board.
- If an elected Community Board member resigns to become an appointed member, the appointment does not take effect unless the resignation as a Community Board member occurs no later than the day after the appointment was made.
- If the resignation creates a vacancy on the Community Board then the vacancy is to be filled by highest polling unelected candidate at the election just held, and a amended declaration if declaring the unelected candidate to be elected is to be made by the Electoral Officer. If there is no highest polling unsuccessful candidate, in this instance, an extra ordinary vacancy occurs and a new by-election is required.
- If a person is elected as a Councillor and a Community Board Member (the community being different to the Ward), that person is considered an elected member to both.
- In Christchurch City, six members are elected to each community board (three from each of the two wards forming the community).

The Council may also appoint up to three more members, but those appointed must be elected councillors representing one of the two wards forming the community. For example: the Hagley-Ferrymead Community Board could have a total of nine members, six of whom are elected members and three are appointed members, the three latter members being Hagley and Ferrymead ward councillors. On the other hand, if, for instance, all four people elected as Hagley and Ferrymead ward councillors are also elected Hagley-Ferrymead Community Board members, then the community board will only consist of six elected members, and no appointed members (unless the elected Councillors resign their elected Community Board positions, and the next highest polling unsuccessful community board candidates are then declared elected).





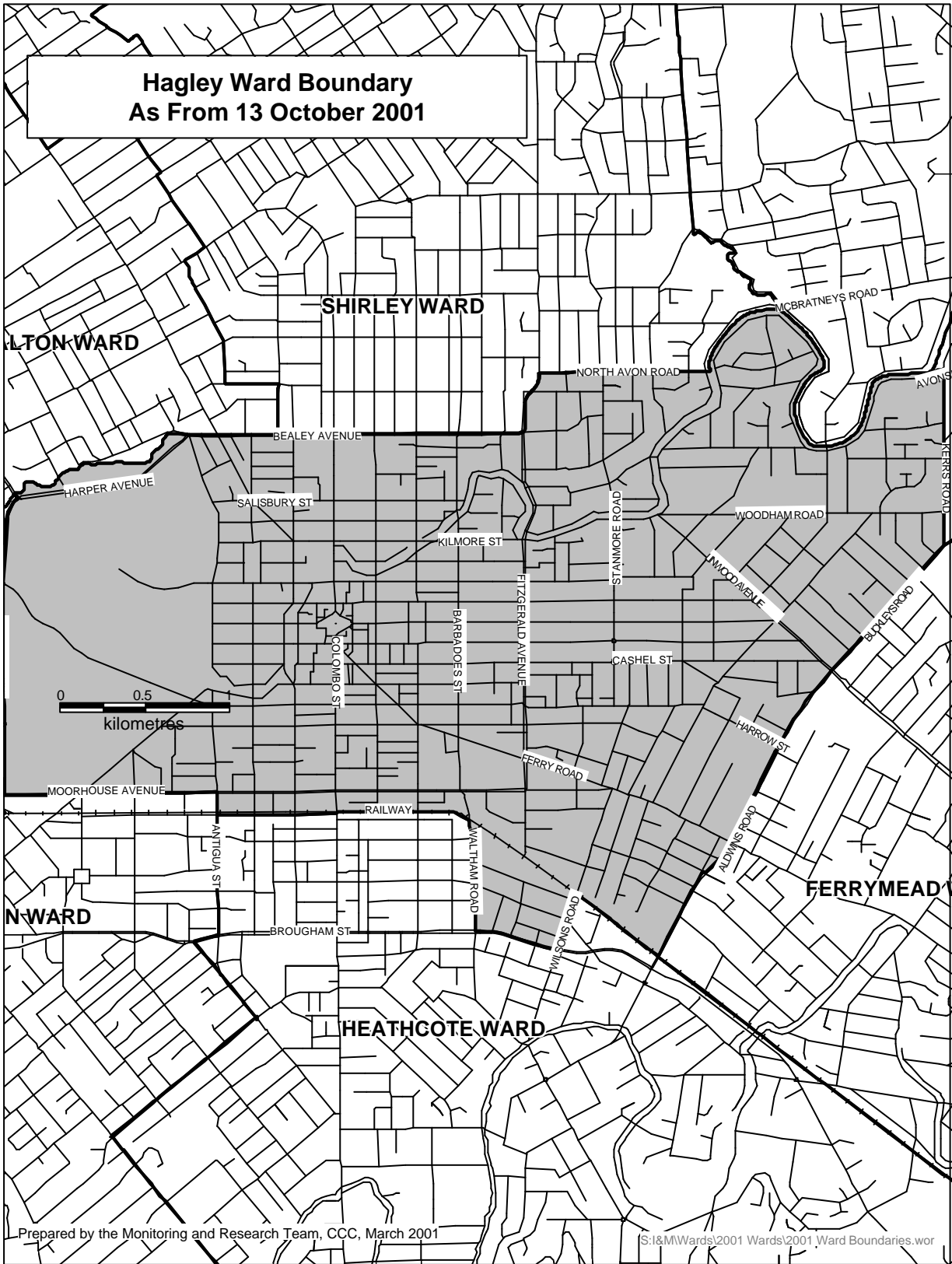
**Ferrymead Ward Boundary
As From 13 October 2001**



Prepared by the Monitoring and Research Team, CCC, March 2001

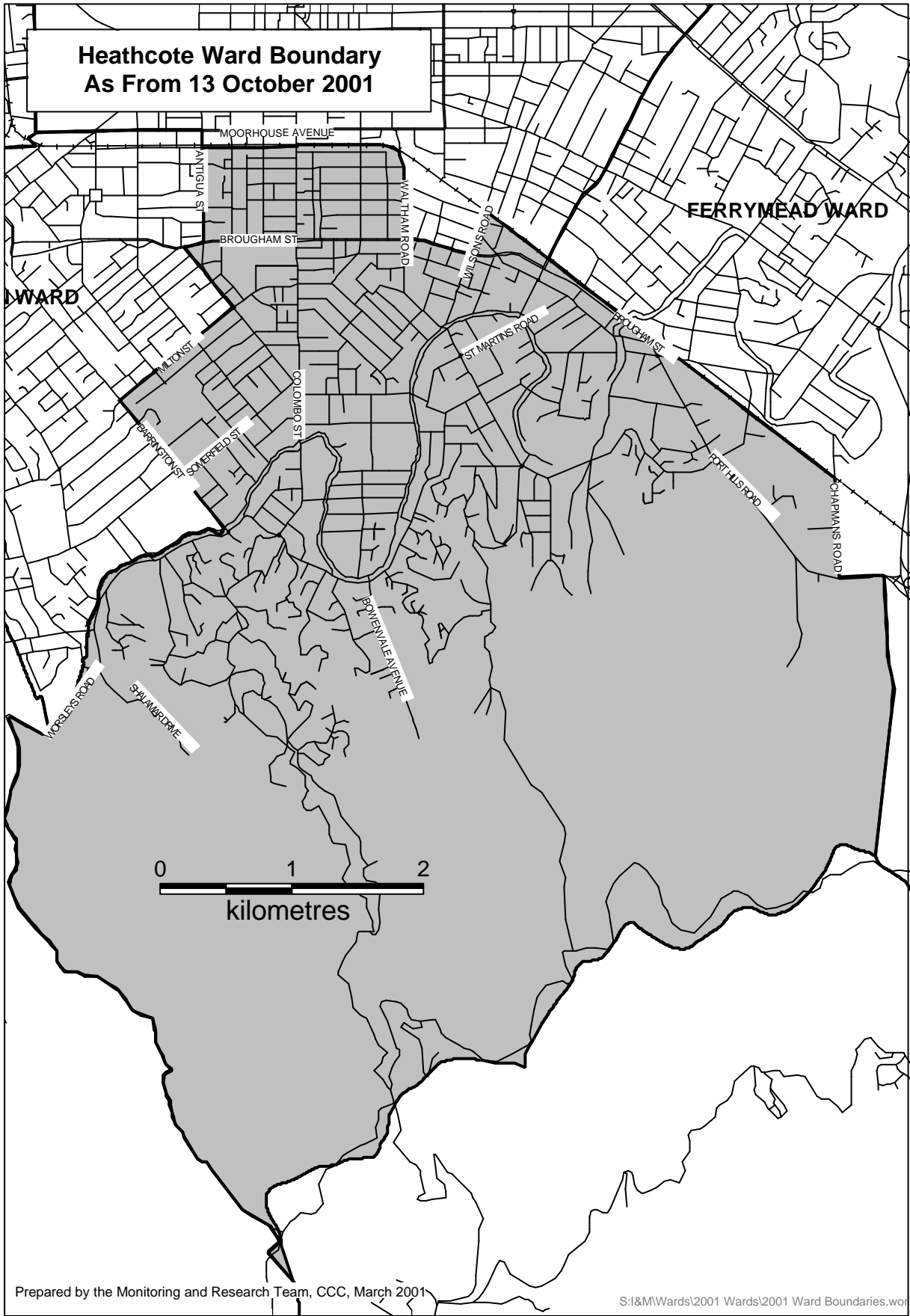
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**Hagley Ward Boundary
As From 13 October 2001**

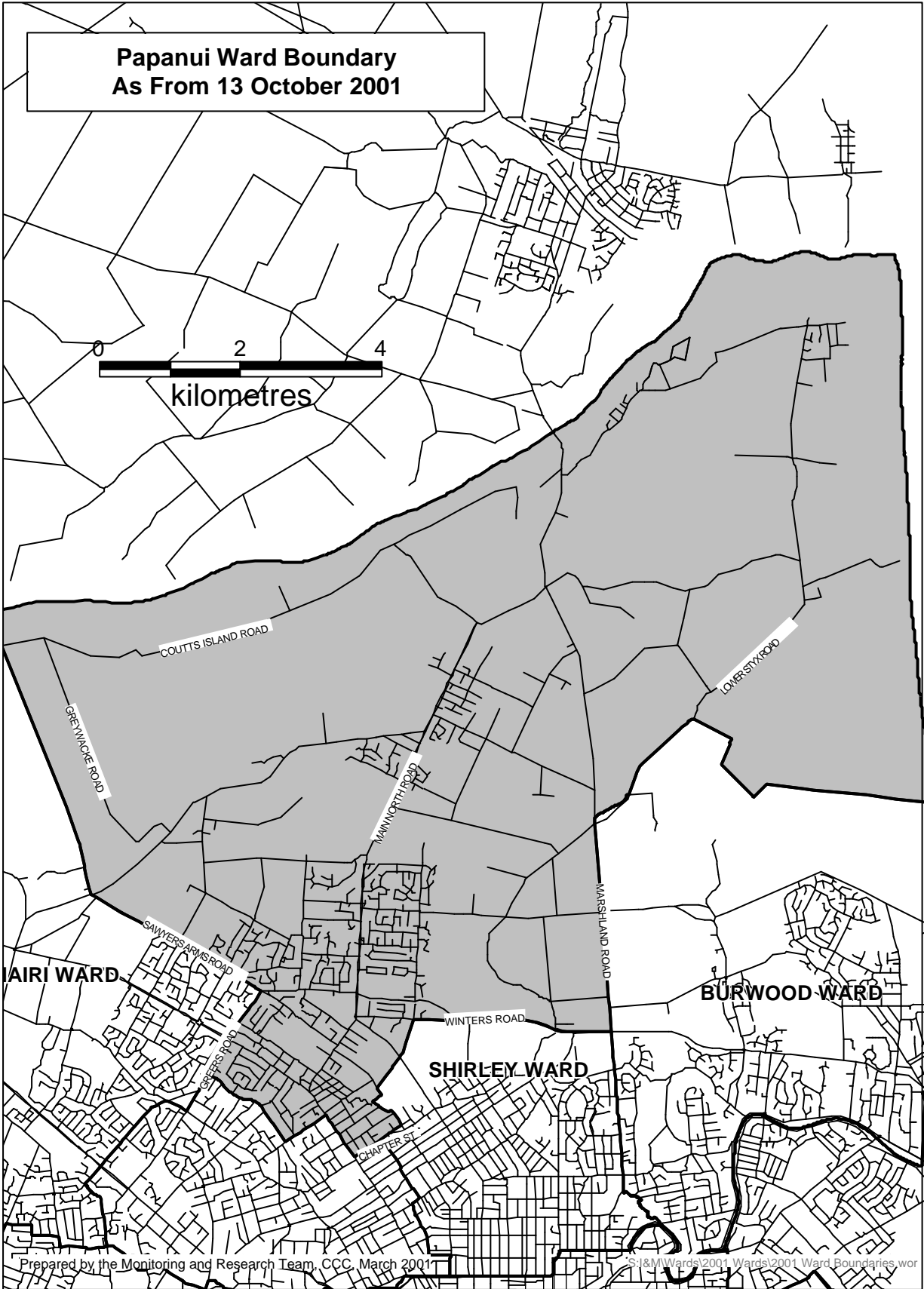
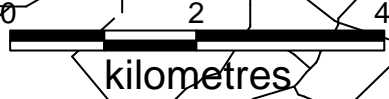


Prepared by the Monitoring and Research Team, CCC, March 2001

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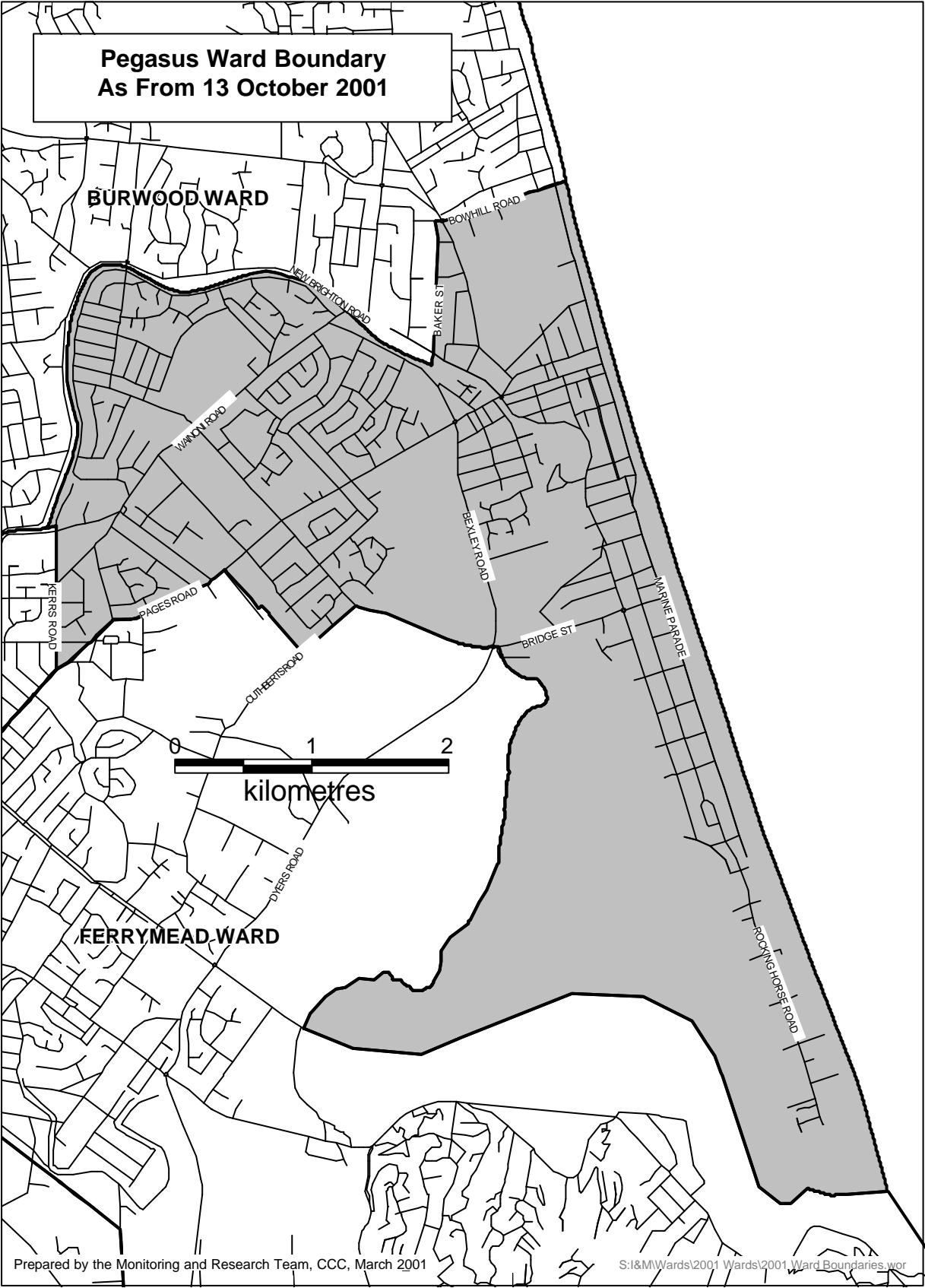


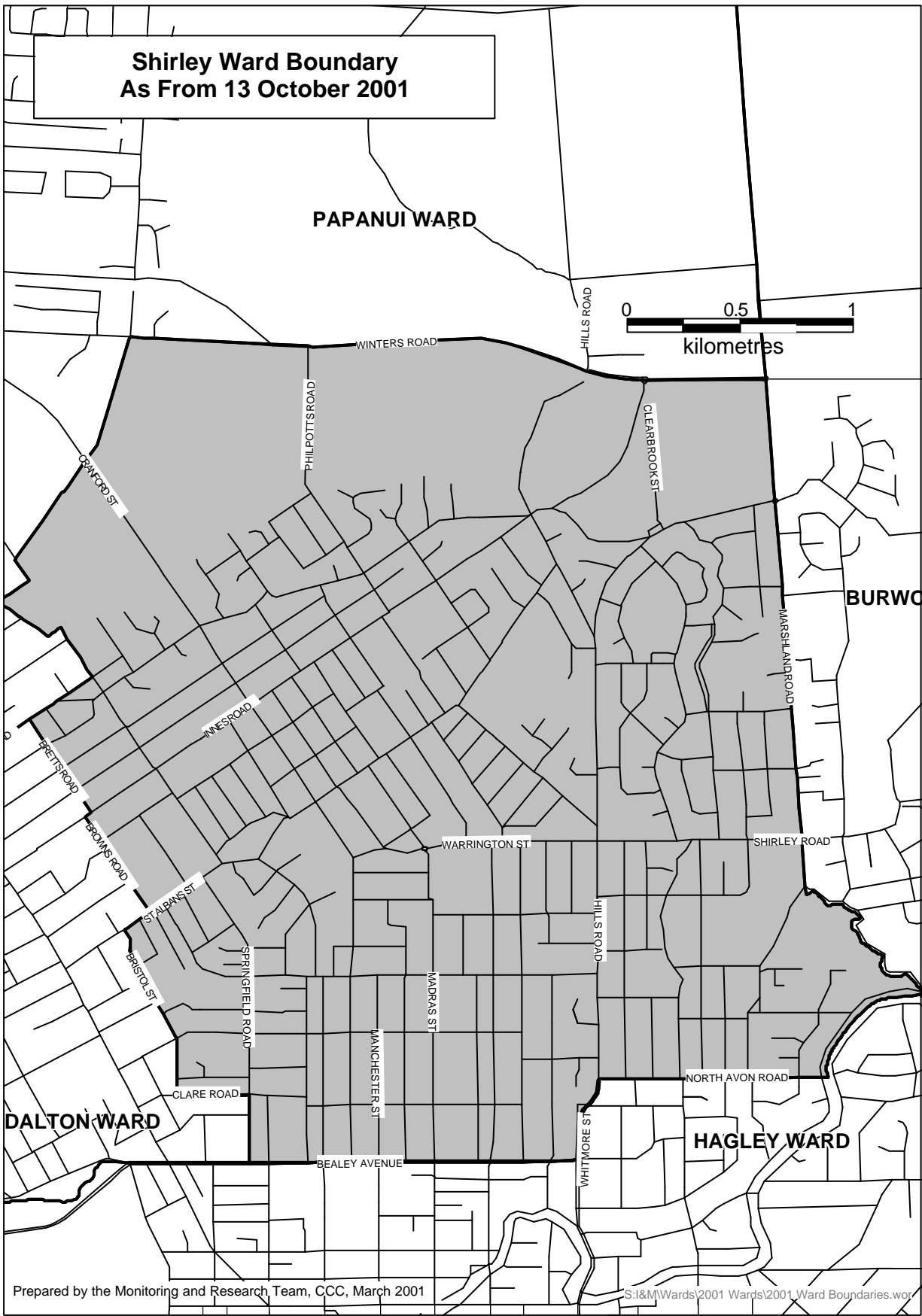
**Papanui Ward Boundary
As From 13 October 2001**

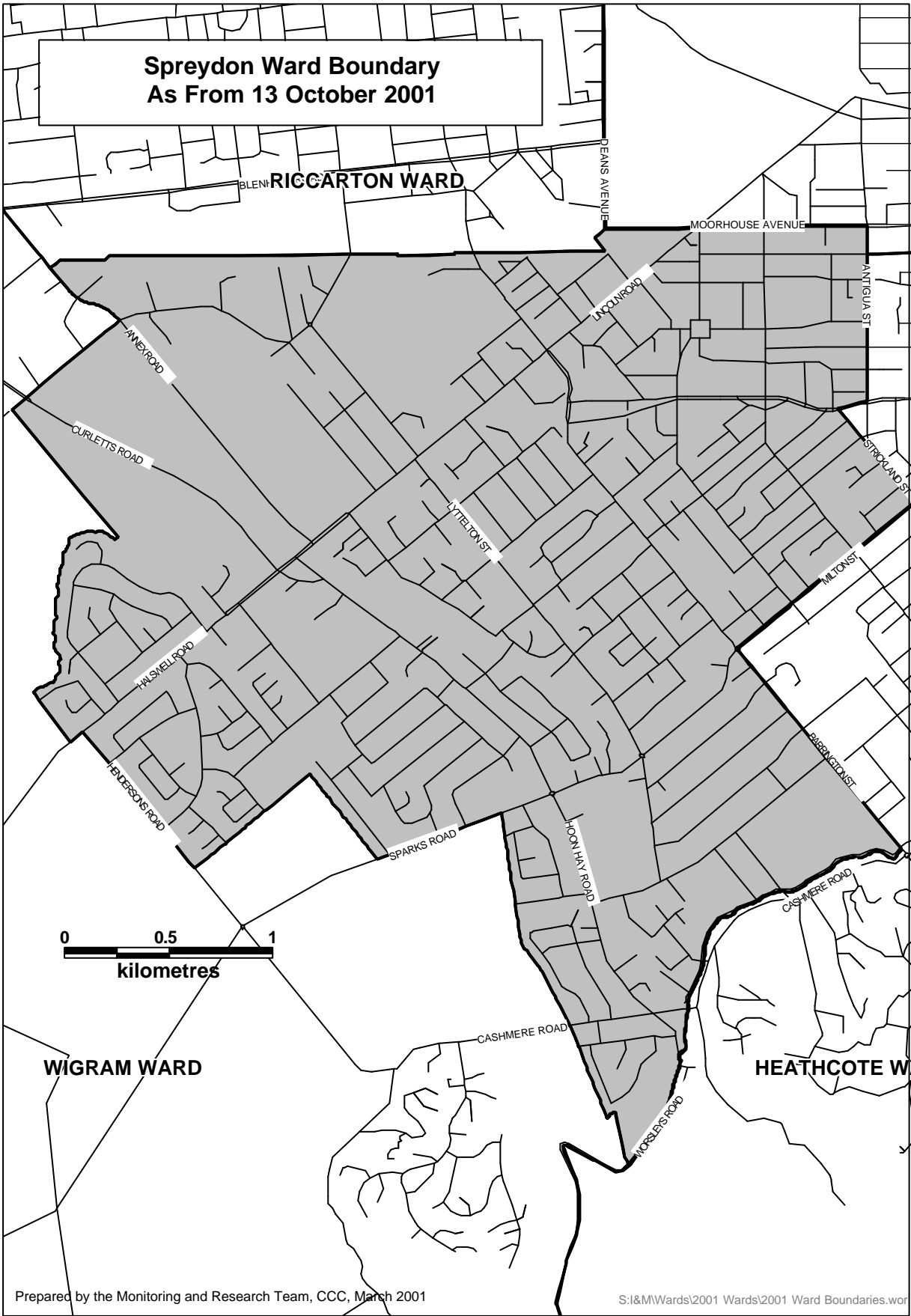


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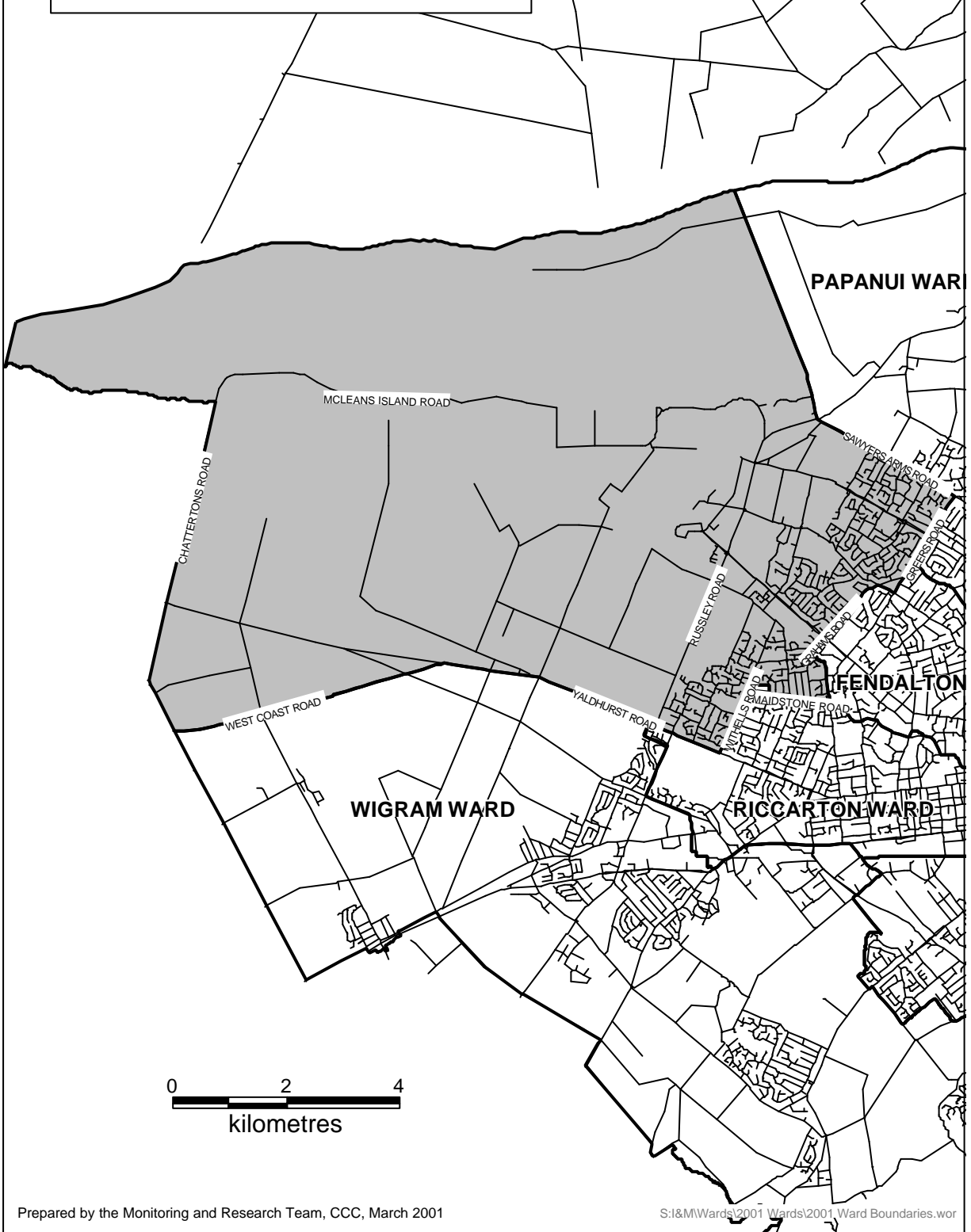




Prepared by the Monitoring and Research Team, CCC, March 2001

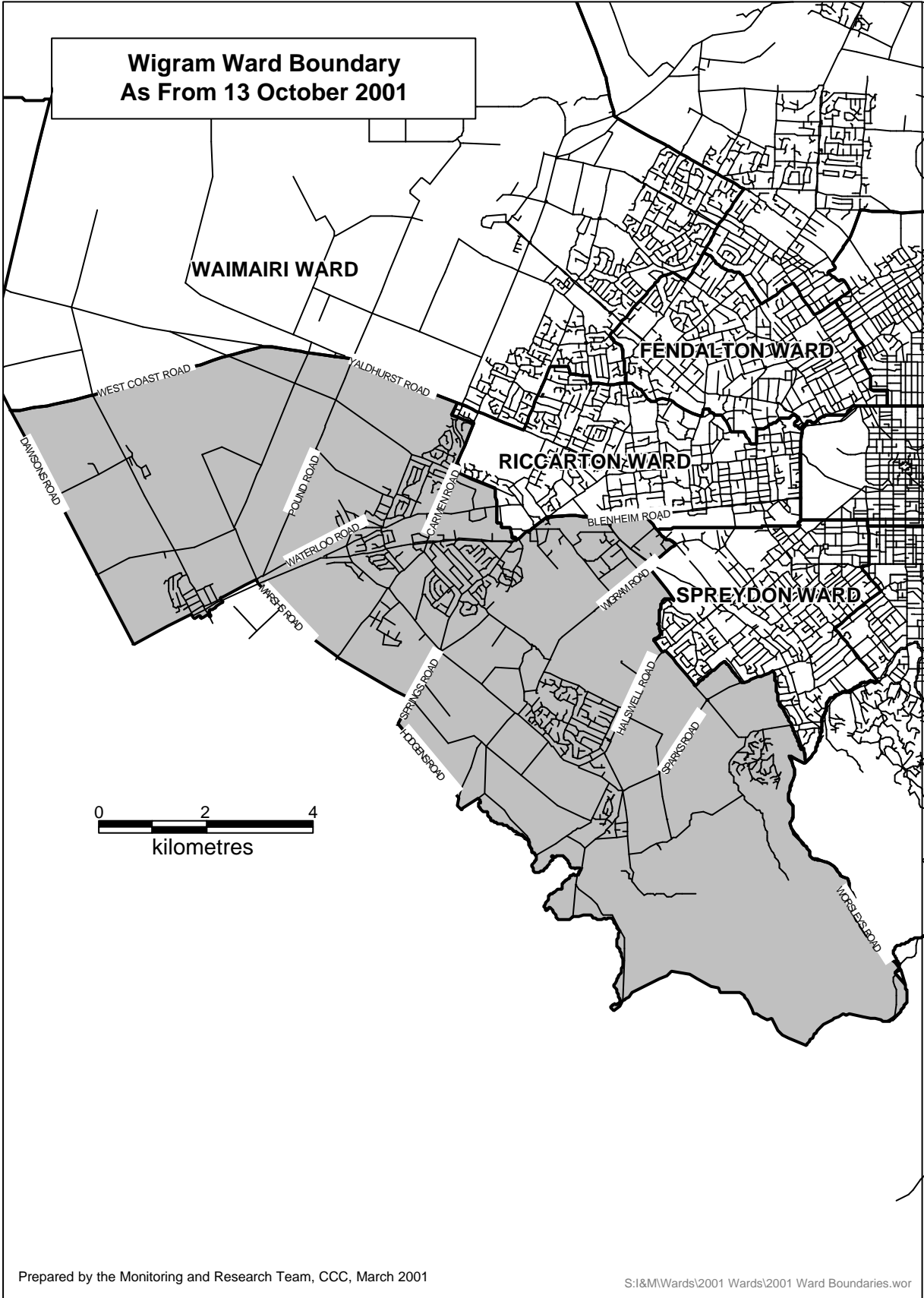
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**Waimairi Ward Boundary
As From 13 October 2001**

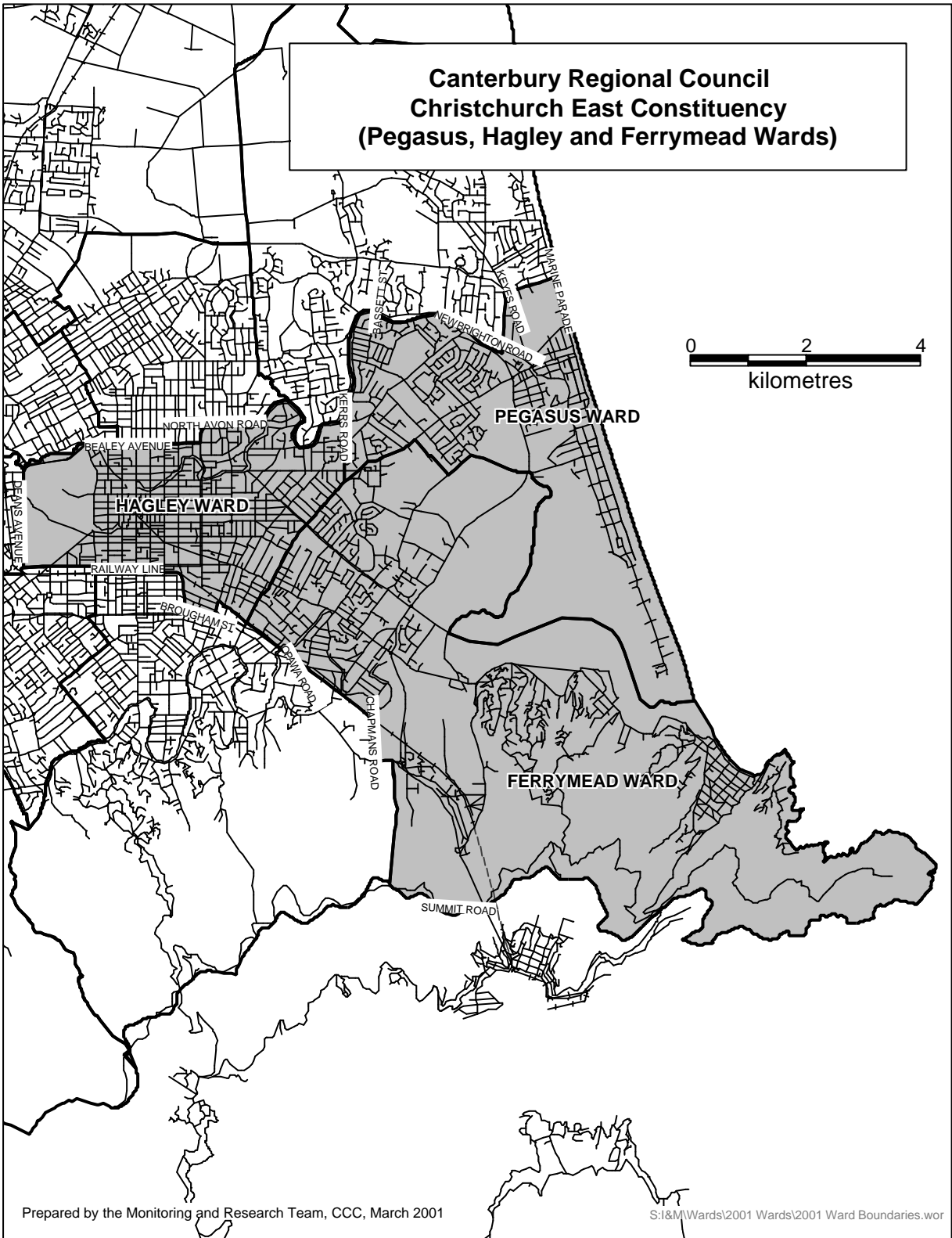


Prepared by the Monitoring and Research Team, CCC, March 2001

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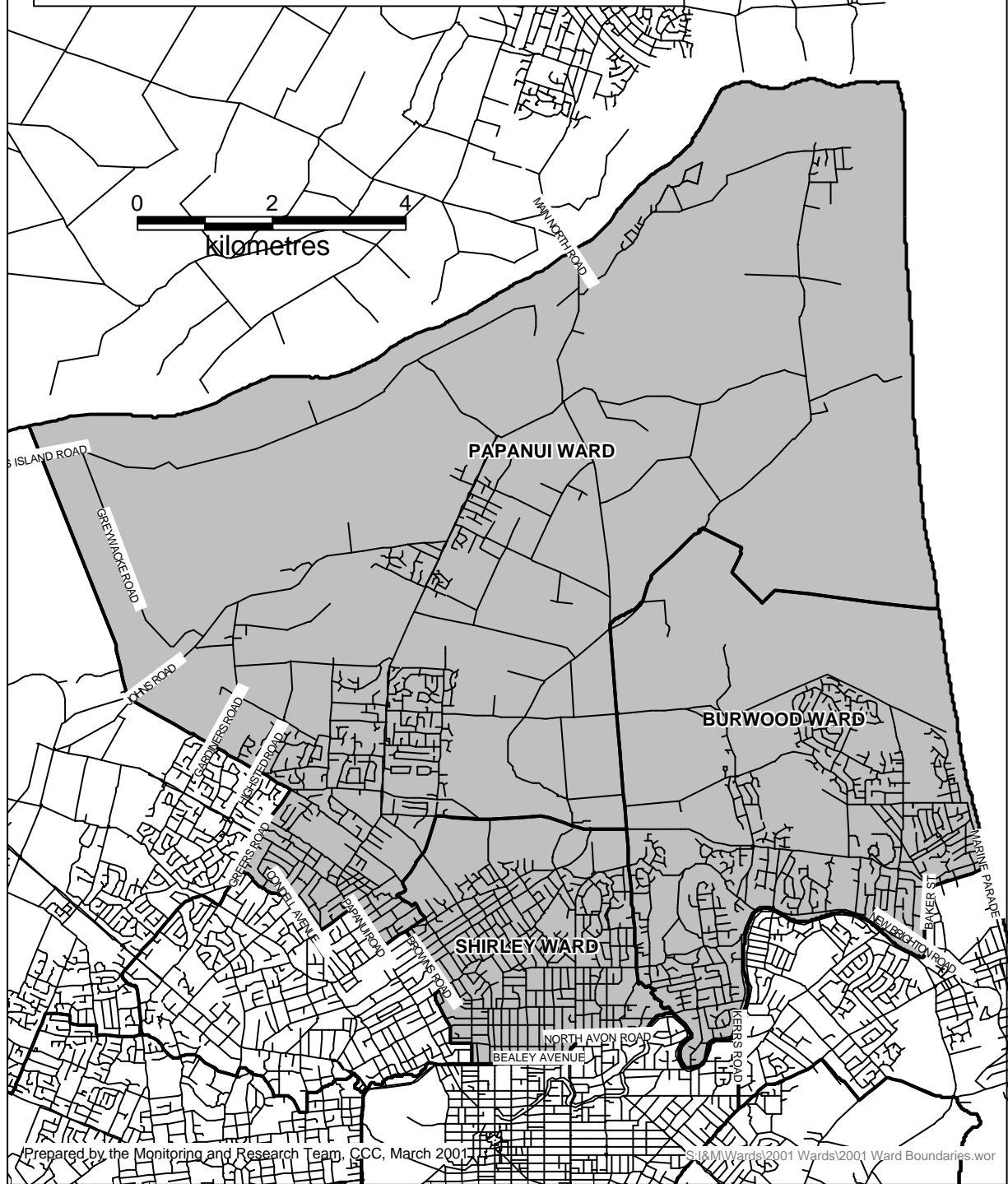
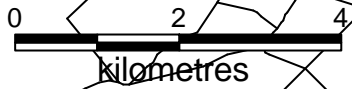
**Canterbury Regional Council
Christchurch East Constituency
(Pegasus, Hagley and Ferrymead Wards)**



Prepared by the Monitoring and Research Team, CCC, March 2001

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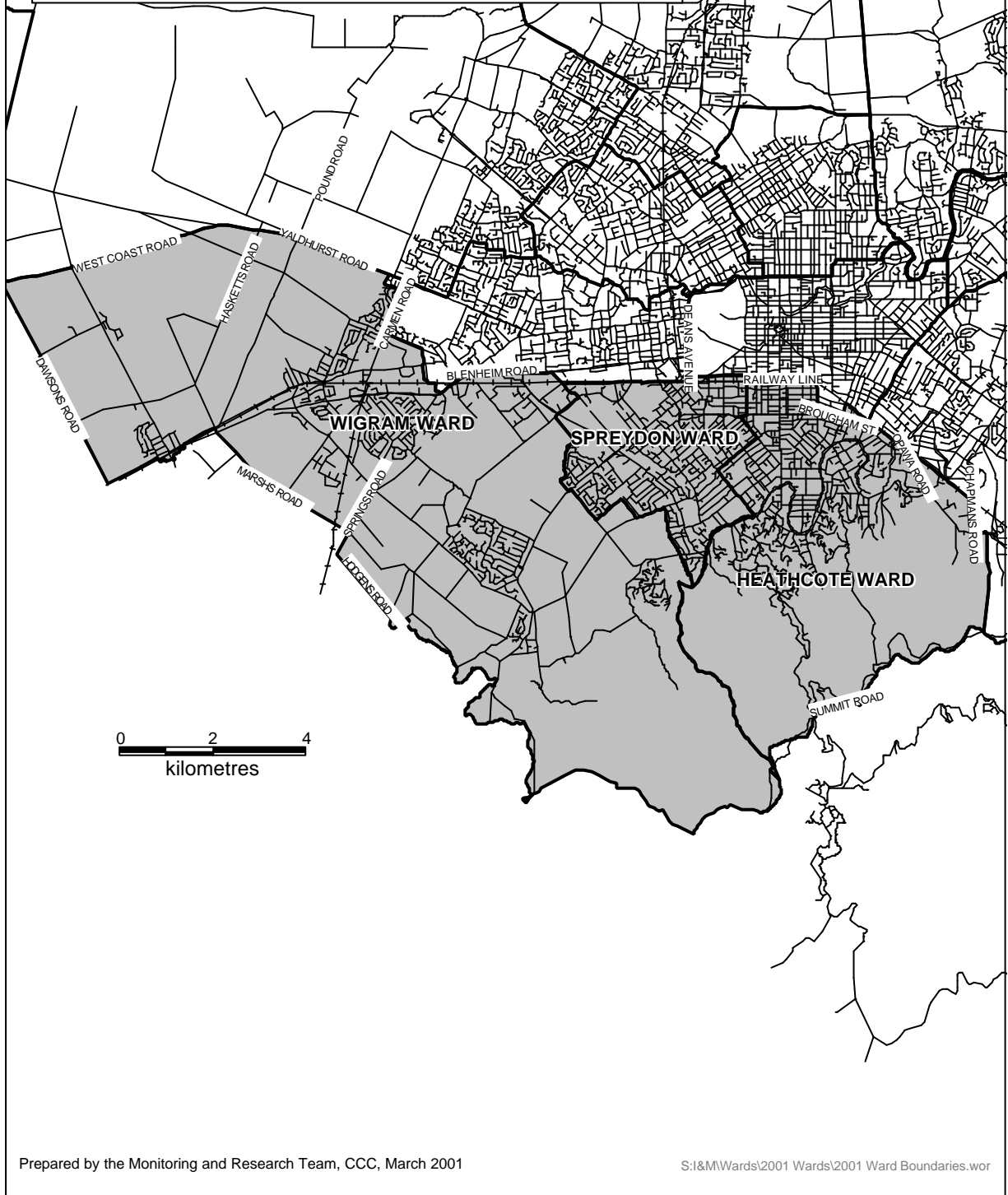
**Canterbury Regional Council
Christchurch North Constituency
(Papanui, Burwood and Shirley Wards)**



Prepared by the Monitoring and Research Team, CCC, March 2001

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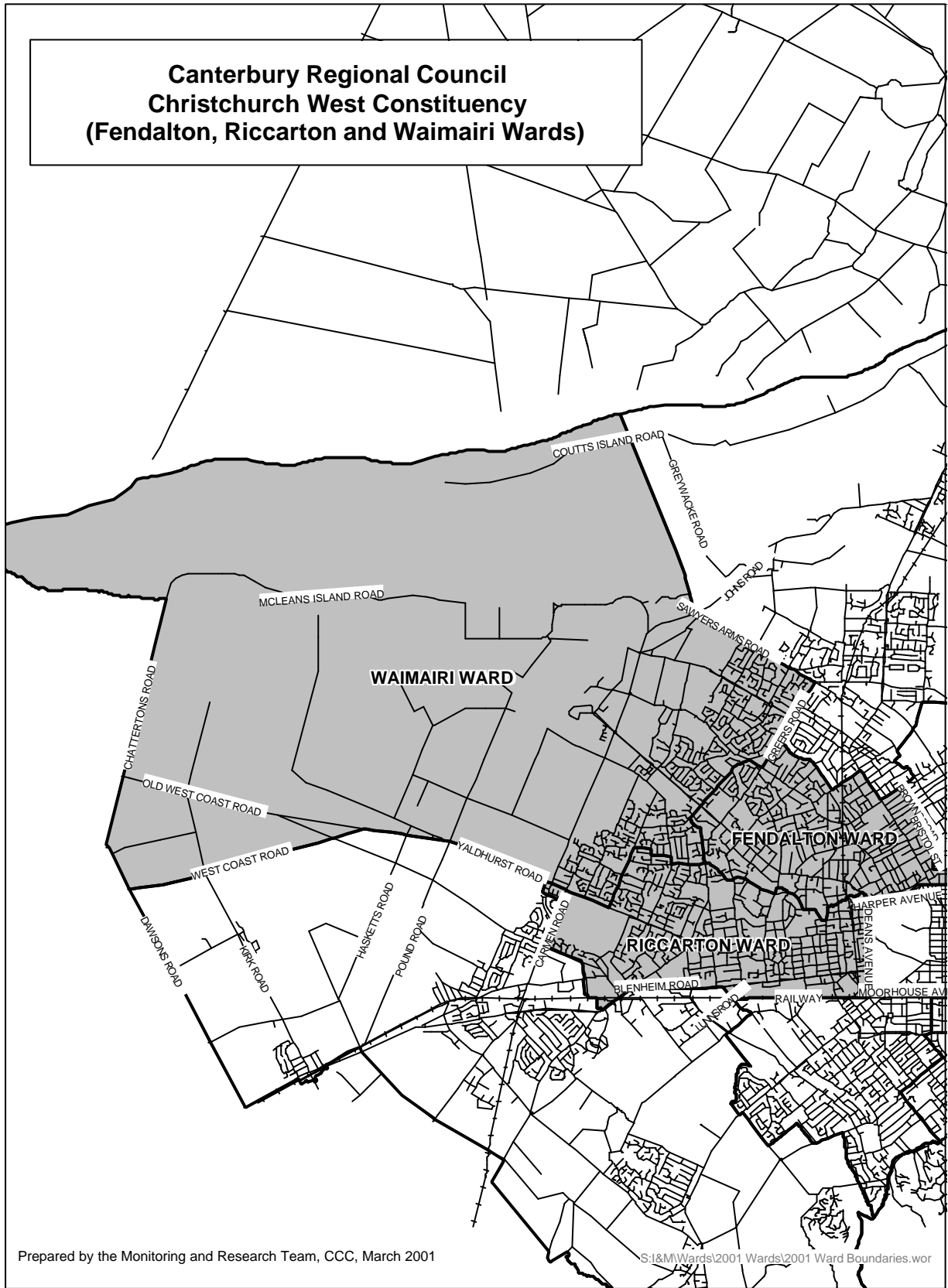
**Canterbury Regional Council
Christchurch South Constituency
(Heathcote, Spreydon and Wigram Wards)**



Prepared by the Monitoring and Research Team, CCC, March 2001

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**Canterbury Regional Council
Christchurch West Constituency
(Fendalton, Riccarton and Waimairi Wards)**



Prepared by the Monitoring and Research Team, CCC, March 2001

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16 Election Offences

Local Electoral Act 2001

121 **Illegal nomination, etc**

Every person commits an offence, and is liable on summary conviction to a fine not exceeding \$2,000, who-

- (a) consents to being- nominated as a candidate for an elective office, knowing that he or she is incapable under any Act of holding that office; or
- (b) signs a nomination paper purporting, to nominate as a candidate a person who is, to the knowledge of the person signing, incapable under any Act of holding that office; or
- (c) signs a nomination paper purporting to nominate another person as a candidate knowing that he or she is not qualified to vote at the election of the person named in the nomination paper as the candidate.

122 **Interfering with or influencing voters**

(1) Every person commits an offence, and is liable on summary conviction to a fine not exceeding \$5,000, who-

- (a) interferes in any way with any person who is about to vote with the intention of influencing or advising that person as to how he or she should vote:
- (b) prints, publishes, distributes, or delivers to any person (using any medium or means of communication) a document, paper, notice, or message, being or purporting to be in imitation of any voting document to be used at the election or poll that,-
 - (i) in the case of an election, includes the name of a candidate or candidates, together with any direction or indication as to the candidate or candidates for whom any person should vote:
 - (ii) in the case of a poll, includes a statement or indication as to how any person should vote:
 - (iii) in any way contains or suggests any such direction or indication or other matter likely to influence how any person votes:
- (c) prints, publishes, or distributes any instruction on the method of marking the voting document that differs in any material way from the instructions required by this Act or any regulations made under this Act to accompany the voting document.

(2) Despite **subsection (1)(b)**, it is not an offence under that subsection to print, publish, distribute, or deliver a card or leaflet (not being an imitation voting document) on which is printed-

- (a) the names of all or any of the candidates and the elective offices for which they are candidates (with or without the name of the organisations or groups to which those candidates are affiliated, and including those who are independent); and
- (b) nothing else.

(3) Nothing in this section applies to-

- (a) any official statement or announcement made or exhibited under the authority of this Act or regulations made under this Act; or
- (b) any candidate profile statement, published, displayed or distributed under the authority of this Act or regulations made under this Act.

123 **Offences in respect of official documents**

(1) Every person commits an offence who-

- (a) intentionally removes, obliterates, or alters any official mark or official writing on any voting document. or other official document used at an election or poll:
- (b) intentionally places any mark or writing that might be mistaken for an official mark or official writing on any voting document, or other official document used at an election or poll:
- (c) forges, counterfeits, fraudulently marks, defaces, or fraudulently destroys any voting document, or other official document used at an election or poll, or the official mark on that document:

- (d) *supplies, without authority, a voting document to any person:*
 - (e) *obtains or has possession of any voting document, other than one issued to that person under this Act or any regulations made under this Act for the purpose of recording his or her vote, without authority:*
 - (f) *intentionally destroys, opens, or otherwise interferes with any ballot box or box or parcel of voting documents without authority.*
- (2) *Every person who commits an offence against **subsection (1)** is liable on conviction on indictment,-*
- (a) *in the case of an electoral officer or other electoral official, to imprisonment for a term not exceeding 2 years:*
 - (b) *in the case of any other person, to imprisonment for a term not exceeding 6 months.*

124 Voting offences

Every person commits an offence, and is liable on conviction on indictment to imprisonment for a term not exceeding 2 years, who-

- (a) *votes or applies to vote more than once at the same election or poll; or*
- (b) *without authority removes, deletes, or otherwise interferes with any voting document, or other record of a vote that has been cast.*

125 Bribery

(1) *Every person commits the offence of bribery who, directly or indirectly, on that person's own or by another person,-*

- (a) *gives, lends, agrees to give or lend, offers, promises, or promises to obtain any money or valuable consideration to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting; or*
- (b) *gives or obtains, agrees to give or obtain, offers, promises, or promises to obtain or to try to obtain any office or place of employment to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce the elector to vote or refrain from voting; or*
- (c) *corruptly does any act referred to in **paragraph (a)** or **paragraph (b)** on account of an elector having voted or refrained from voting; or*
- (d) *makes any gift, loan, offer, promise, or agreement referred to in **paragraph (a)** or **paragraph (b)** for, or with, any person in order to induce that person to obtain or try to obtain the election of any person or the vote of any elector, or*
- (e) *upon or as a consequence of any gift, loan, offer, promise, or agreement referred to in **paragraph (a)** or **paragraph (b)** obtains, or tries to obtain, the election of any person or the vote of any elector; or*
- (f) *advances or pays, or causes to be paid, any money to or for the use of any other person, intending that that money or any part of it will be used for bribery at any election or poll; or*
- (g) *knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or partly used for bribery at any election or poll.*

(2) *An elector commits the offence of bribery if,-*

- (a) *before or during the voting period at the election or poll, he or she, directly or indirectly, on his or her own or by another person, receives, or agrees or contracts for, any money, gift, loan, or valuable consideration, office, place, or employment for himself or herself or for any other person for voting or agreeing, to refrain from voting:-*
- (b) *after the voting period at the election or poll, he or she directly or indirectly, on his or her own or by another person, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.*

(3) *Every person who commits bribery is liable on conviction on indictment to imprisonment for a term not exceeding 2 years.*

126 Treating

- (1) Every person commits the offence of treating who corruptly before, during, or after an election or poll, and directly or indirectly, on that person's own or by another person, gives or provides, or pays wholly or in part the expense of giving or providing, any food, drink, entertainment, or provision to or for any person
- (a) for the purpose of influencing, that person or any other person to vote or refrain from voting-; or
 - (b) for the purpose of obtaining- his or her election; or
 - (c) on account of that person or any other person having voted or refrained from voting, or being about to vote or refrain from voting.
- (2) Every holder of a licence under the Sale of Liquor Act 1989 commits the offence of treating who knowingly supplies any food, drink, entertainment, or provision-
- (a) to any person, if the supply is demanded for 1 or more of the purposes specified in **subsection (1)**; or
 - (b) to any person, whether an elector or not, for the purpose of obtaining the election of a candidate or affecting the result of a poll, and without receiving payment for it at the time when it is supplied.
- (3) Every elector who corruptly accepts or takes any such food, drink, entertainment, or provision also commits the offence of treating-
- (4) Despite **subsections (1) to (3)**, the provision of light refreshments after any meeting relating to an election or poll does not constitute the offence of treating.
- (5) Every person who commits the offence of treating is liable on conviction or indictment to imprisonment for a term not exceeding 2 years.

127 Undue influence

- (1) Every person commits the offence of undue influence-
- (a) who, directly or indirectly, on that person's own or by another person, makes use of or threatens to make use of any force, violence, or restraint against any person-
 - (i) in order to induce or compel that person to vote or refrain from voting:
 - (ii) on account of that person having voted or refrained from voting:
 - (b) who, by abduction, duress, or any fraudulent device or means,-
 - (i) impedes or prevents the free exercise of the vote of any elector:
 - (ii) compels, induces, or prevails upon any elector either to vote or to refrain from voting.
- (2) Every person who commits the offence of undue influence is liable on conviction on indictment to imprisonment for a term not exceeding 2 years.

128 Personation

- (1) Every person commits the offence of personation who, at any election or poll,-
- (a) votes in the name of some other person (whether living or dead), or of a fictitious person:
 - (b) having voted, votes again at the same election or poll:
 - (c) having returned a voting document, applies for or returns another voting document with the intention of returning an additional valid voting document or invalidating a vote already cast at the same election or poll (whether or not any voting document he or she returns is valid).
- (2) Every person who commits the offence of personation is liable on conviction on indictment to imprisonment for a term not exceeding 2 years.

129 Infringement of secrecy

- (1) Every electoral officer, deputy electoral officer, and other electoral official-
- (a) must maintain and assist in maintaining the secrecy of the voting; and
 - (b) must not communicate to any person, except for a purpose authorised by law, any information likely to compromise the secrecy of the voting.

- (2) No person, except as provided by this Act or regulations made under this Act, may-
- (a) interfere with or attempt to interfere with a voter when marking, or recording his or her vote-, or
 - (b) attempt to obtain, in the building, or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, any information as to any candidate for whom or the proposal for or against which the voter is about to vote or has voted; or
 - (c) communicate at any time to any person any information obtained in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, as to-
 - (i) any candidate for whom or the proposal for or against which the voter is about to vote or has voted; or
 - (ii) any number on a voting document marked, or transmitted by the voter.
- (3) Every person present at the counting of votes must-
- (a) maintain and assist in maintaining the secrecy of the voting; and
 - (b) must not, except as is provided by this Act or regulations made under this Act, communicate any information obtained at that counting as to any candidate for whom or proposal for or against which any vote is cast by a particular voter.
- (4) No person may, directly or indirectly, induce any voter to display or provide access to his or her voting document or any copy of that document after it has been marked or transmitted, so as to make known to any person the name of any candidate for or against whom, or proposal for or against which, the voter has voted.
- (5) Every person commits an offence who contravenes or falls to comply with this section.
- (6) Every person who commits an offence against **subsection (5)** is liable on summary conviction to imprisonment for a term not exceeding 6 months.

130 Disclosing voting or state of election or poll

- (1) Every electoral officer, deputy electoral officer, other electoral official, Justice of the Peace, or scrutineer commits an offence who-
- (a) makes known for what candidate or candidates or for which proposal any particular voter has voted for or against, except as provided by this Act or regulations made under this Act; or
 - (b) before the close of voting, makes known the state of the election or poll or gives or pretends to give any information by which the state of the election or poll may be known.
- (2) **Subsection (1)(b)** does not prevent an electoral officer from disclosing the total number of voting documents so far returned at an election or poll at any time during the voting period.
- (3) A person who commits an offence against **subsection (1)** is liable on summary conviction to a fine-
- (a) not exceeding \$5,000 for an electoral officer or deputy electoral officer;
 - (b) not exceeding \$2,000 for any other person.

131 Penalty for electoral officer, deputy electoral officer, and other electoral officials

Every electoral officer, deputy electoral officer, or other electoral official commits an offence, and is liable on summary conviction to a fine not exceeding \$2,000, who is guilty of any intentional or reckless act of commission or omission contrary to the provisions of this Act or regulations made under this Act in respect of any election or poll, and for which no other penalty is imposed by this Act or regulations made under this Act.

Electoral expenses

132 Payments in breach of section 98

- (1) Every person commits an offence who makes a payment in contravention of **section 98**.
- (2) Every person who commits an offence against **subsection (1)** is liable on summary conviction to a fine not exceeding \$5,000.

133 Failure to transmit return

- (1) Every candidate commits an offence who fails to transmit a return of electoral expenses **in** the prescribed form to the electoral officer within the prescribed period.
- (2) Every person who commits an offence against **subsection (1)** is liable on summary conviction to a fine not exceeding \$1,000, and, if he or she has been elected, to a further fine not exceeding \$400 for every day on which he or she continues to act until the return is transmitted.

134 False return

- (1) Every candidate commits an offence who transmits a return of electoral expenses knowing that it is false in any material particular, and is liable on conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$10,000.
- (2) Every candidate commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 who transmits a return of electoral expenses that is false in any material particular unless the candidate proves –
- (a) that he or she had not intention to mis-state or conceal the facts; and
 - (b) that he or she took all reasonable steps to ensure that the information was accurate.

135 Unauthorised expenditure

- (1) Every person commits an offence who publishes or broadcasts any material promoting the election of any candidate without the written authority of the candidate or the candidate's agent.
- (2) Every person who commits an offence against **subsection (1)** is liable on summary conviction to a fine not exceeding \$1,000.

136 Excessive expenditure

- (1) Every candidate or other person who directly or indirectly pays or knowingly aids or abets any person in paying for or on account of any electoral expenses any sum in excess of the prescribed maximum amount, knowing that the payment is in excess of the prescribed maximum amount, and is liable on conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$10,000.
- (2) Every candidate or other person commits an offence who directly or indirectly pays or knowingly aids or abets any person in paying for or on account of any electoral expenses any sum in excess of the prescribed maximum amount, and is liable on summary conviction to a fine not exceeding \$5,000 unless the candidate or other person proves that he or she took all reasonable steps to ensure that the electoral expenses did not exceed the prescribed maximum amount.

General provisions

137 Property may be stated as being in electoral officer

In any proceedings for an offence in relation to any voting documents or other official documents, files, records, instruments, or devices used officially for an election or poll, the property in those documents, files, records, appliances, and instruments is to be treated as that of the electoral officer at that election or poll.

138 Duty to take action in respect of offences

- (1) If the electoral officer at any election or poll-
- (a) receives a written complaint that an offence under this Part has been committed; or
 - (b) believes for any other reason that an offence under this the Part may have been committed,-
- the electoral officer must report that matter to the police together with the results of any enquiries made by the electoral officer that he or she considers appropriate.*
- (2) **Subsection (1)** does not prevent any person from reporting an alleged offence to the police.



17 Remuneration

Members Remuneration and Expenses

Office	Current Maximum Daily Meeting Allowance	Current Maximum Salary per annum
Christchurch City Council		
Mayor	-	\$96,680
Deputy Mayor	\$190	\$32,620
Chairpersons of Standing and Special Committees	\$190	\$32,620
Councillors	\$190	\$16,310
Community Boards		
Chairpersons	\$150	\$18,640
Members	\$150	\$10,240
Canterbury Regional Council		
Chairperson		\$96,680
Deputy Chairperson	\$190	\$32,620
Committee Chairpersons	\$190	\$32,620
Councillors	\$190	\$16,310
Canterbury District Health Board		
Chairperson	-	\$48,000
Deputy Chairperson	-	\$30,000
Members	-	\$24,000
		+ \$2,500 for each committee to which they are appointed
Committee Chairperson		+ \$3,125 for each committee of which they are appointed chairperson

The foregoing amounts were correct as at 1 June 2001. However, it is probable that revised maximum rates will be announced prior to the October 2001 elections.

The Fees and Travelling Allowances Act 1951 applies to members of local and regional authorities. This Act allows a member to receive travelling allowances or expenses when he or she is engaged on business pursuant to a resolution, or is attending a meeting of the council or board. The amounts paid are governed by Regulation.



18 Governance Issues

The Purpose of Local Government

The Local Government Act outlines the purpose of local government in New Zealand. This is to provide:

- recognition of the existence of different communities in New Zealand
- recognition of the identities and values of those communities
- definition and enforcement of appropriate rights within those communities
- scope for communities to make choices between different kinds of local public facilities and services
- for the operation of trading undertakings of local authorities on a competitively neutral basis
- for the delivery of appropriate facilities and services on behalf of central government
- recognition of communities of interest
- for the efficient and effective exercise of the functions, duties and powers of the components of local government
- for the effective participation of local persons in local government.

Regional Councils

Regional councils are responsible for promoting the sustainable management of natural and physical resources, for ensuring that environmental planning is carried out in an integrated fashion and for carrying out a number of other regional functions. Their activities include:

- pest management
- resource management
- flood and river control scheme management
- civil defence
- regional transport planning and passenger transport

Territorial Authorities (City or District Councils)

They focus on providing local services and on detailed land use planning and subdivisional control in response to the needs of the local community. Their functions are:

- regulatory – they issue and enforce laws in their district
- providing community services

Community Boards

Community boards can be set up as an additional council structure in any city or district in New Zealand, primarily to ensure the interests of smaller groupings within the overall community are represented. Boards operate within city or district councils and exercise powers delegated by that council.

District Health Boards

District Health Boards are responsible for providing or buying Government funded health care services for the population of a specific geographical area.

The statutory objectives of DHBs are to improve, promote and protect the health of communities; to promote the integration of health services, especially primary and secondary care services, and to promote effective care or support of those in need of personal health services or disability support.

Membership of Boards

The board of each DHB consists of 7 elected members.

Before the Minister appoints a person to the board of a DHB, the person must give the Minister a statement must be completed by the person in good faith that:

- (a) discloses any conflicts of interest that the person has with the DHB as at the date on which the statement is completed, or states that the person has no such conflicts of interest as at that date; and
- (b) discloses any such conflicts of interest that the person believes are likely to arise in future, or states that the person does not believe that any such conflicts are likely to arise in future.



19 Mayors and Chairpersons

The Christchurch City Council has a Mayor, who is elected by all electors in Christchurch City.

The Canterbury Regional Council and each of the six community boards have Chairpersons, who are elected by their members.

The Canterbury District Health Board has a Chairperson, who is appointed by the Minister of Health.

Mayors and Chairpersons are the presiding members of their councils and boards - it is the council or board that is the decision-making body.

Committee Chairpersons, Deputy Mayors and Deputy Chairpersons are elected by the members.

The Mayor of Christchurch and the Chairperson of the Canterbury Regional Council become Justices of the Peace during the time they hold office.



20 Requirements and Time Commitments of Members

- There is no defined job description for Mayors, Chairpersons, Councillors or Community Board members. However, members must know or learn:
 - Their council's administrative system as it applies to elected members (e.g. Standing Orders; Council and Committee procedures; services and facilities for Councillors; finance);
 - The organisation of, and services provided by the Council;
 - The roles of members and officers respectively;
 - How to handle complaints and enquiries from constituents; and
 - The essential requirements of the relevant law.
- The Deputy Mayor (in the case of the City Council) and Chairperson and Deputy Chairperson (in the case of the Regional Council) are elected by the members of their respective Councils, usually at the inaugural meeting. The Deputy Mayor and Deputy Chairperson are required to deputise for the Mayor or Chairperson whenever they are absent or unavailable. This includes chairing meetings of the Council and attending to other duties normally carried out by the Mayor (in the case of the City Council) or the Chairperson (in the case of the Regional Council).
- The Chairperson of the Canterbury District Health Board is appointed by the Minister of Health.
- Each Community Board also elects a Chairperson and Deputy Chairperson at its inaugural meeting.
- Some Councillors are elected by the members of the Council as Chairperson or Deputy Chairperson of a Council committee. Committee Chairpersons are responsible for chairing meetings of their committees, and also for assisting in the preparation of agendas for their committee meetings. The election of Committee Chairpersons and Deputy Chairpersons usually occurs at the inaugural meeting.
- Otherwise, the duties of Councillors and Community Board members, as established by practice and custom, include:
 - Attending and participating at meetings.
 - Reading agendas and other material before meetings.
 - Attending to enquiries from members of the public.
 - Attending or hosting functions.
 - Representing the Council or Board on related organisations, where appointed.
 - Attending and participating at conferences and seminars.
- Before commencing their duties, Councillors and Board members are required to make a declaration at the inaugural meeting.
- The amount of time which each elected member devotes to Council, Board or Community Board affairs is personal and depends on their own particular circumstances. However, candidates should not underestimate the demands which will be made on their time if elected. In a city the size of Christchurch, the demands of elected office have grown over the years to the point where it is difficult if not impossible for elected members to hold down a full time job, or continue to devote a full working week to a business or professional practice.

The following list gives a rough guide as to the time requirements involved in the positions shown:

Christchurch City Council

- Mayor - full time
- Deputy Mayor and Chairpersons of Standing Committees and Community Boards - between 20 and 60 hours or more per week
- Councillors - between 20 and 40 hours or more per week
- Community Board members - approximately 10 hours per week

Canterbury Regional Council

- Chairperson - full time
- Deputy Chairperson and Chairpersons of Standing Committees - between 20 and 60 hours or more per week
- Councillors - between 20 and 40 hours or more per week

Canterbury District Health Board

- Chairperson - full time
- Deputy Chairperson and Chairpersons of Standing Committees - between 20 and 60 hours or more per week
- Members - between 20 and 40 hours or more per week



21 Management Structure

- Staff are headed by the Chief Executive who is directly responsible to the elected members for:
 - Implementing decisions of the Council or Board
 - Advising members
 - Ensuring all functions, duties and powers are properly performed
 - Ensuring the effective, efficient and economic management of the activities of the Council or Board
- The Chief Executive is the only staff member appointed by the elected members. All other staffing responsibilities are conferred on the Chief Executive. Elected members cannot *reach down* to appoint middle level staff, or tell those staff what to do.



22 Accountability

- Under the Local Government Act 1974, a council must ensure that:
 - Its business is conducted in a manner that is comprehensible and open to the public.
 - Clear objectives are established for each of its activities and policies.
 - Conflicting objectives and interests are resolved in a clear and proper manner.
 - Performance is regularly measured against stated objectives.
 - Its local communities are adequately informed about Council activities.
 - As far as practicable, regulatory functions are separated from other functions. This also applies to the council's committee and management structure.
- Councils are required by the Local Government Act to prepare and adopt a **Long Term Financial Strategy, Funding Policy and Annual Plan**. Members of the public have an opportunity for input into these plans and other major policies and projects through consultation processes, including the special consultative procedure prescribed by Section 716A of the Local Government Act. Under this procedure, public notice is given of council proposals, following which members of the public have between one and three months to make written submissions and, if they wish, appear before a council committee to be heard in support of their submissions.
- Councils are also required to prepare an **Annual Report**. This is a public report which sets out how well the council has carried out its stated policies and objectives, as set out in the corresponding Annual Plan. The legal requirements for the Annual Report are set out in Section 223E of the Local Government Act 1974.
- Accountability of a council is also maintained through:
 - Triennial local authority elections.
 - The Local Government Official Information and Meetings Act 1987 which promotes the open conduct of local authority meetings and prescribes rights of access to information.
 - Scrutiny of council decisions and activities by the Ombudsman, the Controller and Auditor-General, the Parliamentary Commissioner for the Environment, and the Privacy Commissioner.
 - Scrutiny by a review authority appointed by the Minister of Local Government, where it is considered that there has been serious mis-management.
- In the case of the Canterbury District Health Board, the role of the Board and the duties of Board members are prescribed by Sections 26 and 27 of the New Zealand Public Health and Disability Act 2000, which provide:

26 **Role of board**

 - (1) *All decisions relating to the operation of a DHB are to be made by or under the authority of its board.*
 - (2) *The board of a DHB has all powers necessary for the governance and management of the DHB.*
 - (3) *The board of a DHB must delegate to the chief executive of the DHB, under clause 39 of Schedule 3, the power to make decisions on management matters relating to the DHB, but any such delegation may be made on such terms and conditions as the board thinks fit.*
 - (4) *This section does not limit clause 44 of Schedule 3.*

27 **Duties of board members**

 - (1) *A board member of a DHB, when exercising powers or performing duties as a board member, must act-*
 - (a) *in good faith; and*
 - (b) *with reasonable care, diligence, and skill; and*
 - (c) *with honesty and integrity; and*
 - (d) *in accordance with any code of conduct that applies to Crown entities.*

- (2) *The board of a DHB-*
- (a) *must ensure that the DHB acts in a manner consistent with the functions of the DHB, and with the DHB's district strategic plan, annual plan, statement of intent, and any directions or requirements given under section 32 or section 33;*
 - (b) *must not act, or agree to the DHB or any subsidiary of the DHB acting, in a manner that contravenes this Act or any other Act;*
 - (c) *must ensure that the activities of the entity, and those of its subsidiaries, are conducted efficiently and effectively and in a manner consistent with the spirit of service to the public;*
 - (d) *must have regard to the interests of creditors of the DHB, and endeavour to ensure that the DHB operates in a financially responsible manner in accordance with section 41.*



23 Members' Interests

- Prospective candidates should be aware of the requirements of the Local Authorities (Members' Interests) Act 1968.
- Under Section 3 of the Act, elected members may not be concerned or interested in contracts made by the council or board when payments made for the contracts entered into during a particular year exceed \$25,000 including GST. That amount may only be exceeded if the council or board has either obtained the prior approval of the Audit Office or, in special circumstances, obtained retrospective approval. When payments exceed \$25,000 or any other approved amount, the elected member concerned is automatically disqualified from office. He or she also commits an offence if he or she continues to act as a member.
- Under Section 6 of the Act, elected members may not discuss or vote on any matter in which they have a pecuniary interest when it is being considered by the council, board or a committee thereof. Elected members failing to observe this prohibition commit an offence and can be prosecuted. Conviction leads to disqualification from office.
- When a matter is raised at a meeting of the council, board or a committee thereof in which a member has a pecuniary interest, the member prohibited from voting or discussing the matter must declare the pecuniary interest. The fact of that disclosure and abstention from discussion and voting on it is also recorded in the minutes. While it is not necessary to withdraw from the meeting, it is good practice to do so.



24 First Meetings

Mayor, Council, Community Boards and Regional Councils

The successful candidates will take office on the day after the Electoral Officer gives his official notification of the result of the election. However, no person is permitted to act as a member before making a declaration.

The declarations are made at the inaugural meetings, held in November 2001.

The business to be conducted at the inaugural meetings is as follows:

- (a) The making and attesting of the declarations required of the Mayor and members.
- (b) The election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson.
- (c) A general explanation of:
 - (i) The Local Government Official Information and Meetings Act 1987; and
 - (ii) Other laws affecting members including the appropriate provisions of the Local Authorities (Members Interests) Act 1968, sections 99, 105, and 105A of the Crimes Act 1961, and the Secret Commissions Act 1910.
- (d) The fixing of the date and time of the first ordinary meeting of the authority, or the adoption of a schedule of ordinary meetings.
- (e) Items of general business, if any.

Canterbury District Health Board

Successful District Health Board candidates come into office on the 58th day after polling day.



25 1998 Election Results

ELECTION OF MAYOR OF CHRISTCHURCH CITY

Candidates

	Votes Received	
Garry MOORE (Christchurch 2021 – The Positive Choice)	37,377	(Elected)
Morgan FAHEY (Independent City Wide – City Pride Party)	29,321	
Margaret MURRAY (Citizens – Responsible Leadership)	15,444	
Gordon FREEMAN (Independent)	12,522	
Graham BERRY (Pick the Berry Team)	8,948	
Derek ANDERSON (Making it Happen for You)	6,205	
Kevin Patrick O'CONNELL (Aotearoa Legalise Cannabis Party)	1,517	
Peter WAKEMAN (Save Assets Spend Wisely)	904	
Bill GREENWOOD (Independent)	776	
Carolyn DRAKE (Natural Law Party)	635	
Fraser GRAHAM (The Black Lodge)	574	
Ruth GRAY (Communist League)	549	
Paul TELFER (One Nation)	361	
Michael HANSEN (Economic Euthenics)	207	
Informal Votes	1,811	

ELECTION OF TWENTY-FOUR COUNCILLORS FOR THE CITY OF CHRISTCHURCH

BURWOOD WARD - TWO COUNCILLORS

Candidates

	Votes Received	
Carole EVANS (True Independent)	6,337	(Elected)
Gail SHERIFF (True Independent)	5,281	(Elected)
David DOBBIE (Labour for Christchurch 2021)	2,967	
Don ROWLANDS (Labour for Christchurch 2021)	2,549	
Keith MacKAY (Independent)	1,098	
David EAST (Citizens)	1,043	
Bill MORGAN (Citizens)	863	
Informal Votes	533	

FENDALTON WARD - TWO COUNCILLORS

Candidates

	Votes Received	
Barbara STEWART (Citizens)	4,999	(Elected)
Ron WRIGHT (Citizens)	3,877	(Elected)
Diana BRADLEY (Independent for Christchurch 2021)	2,811	
John RUSKE (Independent for Christchurch 2021)	2,570	
David LYNCH (New Independent)	2,208	
Bill HALL (New Independent)	1,655	
Peter WAKEMAN	487	
Informal Votes	780	

FERRYMEAD WARD - TWO COUNCILLORS

Candidates

	Votes Received	
Erin BAKER (Independent for Christchurch 2021)	6,052	(Elected)
Charles MANNING (Labour for Christchurch 2021)	4,732	(Elected)
David COX (Citizens)	4,375	
Derek ANDERSON (Making it Happen for You)	2,188	
Vicki RULE (Citizens)	2,011	
Gilbert URQUHART (Natural Law Party)	211	
Informal Votes	337	

HAGLEY WARD - TWO COUNCILLORS**Candidates**

	Votes Received	
Anna CRIGHTON (Labour for Christchurch 2021)	3,490	(Elected)
Denis O'ROURKE (Labour for Christchurch 2021)	3,018	(Elected)
Graeme GEMMILL (Citizens)	1,060	
Richard ALDERSON (Citizens)	1,057	
Irinka BRITNELL (Independent)	957	
Chris LEE (Independent)	876	
Rod CAMERON	744	
Informal Votes	519	

HEATHCOTE WARD - TWO COUNCILLORS**Candidates**

	Votes Received	
Sue WELLS (Citizens)	4,045	(Elected)
Ian HOWELL (Citizens)	3,566	(Elected)
Oscar ALPERS (Participation and Progress)	3,516	
Lynda CARTER (Alliance)	2,320	
Ann LEWIS (Independent)	1,715	
Alan Trevor HAYWARD (Alliance)	1,483	
Jon PENFOLD (Independent for Christchurch 2021)	1,438	
Tim MACKLIN (Independent)	1,211	
Informal Votes	548	

PAPANUI WARD - TWO COUNCILLORS**Candidates**

	Votes Received	
Graham CONDON (Independent for Christchurch 2021)	5,075	(Elected)
Sally THOMPSON (Independent for Christchurch 2021)	4,015	(Elected)
Keith de DULIN (Citizens)	3,301	
John FREEMAN (Independent)	3,299	
Ken CLEARWATER (Independent)	2,176	
Warren SYMON (Citizens)	1,267	
Informal Votes	554	

PEGASUS WARD - TWO COUNCILLORS**Candidates**

	Votes Received	
David CLOSE (Labour for Christchurch 2021)	5,592	(Elected)
Alister JAMES (Labour for Christchurch 2021)	4,623	(Elected)
Mitchell ADAIR (Independent)	1,696	
Cliff BEDWELL (Citizens)	1,311	
Tagaloa SU'A (Citizens)	829	
Blair ANDERSON (Aotearoa Legalise Cannabis Party)	429	
Informal Votes	505	

RICCARTON WARD - TWO COUNCILLORS**Candidates**

	Votes Received	
Paddy AUSTIN (Independent for Christchurch 2021)	4,073	(Elected)
David BUIST (Citizens)	3,555	(Elected)
Mark KUNNEN (Your Local Independent)	3,097	
Alison WILKIE (Labour for Christchurch 2021)	3,029	
Paul David FARROW (Citizens)	2,982	
Informal Votes	704	

SHIRLEY WARD - TWO COUNCILLORS**Candidates**

	Votes Received	
Morgan FAHEY (Independent City Wide – City Pride Party)	3,044	(Elected)
Robin BOOTH (Independent)	2,694	(Elected)
Tony GUILLILAND (Labour for Christchurch 2021)	2,556	
Ingrid STONHILL (Labour for Christchurch 2021)	2,463	
Newton DODGE (Citizens)	2,317	
Judith BRUCE (Citizens)	1,671	
Warwick JONES (Natural Law)	217	
Informal Votes	368	

SPREYDON WARD - TWO COUNCILLORS**Candidates****Votes Received**

Carole ANDERTON (Alliance)	5,347	(Elected)
Barry CORBETT (Citizens)	4,029	(Elected)
Phil CLEARWATER (Alliance)	3,561	
Trish HUNTER (Citizens)	1,739	
Kevin GARDENER (Independent)	1,451	
Eric M WHITWORTH (Independent)	691	
David LOVELL-SMITH (Natural Law Party)	616	
Michael HANSEN (Economic Euthenics)	124	
Informal Votes	311	

WAIMAIRI WARD - TWO COUNCILLORS**Candidates****Votes Received**

Pat HARROW (Citizens)	4,759	(Elected)
Sally BUCK (Making Your Views Matter)	4,350	(Elected)
Yiyi KU (Independent for Christchurch 2021)	4,228	
Dennis RICH (Citizens)	3,873	
Bernadette HORRELL (Independent)	1,990	
Informal Votes	488	

WIGRAM WARD - TWO COUNCILLORS**Candidates****Votes Received**

Ishwar GANDA (Labour for Christchurch 2021)	5,471	(Elected)
Lesley KEAST (Labour for Christchurch 2021)	4,053	(Elected)
Bob SHEARING (Citizens)	2,769	
Boyd ROBERTS (Citizens)	1,725	
Dot LOVELL-SMITH (Alliance)	1,444	
Scott McLEOD (Alliance)	1,430	
Informal Votes	455	

ELECTION OF THIRTY-SIX COMMUNITY BOARD MEMBERS OF THE CITY OF CHRISTCHURCH**THREE MEMBERS TO REPRESENT THE BURWOOD WARD ON THE BURWOOD/PEGASUS COMMUNITY BOARD****Candidates****Votes Received**

David DOBBIE (Labour for Christchurch 2021)	4,346	(Elected)
Don ROWLANDS (Labour for Christchurch 2021)	4,237	(Elected)
Glenda BURT (Independent)	4,213	(Elected)
Anne McCORMACK (Independent for Christchurch 2021)	3,761	
Bob ANDREWS (Independent)	2,860	
Jeremy O'DOWD (Independent)	2,465	
Keith MACKAY (Independent)	2,363	
David Colin EAST (Citizens)	1,641	
Bill MORGAN (Citizens)	1,449	
Informal Votes	704	

THREE MEMBERS TO REPRESENT THE PEGASUS WARD ON THE BURWOOD/PEGASUS COMMUNITY BOARD**Candidates****Votes Received**

Caroline Margaret KELLAWAY (Labour for Christchurch 2021)	4,840	(Elected)
Chrissie WILLIAMS (Labour for Christchurch 2021)	4,314	(Elected)
Andy LEA (Labour for Christchurch 2021)	3,848	(Elected)
Tim SINTES (Independent)	2,251	
Mitchell ADAIR (Independent)	1,777	
Cliff BEDWELL (Citizens)	1,319	
Simon James McCARTHY (Independent)	1,316	
Tagaloa SU'A (Citizens)	977	
Nigel COOK	369	
Informal Votes	436	

THREE MEMBERS TO REPRESENT THE FENDALTON WARD ON THE FENDALTON/WAIMAIRI COMMUNITY BOARD

Candidates	Votes Received	
Keith NUTTALL (Citizens)	5,504	(Elected)
Val CARTER (Citizens)	4,865	(Elected)
Diana BRADLEY (Independent for Christchurch 2021)	4,463	(Elected)
Ian RIVERS (Citizens)	4,416	
John RUSKE (Independent for Christchurch 2021)	4,217	
Informal Votes	1,189	

THREE MEMBERS TO REPRESENT THE WAIMAIRI WARD ON THE FENDALTON/WAIMAIRI COMMUNITY BOARD

Candidates	Votes Received	
Sally BUCK (Making Your Views Matter)	5,489	(Elected)
Yiyi KU (Independent for Christchurch 2021)	5,111	(Elected)
Mike WALL (Citizens)	3,822	(Elected)
Graham CATLEY (Citizens)	3,583	
Cheryl COLLEY (Citizens)	3,415	
Bernadette HORRELL (Independent)	3,029	
Tufugaholoatu LAGATULE (Independent for Christchurch 2021)	1,521	
Informal Votes	613	

THREE MEMBERS TO REPRESENT THE FERRYMEAD WARD ON THE HAGLEY/FERRYMEAD COMMUNITY BOARD

Candidates	Votes Received	
John FREEMAN (Labour for Christchurch 2021)	5,431	(Elected)
Linda RUTLAND (Labour for Christchurch 2021)	5,185	(Elected)
Derek McCULLOUGH (Independent for Christchurch 2021)	4,343	(Elected)
Mike KNOX (Citizens)	3,474	
Liz GEAR (Citizens)	3,374	
Jack TRAVIS (Citizens)	2,638	
Graham McDERMID	543	
Informal Votes	1,086	

THREE MEMBERS TO REPRESENT THE HAGLEY WARD ON THE HAGLEY/FERRYMEAD COMMUNITY BOARD

Candidates	Votes Received	
Liz McROSTIE (Labour for Christchurch 2021)	3,513	(Elected)
Bob TODD (Labour for Christchurch 2021)	3,189	(Elected)
Aaron O'BRIEN (Labour for Christchurch 2021)	3,042	(Elected)
Jane Elizabeth LODGE (Citizens)	1,629	
Richard ANDERSON (Citizens)	1,575	
Graeme GEMMILL (Citizens)	1,539	
Rod CAMERON	1,239	
Informal Votes	661	

THREE MEMBERS TO REPRESENT THE RICcarton WARD ON THE RICcarton/WIGRAM COMMUNITY BOARD

Candidates	Votes Received	
Helen BROUGHTON (Citizens)	4,842	(Elected)
Alison WILKIE (Labour for Christchurch 2021)	4,149	(Elected)
Neville BENNETT (Independent for Christchurch 2021)	4,142	(Elected)
Alec FORD (Independent for Christchurch 2021)	3,191	
Peter LALOLI (Citizens)	3,003	
Anthony John SUTCLIFFE (Citizens)	2,906	
Informal Votes	906	

THREE MEMBERS TO REPRESENT THE WIGRAM WARD ON THE RICCARTON/WIGRAM COMMUNITY BOARD

Candidates	Votes Received	
Mike MORA (Labour for Christchurch 2021)	4,439	(Elected)
Mary CORBETT (Independent)	3,440	(Elected)
Bob SHEARING (Citizens)	3,209	(Elected)
Kenny STEVENS (Labour for Christchurch 2021)	3,094	
Maryanne LOMAX (Labour for Christchurch 2021)	3,052	
Boyd ROBERTS (Citizens)	2,004	
Scott McLEOD (Alliance)	1,688	
Dot LOVELL-SMITH (Alliance)	1,646	
Cris HOPEWELL (Alliance)	1,041	
Informal Votes	520	

THREE MEMBERS TO REPRESENT THE SPREYDON WARD ON THE SPREYDON/HEATHCOTE COMMUNITY BOARD

Candidates	Votes Received	
Carole ANDERTON (Alliance)	5,897	(Elected)
Phil CLEARWATER (Alliance)	4,718	(Elected)
Elizabeth MAUNSELL (Alliance)	3,598	(Elected)
Trish HUNTER (Citizens)	2,855	
Kevin GARDENER (Independent)	2,705	
Trish ADAMS (Citizens)	2,193	
Eric M WHITWORTH (Independent)	1,532	
Michael HANSEN (Economic Euthenics)	339	
Informal Votes	429	

THREE MEMBERS TO REPRESENT THE HEATHCOTE WARD ON THE SPREYDON/HEATHCOTE COMMUNITY BOARD

Candidates	Votes Received	
Oscar ALPERS (Participation and Progress)	4,197	(Elected)
Sonia GILL (Citizens)	2,803	(Elected)
Lynda CARTER (Alliance)	2,714	(Elected)
David DRAYTON (Citizens)	2,708	
Ann LEWIS (Independent)	2,476	
Alan Trevor HAYWARD (Alliance)	1,825	
Jon PENFOLD (Independent for Christchurch 2021)	1,756	
Sonia CAIRD (Citizens)	1,661	
Norma COLES (Independent for Christchurch 2021)	1,552	
Julie Rae COLLENDER (Alliance)	1,507	
Gorden HAMBLYN (Green for Christchurch 2021)	1,306	
Margaret BUCHANAN (Independent)	1,121	
David LEES (Independent)	824	
Julian HILL (Independent)	511	
Informal Votes	682	

THREE MEMBERS TO REPRESENT THE SHIRLEY WARD ON THE SHIRLEY/PAPANUI COMMUNITY BOARD

Candidates	Votes Received	
Anne CARROLL (Labour for Christchurch 2021)	3,666	(Elected)
Robin BOOTH (Independent)	3,579	(Elected)
Steve WRIGHT (Labour for Christchurch 2021)	3,153	(Elected)
Judith BRUCE (Citizens)	2,882	
Yani JOHANSON (Labour for Christchurch 2021)	2,778	
Bill KENNEDY (Citizens)	1,847	
Graham REDDELL (Citizens)	1,635	
Informal Votes	706	

THREE MEMBERS TO REPRESENT THE PAPANUI WARD ON THE SHIRLEY/PAPANUI COMMUNITY BOARD

Candidates	Votes Received	
Yvonne PALMER (Independent)	6,601	(Elected)
Myra BARRY (Independent for Christchurch 2021)	5,232	(Elected)
Dennis HILLS (Independent for Christchurch 2021)	4,301	(Elected)
Nick HARROW (Citizens)	3,105	
Warren SYMON (Citizens)	2,714	
Erin RYAN (Citizens)	2,288	
Informal Votes	966	

TWO MEMBERS TO REPRESENT THE CHRISTCHURCH NORTH CONSTITUENCY, CANTERBURY REGIONAL COUNCIL

Candidates	Votes Received	
Hamish HAY (Citizens)	11,495	(Elected)
Judy WATERS (Christchurch 2021)	9,687	(Elected)
Ann TAYLOR (Citizens)	6,791	
Greg KLEIS (Green for Christchurch 2021)	5,676	
Ian ROBERTSON (Independent)	5,287	
Tony WILLS (Independent)	4,023	
James Martin O'LOUGHLIN (Independent)	3,206	
Mike NEWLOVE (Alliance)	3,077	
Informal Votes	3,228	

TWO MEMBERS TO REPRESENT THE CHRISTCHURCH WEST CONSTITUENCY, CANTERBURY REGIONAL COUNCIL

Candidates	Votes Received	
Neil CHERRY (Christchurch 2021)	13,551	(Elected)
Peter YEOMAN (Citizens)	9,810	(Elected)
Ainslie TALBOT (Christchurch 2021)	8,932	
Brian LANGLEY (Citizens)	7,474	
Allan BILBROUGH (Independent)	4,761	
Gilbert Anthony HAY (Independent)	4,484	
Paul SCOTT (Independent, Ability and Fairness)	3,314	
Informal Votes	2,982	

TWO MEMBERS TO REPRESENT THE CHRISTCHURCH EAST CONSTITUENCY, CANTERBURY REGIONAL COUNCIL

Candidates	Votes Received	
Valerie CAMPBELL (Christchurch 2021)	13,393	(Elected)
Richard BUDD (Christchurch 2021)	12,474	(Elected)
Louise MOORE (Citizens)	8,124	
Roger BAMFORD (Citizens)	7,691	
Informal Votes	3,248	

TWO MEMBERS TO REPRESENT THE CHRISTCHURCH SOUTH CONSTITUENCY, CANTERBURY REGIONAL COUNCIL

Candidates	Votes Received	
Kerry BURKE (Labour for Christchurch 2021)	12,922	(Elected)
Diana R SHAND (Independent for Christchurch 2021)	10,859	(Elected)
Tony PALMER (Citizens)	9,279	
Alex CLARK (Alliance)	8,632	
Jenny LAMB (Alliance)	7,460	
Informal Votes	2,386	

Canterbury DHB

District Health Board

Te Poari Hauora o Waitaha

CANDIDATE'S STATEMENTS REGARDING CONFLICTS OF INTEREST

Please read these notes and the attached extracts from legislation carefully, before going to the last page and making your Statements at Parts A and B

Clause 6 of Schedule 2 to the New Zealand Public Health and Disability Act 2000:

“When a candidate gives the responsible Electoral Officer notice of the candidate’s consent to being nominated as a candidate, the candidate must also give the Electoral Officer a statement completed by the candidate in good faith that –

- (a) *discloses any conflicts of interest that the candidate has with the DHB as at the date of the candidate’s notice of consent, or states that the candidate has no such conflicts of interest as at that date; and*
- (b) *discloses any such conflicts of interest that the candidate believes are likely to arise in future, or states that the candidate does not believe that any such conflicts of interest are likely to arise in future.”*

Attached are relevant extracts from the New Zealand Public Health and Disability Act 2000 (‘the Act’) which will assist candidates in making the statements required by Clause 6 of Schedule 2. These relate to -

- **“conflict of interest”**

Section 6(1)(c) (attached) regarding a candidate being a DHB employee or spouse of a DHB employee, should be read in the light of clause 7 of Schedule 2 of the Act which states *“A person is not prevented from being elected as a member of a DHB simply because the person is an employee of the DHB.”*

In other words, being an employee of the DHB (or the spouse of an employee) is not a bar to candidacy or election, but it does constitute a conflict of interest. As such, it must be declared in all relevant circumstances and managed strictly in accordance with the legislation. That may mean, from time to time, a member being unable to take part in discussion and / or voting, or being required to leave the meeting-room whilst certain matters are discussed.

- **“spouse”**
- **“transaction”**
- **“interested in a transaction”**

Please note that under Clause 17 of Schedule 2 of the Act, a person is incapable of being elected or appointed as a member of a DHB if he or she is -

(f) *‘a person who has failed to declare a material conflict of interest before accepting nomination as a candidate for the immediately preceding election of a DHB.’*

In the event of any remaining doubt, the candidate should seek advice

CANTERBURY DISTRICT HEALTH BOARD

<p style="text-align: center;">INFORMATION FOR CANDIDATES – PLEASE READ CAREFULLY BEFORE COMPLETING YOUR STATEMENTS REGARDING CONFLICTS OF INTEREST</p>
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Extracts from Part 1, Section 6 of the NZ Public Health & Disability Act 2000

Conflict of interest, in relation to a person and a publicly-owned health and disability organisation, includes-

- (a) the person's interest in a transaction (within the meaning of sub-section (2)) of the publicly-owned health and disability organisation; and
- (b) the person's interest that would, if the person were a member of the board of the publicly-owned health and disability organisation or a member of a committee of that board or a delegate of that board, be an interest in a transaction (within the meaning of sub-section (2)) of the publicly-owned health and disability organisation; and
- (c) to avoid any doubt, the employment or engagement of the person, or of the person's spouse, as an employee or contractor of the publicly-owned health and disability organisation.

Spouse includes a *de facto* partner of either sex.

Transaction, in relation to a publicly-owned health and disability organisation, means-

- (a) the exercise or performance of a function, duty, or power of the publicly-owned health and disability organisation; or
- (b) an arrangement, agreement, or contract to which the publicly-owned health and disability organisation is a party; or
- (c) a proposal that the publicly-owned health and disability organisation enter into an arrangement, agreement, or contract

s6(2) For the purposes of this Act, a person who is a member of a board of a publicly-owned health and disability organisation, or a member of a committee of such a board or a delegate of such a board is **interested in a transaction** of the publicly-owned health and disability organisation if, and only if, the board member or the member of the committee or delegate –

- (a) is a party to, or will derive a material financial benefit from, the transaction; or
- (b) has a material financial interest in another party to the transaction; or
- (c) is a director, member, officer, or trustee of another party to, or person who will or may derive a material financial benefit from the transaction, not being a party or person that is –
 - (i) the Crown; or
 - (ii) a publicly-owned health and disability organisation; or
 - (iii) a body corporate that is wholly owned by 1 or more publicly-owned health and disability organisations; or
- (d) is the parent, child, or spouse of another party to, or person who will or may derive a material financial benefit from the transaction; or
- (e) is otherwise directly or indirectly materially interested in the transaction.

~~~~~

**ELECTION 13 OCTOBER 2001**

**PRINT FULL NAME OF CANDIDATE .....**

**PART 'A' STATEMENT REGARDING CONFLICT(S) OF INTEREST AS AT THE DATE OF CONSENTING TO NOMINATION**

**I state in good faith** that, as at *(date)* .....,  
 I have no conflict(s) of interest with Canterbury DHB\* *(delete as appropriate)* **OR**  
 I have the following conflict(s) of interest with Canterbury DHB\* *(either give details or delete heading as appropriate)*

.....  
 .....  
 .....

**Date .....**                      **Candidate's Signature .....**

**PART 'B' STATEMENT REGARDING CONFLICTS OF INTEREST THE CANDIDATE BELIEVES ARE LIKELY TO ARISE IN FUTURE**

**I state in good faith** that, as at *(date)* .....,  
 I do not believe that conflict(s) of interest with Canterbury DHB are likely to arise in future\* *(delete as appropriate)* **OR**  
 I believe the following conflict(s) of interest with Canterbury DHB are likely to arise in future\**(either give details or delete heading as appropriate)*

.....  
 .....  
 .....  
 .....

**Date .....**                      **Candidate's Signature .....**









**CHRISTCHURCH CITY ELECTIONS**

**13 OCTOBER 2001**

***APPOINTMENT OF SCRUTINEER***

The Electoral Officer  
Christchurch City Council  
P O Box 237  
Christchurch  
Fax: 372-2201

I ....., a candidate for the  
office of ..... for the election being held on Saturday  
13 October 2001 hereby appoint ..... as my  
scrutineer.

.....  
Signature of candidate

.....  
Date

*Note: This letter must be returned to the Electoral Officer or Deputy Electoral Officer seven days before the commencement of voting (ie by 14 September 2001)*