

Christchurch City

Candidate Information Booklet



2007 Local Government Elections



CHRISTCHURCH
CITY COUNCIL • YOUR PEOPLE • YOUR CITY

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1 Introduction

This booklet outlines information which may be of interest to you as a candidate in the 2007 local body elections. While the booklet is principally intended to assist candidates for the Mayoral, City Council and Community Board elections, it also contains essential information about the Canterbury Regional Council and Canterbury District Health Board elections. However, separate booklets are available for Regional Council and District Health Board candidates, giving more detailed information about the role and responsibilities of Regional Councillors and members of District Health Boards.



The elections are being conducted by postal vote with election day being Saturday 13 October 2007.



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

- Local Electoral Act 2001
- Local Electoral Regulations 2001
- Local Government Act 2002



Relevant key dates for your diary are:

- | | |
|---------------------------------|---|
| • Nominations Open | Friday 27 July 2007 |
| • Nominations Close | Noon, Friday 24 August 2007 |
| • Delivery of Voting Papers | Friday 21 September 2007 to
Wednesday 26 September 2007 |
| • Close of Voting | Noon, Saturday 13 October 2007 |
| • Preliminary Results Available | As soon as practicable after close of voting,
Saturday 13 October 2007 |
| • Official Declaration | About Saturday 20 October 2007 |



For further information or additional copies of this booklet, please phone (03) 941-8533.



Candidates requiring more information should contact:

For general electoral enquiries relating to all issues (ie Mayor, Council, Community Board, Canterbury Regional Council and Canterbury District Health Board)

Max Robertson, Electoral Officer
Christchurch City Council
First Floor, Civic Offices
163 Tuam Street (P O Box 237)
Christchurch

phone: (03) 941-8533
fax: (03) 941-8696
cell phone: 027-229-1735
email: max.robertson@ccc.govt.nz

For other enquiries

Canterbury Regional Council
Jude Pani, Manager, Secretariat
Canterbury Regional Council
P O Box 345
Christchurch

phone: (03) 365-3828 ext 7123
fax: (03) 365-3194
email: jude.pani@ecan.govt.nz

Canterbury District Health Board
Liz Beaven
Assistant Board Secretary
Canterbury District Health Board
P O Box 1600
Christchurch

phone: (03) 364-4144
fax: (03) 379-6482
email: liz.beaven@cdhb.govt.nz

2 Electoral Principles

The electoral principles contained in section 4 of the Local Electoral Act 2001 are outlined below for the information of candidates. These principles must be taken into account in the conduct of any election or poll.

4 Principles

- (1) The principles that this Act is designed to implement are the following:
 - (a) fair and effective representation for individuals and communities:
 - (b) all qualified persons have a reasonable and equal opportunity to—
 - (i) cast an informed vote:
 - (ii) nominate 1 or more candidates:
 - (iii) accept nomination as a candidate:
 - (c) public confidence in, and public understanding of, local electoral processes through—
 - (i) the provision of a regular election cycle:
 - (ii) the provision of elections that are managed independently from the elected body:
 - (iii) protection of the freedom of choice of voters and the secrecy of the vote:
 - (iv) the provision of transparent electoral systems and voting methods and the adoption of procedures that produce certainty in electoral outcomes:
 - (v) the provision of impartial mechanisms for resolving disputed elections and polls.
- (2) Local authorities, electoral officers, and other electoral officials must, in making decisions under this Act or any other enactment, take into account those principles specified in subsection (1) that are applicable (if any), so far as is practicable in the circumstances.
- (3) This section does not override any other provision in this Act or any other enactment.

3 Electoral Systems and Voting Documents

Electoral Systems

- Two electoral systems will be operating side by side for the 2007 elections. These are:
 - First Past the Post (FPP)
 - Single Transferable Voting (STV)
- The FPP electoral system will be used for the following elections:
 - Mayor, City Councillors and members of Christchurch Community Boards
 - Members of the Canterbury Regional Council
- The STV electoral system will be used for the election of members of the Canterbury District Health Board.
- For more information on understanding how the STV electoral system works, access the Department of Internal Affairs website (www.stv.govt.nz)
- A comprehensive explanation on the New Zealand method of counting STV votes is found in Schedule 1A, Local Electoral Amendment Regulations 2003.
- A brief description of the STV electoral system is set out below:
 - Voters receive a single (transferable) vote no matter whether there is one vacancy or several.
 - Voters rank the candidates in order of preference. "1" next to the name of the candidate most preferred, "2" next to the name of the candidate next preferred and so on.
 - When votes are counted, all the first preferences are allocated first. To be elected, a candidate must reach a "quota" of votes, which is based on the number of vacancies and the number of valid votes.
 - A candidate who reaches the quota is elected. If there is more than one vacancy and a candidate gets more votes than the quota, a proportion of each vote for that candidate is transferred to the voter's second preference. If, as a result, another candidate gets more votes than the quota, a proportion is transferred to third preferences, and so on.
 - If insufficient candidates reach the quota after the first preferences are allocated and after any surplus votes are transferred, then the candidate who received the fewest votes is eliminated and each vote for that candidate is transferred to the voter's second preference. This process is repeated until enough candidates reach the quota to fill all the vacancies.
- A public education programme is planned to be undertaken in the lead up to the elections, by the Department of Internal Affairs and the Ministry of Health, explaining how the STV electoral system works.

Voting Documents: Order of Candidates' Names

The names of the candidates will be arranged in random order on the voting documents, for all issues (ie Mayor, Council, Community Board, Regional Council and District Health Board). This means that the names of the candidates will appear in a different order on each and every voting document. Random order will be used because of a perception that alphabetical order unfairly favours candidates whose surnames are at or near the beginning of the alphabet. However, candidate profile statements submitted by candidates will be arranged in alphabetical order in the candidate profile booklets posted to electors with the voting documents.

4 Election Issues

- In these elections, persons may stand as:

- Mayor of Christchurch City and/or;
 - A member of the Christchurch City Council and/or;
 - A member of the following community boards:
- | | | | |
|----------------------|------------------|---|--|
| Akaroa/Wairewa | Burwood/Pegasus |) | Persons standing for any or all of these issues cannot stand for the Canterbury Regional Council. |
| Fendalton/Waimairi | Hagley/Ferrymead |) | |
| Lyttelton/Mt Herbert | Riccarton/Wigram |) | |
| Spreydon/Heathcote | Shirley/Papanui |) | |
| | |) | |
| | |) | |

(Note: Section 88A of the Local Electoral Act 2001 provides that if a person is declared to be elected as a member of the Council, and that person is also declared to be elected as a member of a Community Board, that person must be treated as having vacated office as a member of the Community Board. Such candidates therefore automatically vacate their position as a member of the Community Board in favour of the next highest polling candidate.)

- 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 seven wards and eight communities. These are:

Ward	No of Councillors
Banks Peninsula	1
Burwood/Pegasus	2
Fendalton/Waimairi	2
Hagley/Ferrymead	2
Riccarton/Wigram	2
Shirley/Papanui	2
Spreydon/Heathcote	2
Total	13

Community	No of elected Community Board Members
Akaroa/Wairewa	5
Burwood/Pegasus	5
Fendalton/Waimairi	5
Hagley/Ferrymead	5
Lyttelton/Mt Herbert	5
Riccarton/Wigram	5
Shirley/Papanui	5
Spreydon/Heathcote	5
Total	40

(*See page 35 for further information regarding Community Boards)

- There are six Canterbury Regional Council constituencies which are located either wholly or partly within Christchurch City, ie:
 - Christchurch North (located wholly within the city)
 - Christchurch West (located wholly within the city)
 - Christchurch East (located wholly within the city)
 - Christchurch South (located wholly within the city)
 - North Canterbury (includes parts of the northern suburbs of Christchurch)
 - Selwyn-Banks Peninsula (includes Banks Peninsula Ward of Christchurch City)
- Seven members will be elected to the Canterbury District Health Board. These seven members will all be elected at large across the whole of the area covered by the District Health Board, rather than from within constituencies.

5 Election Timetable

CHRISTCHURCH CITY 2007 TRIENNIAL ELECTION TIMETABLE

13 OCTOBER 2007

Wed 25 July 2007	Public Notice of Election, Calling for Nominations, Roll Open for Inspection
Fri 27 July 2007	Nominations Open/Roll Open for Inspection
Fri 24 August 2007	Nominations Close (12 noon)/Roll Closes
Wed 29 August 2007 (or as soon as practicable thereafter)	Public Notice of Day of Election and Candidates' Names
Fri 21 September 2007 – Wed 26 September 2007	Delivery of Voting Documents
Fri 21 September 2007 – Sat 13 October 2007	Progressive Roll Scrutiny Special Voting Period Early Processing Period
By 12 noon, Fri 12 October 2007 Appointment of Scrutineers	
Sat 13 October 2007	Election Day Voting Closes 12 noon - counting commences Preliminary Results available as soon as practicable after close of voting
Sat 13 October 2007 – Wednesday 17 October 2007	Official Count
Wed 17 October 2007 – Wed 24 October 2007 (or as soon as practicable)	Declaration of Result/Public Notice of Results
Mid December 2007	Return of Election Expenses Forms

6 Candidate Qualifications

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

- Enrolled on a parliamentary electoral roll somewhere in New Zealand; **and**
- A New Zealand citizen (either by birth or citizenship ceremony) (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 seven wards.
2. A person **can** be a candidate for election as a Community Board member in more than one of the eight communities.
3. A person **cannot** stand for the Canterbury Regional Council and also as a candidate for any of the following additional issues:

Mayor
Councillor
Community Board Member

(Sections 57A and 58 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. (Please see page 53 for further information regarding disqualifying contracts, and the provisions of the Local Authorities (Members' Interests) Act 1968.
- An employee of a local authority who is elected to be a member of the local authority's governing body must resign from his or her position as an employee of the local authority before taking up his or her position as a member of the local authority. (Section 41(5) Local Government Act 2002)
- Therefore, a staff member can stand for election to the Council, but must resign if elected. However, staff members can be elected as community board members and still continue as staff members following their election to the board.

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) (Section 25 Local Electoral Act 2001); and
- Not disqualified by clause 17, schedule 2, New Zealand Public Health and Disability Act 2000 (see page 9).

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

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

“17 Certain persons disqualified from membership

- (1) *None of the following persons may be elected or appointed as a member of a board, or appointed as a member of a board committee, of a District Health Board:*
- (a) *A person described in section 30(2)(a) to (f) of the Crown Entities Act 2004:*
...
 - (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 held in conjunction with the immediately preceding triennial general election.*
- (2) *In addition to the grounds specified in subclause 1, a person may not be elected as a member of a board if the person is incapable of being elected as a member of a local authority because of section 25 of the Local Electoral Act 2001.*
- (3) *However, subclause 1(a), does not disqualify a person described in section 30(2)(f) of that Act who is elected (rather than appointed) to office as a member under any other Act.”*

- Section 30(2)(a) to (f) of the Crown Entities Act 2004 provides:

“30 Qualifications of members

...

- (2) *The following persons are disqualified from being members:*

- (a) *a person who is an undischarged bankrupt:*
- (b) *a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management, of, an incorporated or unincorporated body under the Companies Act 1993, or the Securities Act 1978, or the Securities Markets Act 1988, or the Takeovers Act 1993:*
- (c) *a person who is subject to a property order under the Protection of Personal and Property Rights Act 1988:*
- (d) *a person in respect of whom a personal order has been made under that Act that reflects adversely on the person's –*
 - (i) *competence to manage his or her own affairs in relation to his or her property; or*
 - (ii) *capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care and welfare:*
- (e) *a person who has been convicted of an offence punishable by imprisonment for a term of 2 years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person:*
- (f) *a member of Parliament.”*

7 Nominations

1. Key Dates

- Nominations open on Friday 27 July 2007
- Nominations close at noon, Friday 24 August 2007
- Public notices calling for nominations will appear in the local newspapers on Wednesday 25 July 2007 and Friday 27 July 2007.

2. Availability of Nomination Forms

- Each nomination must be made on the appropriate nomination form. A separate nomination form is required for each issue or position. Nomination forms for the positions of Mayor, City Councillor, Community Board member and Canterbury District Health Board member will be available from Friday 27 July 2007 at the following places:

Civic Offices	163 Tuam Street (Receptionist, first floor)
Akaroa Service Centre	78 Rue Lavaud, Akaroa
Beckenham Library and Service Centre	66 Colombo Street
Fendalton Library and Service Centre	cnr Jeffreys and Clyde Roads, Fendalton
Linwood Service Centre	180 Smith Street, Linwood
Little River Service Centre	State Highway 75, Little River
Lyttelton Service Centre	33 London Street, Lyttelton
Papanui Library and Service Centre	Cnr Langdons Road and Restell Street, Papanui
Shirley Library and Service Centre	36 Marshland Road, Shirley
Sockburn Service Centre	149 Main South Road, Sockburn
Our City O-Tautahi	cnr Oxford Terrace and Worcester Boulevard

or by telephoning (03) 941-8533. Nomination forms for these issues can also be downloaded electronically after 26 July via <http://www.ccc.govt.nz/elections/>.

3. Candidate Profile Statements

- 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. The electoral officer is not required to verify or investigate any information included in this statement.
- Candidate profile statements should be submitted in plain text, although they can be divided into separate paragraphs. However, candidates should not use other layouts involving the use of bullet-points etc, as these will need to be converted into plain text to ensure that each candidate's profile statement is accorded approximately the same amount of space in the candidate profile booklets sent out with the voting documents.
- 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 image in eps or jpg format.

Translations in the required format can be provided by the following company (at the candidate's cost), for those candidates who are unable to prepare the translation image themselves or do not know of anyone else able 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: Lynda Heimsath

- 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 be provided to the electoral officer before 12 noon on nomination day; 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 contact details), 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) *unless the candidate profile statement does not comply with subsection (2)(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)(b) 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.
- There are particular statutory requirements relating to conflicts of interest for candidates of district health boards. Information on these requirements, along with sample conflict of interest statements, is available in the Ministry of Health publication *2007 District Health Board Elections: Information for candidates*, on the Ministry's website – <http://www.moh.govt.nz/dhbelections> - or directly from the Ministry's DHB Governance Section (contact David Pannett, Senior Adviser – Governance, (04) 496 2309, david_pannett@moh.govt.nz).
- The conflict of interest statement is required to be included with the voting document 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 Forms

- Each nomination form 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 if a person wishes to stand for election in a specific ward, then that person must be nominated by two electors in that ward).
- If a candidate is unable to sign the nomination form (eg absent overseas), a letter of consent signed by the candidate is acceptable to attach to the nomination form.
- 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 document.

6. Affiliation

- A candidate may claim an affiliation when completing their nomination form. An affiliation is described in section 57(3) of the Local Electoral Act 2001 as "an endorsement by any organisation or group (whether incorporated or unincorporated)".

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 document).

- A candidate claiming a specific affiliation should produce 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 unjustified claims 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 Forms

- Nomination forms for the **Mayor, City Council, Community Board and District Health Board issues** must be lodged with the electoral officer at the election office, which is located on the first floor of the Civic Offices, 163 Tuam Street, Christchurch or posted to:

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

- Canterbury Regional Council nomination forms must be lodged with:

Jude Pani
Canterbury Regional Council
58 Kilmore Street (P O Box 345)
Christchurch
Telephone 365-3828 ext 7123 / Fax 365-3194

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, nomination forms must be lodged no later than 12 noon, Friday 24 August 2007.

- Once lodged, nomination forms 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 district or subdivision of the district (eg ward).

- Each nomination form lodged requires a deposit of \$200 (including GST). Deposits are refundable if the votes cast for the candidate exceed:

First Past the Post (FPP) Elections

- 25% of the votes cast for the successful candidate (in the case of issues where only one vacancy is to be filled, such as the election of Mayor)
- 25% of the votes cast for the lowest polling successful candidate (this applies in the case of issues where two or more candidates are to be elected)

Single Transferable Vote (STV) Elections

- 25% of the final quota as determined at the last iteration
- **The lodgement of nomination forms should not be left to the last minute. Should a nomination form 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 before 12 noon, and the nomination could be invalidated.**
- 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, Community Board and District Health Board nominations)
 - Canterbury Regional Council (for Regional Council nominations)
- **Nomination forms, with the deposit and the candidate profile statement, can be returned by mail to the electoral officer, but should they be received after the close of nominations, the nomination is invalid and will not be accepted.**

8 Campaigning

Campaigning

- Election campaigning can start at any time and can continue up to and including election day.
- Election offences are set out in section 18 of this booklet. Please refer to them for your own protection. In particular, note that no election material may contain an imitation voting document 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 documents 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 document to the electoral officer.
- **Election advertising, using any media, must now identify the person under whose authority the advertisements have been placed.**

The requirements relating to election advertising are found in clause 113 of the Local Electoral Act 2001, which provides:

113 Advertisements for candidates

- (1) *No person may publish or cause to be published in any newspaper, periodical, notice, poster, pamphlet, handbill, 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) applies¹.*
- (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 that has endorsed the publication of the advertisement and the address of the place of business of that organisation or body.*

¹ Contravention of this subsection is an offence (see s135 (1)).

- (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.*

135 Unauthorised advertisements

- (1) *Every person commits an offence who wilfully contravenes section 113(1).*
- (2) *Every person who commits an offence against subsection (1) is liable on summary conviction to a fine not exceeding \$1,000.*
- For campaigning purposes, the approximate number of households, electors and population for each Christchurch City Ward, Community Board area and ECan constituency is as follows:

Ward	1 2006 Occupied Dwellings	2 2006 Usual Resident Population	3 2007 Electors
Banks Peninsula	3,477	8,154	6,459
Burwood/Pegasus	21,759	57,018	42,158
Fendalton/Waimairi	19,749	52,959	40,029
Hagley/Ferrymead	23,148	55,272	39,645
Riccarton/Wigram	21,804	60,825	43,724
Shirley/Papanui	23,460	60,144	43,867
Spreydon/Heathcote	21,786	54,051	40,410
	-----	-----	-----
	135,183	348,423	256,292

Community Board Area	1 2006 Occupied Dwellings	2 2006 Usual Resident Population	3 2007 Electors
Akaroa/Wairewa Community	1,188	2,724	2,124
Burwood/Pegasus Community	21,759	57,018	42,158
Fendalton/Waimairi Community	19,749	52,959	40,029
Hagley/Ferrymead Community	23,148	55,272	39,645
Lytelton/Mt Herbert Community	2,289	5,430	4,333
Riccarton/Wigram Community	21,804	60,825	43,724
Shirley/Papanui Community	23,460	60,144	43,867
Spreydon/Heathcote Community	21,786	54,051	40,410
	-----	-----	-----
	135,183	348,423	256,290

Akaroa/Wairewa Community Board Area Subdivisions	1 2006 Occupied Dwellings	2 2006 Usual Resident Population	3 2007 Electors
Akaroa	771	1,698	1,397
Wairewa	417	1,026	727
	-----	-----	-----
	1,188	2,724	2,124

ECan Christchurch Constituencies	1 2006 Occupied Dwellings	2 2006 Usual Resident Population	3 2007 Electors
Christchurch East	31,650	79,044	57,515
Christchurch North	31,107	78,690	57,433
Christchurch South	31,572	80,853	60,744
Christchurch West	28,704	79,029	57,593
	-----	-----	-----
	123,033	317,616	233,285

Sources: 1. & 2. Statistics New Zealand, Census of Populations and Dwellings 2006 (for number of occupied dwellings and usual resident population)

Source: 3. Electoral Enrolment Centre: 2007 Residential Roll Test Data

NOTE: Updated population estimates as at 13 July 2007 will be available upon request from the Electoral Officer by the end of July 2007.

9 Electoral Expenses and Electoral Donations

Campaign Expenditure Limits

- Candidates should be aware that candidate campaign expenditure limits are applicable. 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:

<i>Local government area population</i>	<i>Expenditure limit</i>
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

[NOTE: Expenditure limits are inclusive of GST.]

- Therefore, the total electoral expenses (including GST) of each candidate must not exceed the following limits:

Candidates	Expenditure Limit
Mayoral candidates	\$70,000
Council candidates:	
Banks Peninsula ward	\$7,000
Burwood Pegasus ward	\$30,000
Fendalton Waimairi ward	\$30,000
Hagley Ferrymead ward	\$30,000
Riccarton Wigram ward	\$40,000
Shirley Papanui ward	\$40,000
Spreydon Heathcote ward	\$30,000
Community Board candidates	
Akaroa subdivision, Akaroa/Wairewa Community Board	\$3,500
Wairewa subdivision, Akaroa/Wairewa Community Board	\$3,500
Burwood/Pegasus Community Board	\$30,000
Fendalton/Waimairi Community Board	\$30,000
Hagley/Ferrymead Community Board	\$30,000
Lyttelton/Mt Herbert Community Board	\$7,000
Riccarton/Wigram Community Board	\$40,000
Shirley/Papanui Community Board	\$40,000
Spreydon/Heathcote Community Board	\$30,000
Canterbury District Health Board candidates	\$70,000
Canterbury Regional Council candidates:	
Christchurch East constituency	\$50,000
Christchurch North constituency	\$50,000
Christchurch South constituency	\$50,000
Christchurch West constituency	\$50,000

- The period for which campaign expenditure limits apply is 3 months before election day (ie 13 July 2007 to 13 October 2007). However the legislation further specifies that all expenses incurred before the 3 month period for campaign expenditure and used during the 3 month period, must be included in the return.
- Companies, organisations and individuals providing services to candidates for the election must claim their costs within 30 days of the declaration of results. Electoral expenses must be paid within 60 days of the declaration of results.

Filing of Electoral Expenses and Electoral Donation Return forms

- Every candidate must file an electoral expenses and donations return form with the electoral officer within 55 days of the day on which the successful candidates are declared to be elected. For those candidates elected unopposed this will be 55 days from the day of the electoral officer's public notice under Section 63 of the Act. For those candidates contesting the election this will be 55 days after the day of the public notice of the official result. For candidates out of New Zealand at the time they are declared elected, the return must be filed within 21 days of their return to New Zealand. Section 59 Election deposits cannot be returned until the completed return form has been lodged with the Electoral Officer.
- 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 7 years after the date of the election.
- A Return of Electoral Expenses and Electoral Donations form is located at the end of this booklet (Appendix A).

Apportionment of Electoral Expenses

- Section 112 of the Act governs the apportionment of a candidate's election expenses prior to and during the three month period ending on polling day (ie the applicable period).
- Potentially, how candidates apportion their electoral expenses could become a public issue given that the election expenses return is open for public inspection. Also, the filing of a false return is an offence under Section 134 of the Act. Furthermore, under Section 138, where the electoral officer believes that an electoral expenses offence may have been committed, the matter must be reported to the police. An exception to s138 is the failure to file a return provided that it is filed promptly when requested by the electoral officer. Accordingly, it is important for candidates to clearly understand the requirements relating to the apportionment of their election expenses.
- Electoral activity, in respect of which electoral expenses may be incurred, is defined in Section 104 as 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, etc*
 - (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 election of the candidate; and*
 - (e) *that takes place within the applicable period before the close of polling day.*
- Electoral expenses is also defined in Section 104, and in relation to a candidate at an election:
 - (a) *means expenses that are incurred by or on behalf of the candidate in respect of an 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.*
- Electoral expenses are defined in s104 of the Act as specifically relating to electoral activity, which is also defined as (amongst other things) relating exclusively to the campaign for the election of the candidate. The definition of electoral activity neither includes nor excludes nomination deposits. However, it does exclude such things as the preparation of candidate profile statements, certain vehicle costs and donated labour. The inference is that these costs do not relate exclusively to the campaign for the election of a candidate and therefore, may be excluded. The nomination deposit is also not exclusively related to the election campaign and similarly should also be excluded. It is also noted that in the majority of cases the deposit is refunded so that any effect on costs is neutral.

- The definition of electoral expenses is important. It specifically 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. Likewise, Section 112 provides that for any electoral activity, in relation to a candidate at an election, which is carried on "both before and within" the applicable period before 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."*
- It is recommended that candidates apportion their electoral expenses on the following basis:
 - (a) where an election activity is carried on both before and within the "applicable period" then its costs must be apportioned in terms of Section 112. An example could be the costs associated with the development, preparation and production of hoardings or a website, before the three months prior to polling day, but which will be used throughout the applicable period (ie three months leading up to polling day). A fair proportion of these pre applicable period costs would contribute towards the expenditure limits applicable to the candidate.
 - (b) where an election activity is carried on before the three months prior to polling day and is finite or completed, then it would not need to be accounted for against the expenditure limit. An example could be the costs for developing and placing an advertisement in the media prior to the three months prior to polling day, which is not used again through the "applicable period".

Returns Available for Public Inspection

- Section 110 of the Act provides that the electoral officer shall keep all electoral expense returns for seven years, during which period the returns must be open for public inspection and thereafter destroyed.
- The intention of Section 110 is that members of the public (including the media) have the right to satisfy themselves that candidates have not breached the campaign expenditure provisions of the Act.

Electoral Offences Relating to Expenses Returns

- The Local Electoral Act contains several provisions dealing with electoral offences related to candidates' expenses returns.
- The maximum penalties contained in the Act are quite large and include possible imprisonment for a term not exceeding two years and a \$10,000 fine for filing a return knowing it is false in any material particular.

Duty to Take Action in Respect of Offences relating to Expenses Returns

- Section 138 of the Act is a general offence provision which also applies to electoral expense returns. If an electoral officer receives a written complaint or otherwise believes that an offence relating to a candidate expense return has been committed, the electoral officer must report that matter to the Police together with the result of any enquiries conducted by the electoral officer.
- However, section 138(3) provides that an electoral officer is not required to report the failure to file a return if the candidate files that return promptly after being required to do so by the electoral officer.

- The full provisions of the Local Electoral Act 2001 relating to electoral expenses are set out below:

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 the day that is 3 months before the close of polling day, of a local government area as specified in a certificate issued in respect of that area by the Government Statistician.

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.

(NB anonymous, in relation to an electoral donation, means a donation that is made in such a way that the candidate concerned does not know who made the donation.)

- (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 chief executive of the local authority, for a period of 7 years after the date of the election to which it relates, 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 section 9 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 equitably in relation to each of those candidates.

114 Use of public money

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

For offence provisions relating to candidate expenditure limits, (sections 132-136 Local Electoral Act 2001) refer section 18 of this booklet.

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

- Election advertisements, of all types, must now identify the person under whose authority they have been produced.
- Section 113(1) of the Act provides that “No person may publish or cause to be published in any **newspaper, periodical, notice, poster, pamphlet, handbill, 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”.
- Subsection (2) allows such advertisements **if the publication is authorised in writing by the candidate or the candidate’s agent and the advertisement contains a statement setting out the true name of the person for whom or at whose direction the advertisement was published and the address of his or her place of residence or business.** 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.
- Subsection (4) authorises the publication of advertisements that are endorsed by an organisation or body representing residents or ratepayers in the community or district in which the advertisement is published. **Advertisements by residents or ratepayers’ organisations need not be authorised by the candidate or candidate’s agent provided:**
 - the true name and address of the person(s) that directed its publication; and
 - the true name of the organisation that endorsed the publication of the advertisement and its place of business,**are stated in the advertisement.**
- Subsection (5) makes it clear that this section 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.
- A breach of subsection (1) constitutes an offence under section 135 of the Act which is punishable by a fine of up to \$1,000.

The full provisions of Sections 113 and 135 are set out below:

113 Advertisements for candidates

- (1) *No person may publish or cause to be published in any newspaper, periodical, notice, poster, pamphlet, handbill, 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) applies².*
- (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.*

² Contravention of this subsection is an offence (see s135(1)).

- (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 that 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.*

135 Unauthorised advertisements

- (1) *Every person commits an offence who wilfully contravenes section 113(1).*
- (2) *Every person who commits an offence against subsection (1) is liable on summary conviction to a fine not exceeding \$1,000.*

Use of Council Logos

- (i) 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.



- (ii) The formal Council crest shown below can only be used with the prior approval of the Council. 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.



11 Guidelines on the Requirements for Election Signs and Promotions

(Note: The requirements below are a summary of provisions included in the Christchurch City Plan 1999, City Bylaws, Land Transport Rules, and the Electoral (Advertisements of a Specified Kind) Regulations 2005, which should be consulted in the case of any doubt.)

Local Authority Elections

- (a) Signs less than 3m² in area and mounted no higher than 4 metres may be erected on private property in the city. (Note: This equates to a sign 2.5m wide and 1.2m deep. This refers to the total signage permitted on the property. That is the total area of signage on a property must not exceed 3m²). Approval of the owner of the land must be obtained. This rule applies to all Living zones except Living 5 (being the travellers accommodation zone). The requirements for signs in other zones (eg Living 5, Business, Cultural, Open Space, Rural) are more complicated, and it is recommended that the Planning Enquiries section be contacted through the Council's Call Centre (ph 941-8999) for advice on the extent of signage permitted.
- (b) A Council building consent may be required 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 or be likely to obscure or to confuse the interpretation of any traffic signals. Signs must not imitate or be of a form similar to any traffic signs. (This is a requirement of the Traffic Control Devices Rule 2004.)
- (e) Trailer and other vehicle mounted signs are not permitted 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 Land Transport Rule External Projections 2001.
 - (ii) Sign writing on the bodywork of candidates' vehicles, giving basic information such as the name of the candidate, their party and contact phone number(s).
- (f) Signs must not be displayed for more than 12 weeks, and must be removed within five working days after the election. (NOTE: In the Parliamentary Elections signs may only be displayed for the period of two polling day until the end of the day before polling day.)
- (g) (i) Any questions or complaints regarding signs should be directed to the Council's Call Centre on 941-8999.
- (h) The City Plan sets out the conditions for an "outdoor advertisement" to be a permitted activity.

Parliamentary Elections

- (a) The Government in June 2005 introduced regulations¹ relating to Parliamentary elections that regulate the shape, colour, design, and layout of advertisements displayed in public places or on private property that encourage or persuade voters to vote for a party or a constituency candidate.
- (b) The advertisement must not exceed 3m² in size, must not have any reflective material on it, nor be illuminated either externally or internally, must not be similar to any traffic sign in shape or colour, nor have any moving parts or flashing lights.

- (c) These regulations apply during the period beginning 2 months before polling day and closing the day before polling day.
- (d) The regulations also specify size of lettering and line spacing for advertisements on roads controlled by Transit New Zealand.
- (e) The regulations implement provisions contained in section 221B of the Electoral Act 1993. (Note: The requirements of the Christchurch District Plan in regard to location continue to apply.)
- (f) The City Plan sets out the conditions for an “outdoor advertisement” to be a permitted activity.

[1. Electoral (Advertisements of a Specified Kind) Regulations 2005, Statutory Regulations 2005/147]

Election Signs on, or adjacent to state highways

The following restrictions will apply to election signs erected on or adjacent to the State Highways under the control of Transit New Zealand within the boundaries of the Christchurch City Council. Where any individual candidate or party organisers have any questions about these State Highway requirements, they should make contact with:

James Park,
Opus International Consultants
PO Box 1482
Christchurch

Ph: (03) 363-5400
Fax: (03) 365-7858
Email: james.park@opus.co.nz

A map of State Highways is shown on page 28.

- (a) 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.
- (b) Signs on private property should not exceed 3m² in area. Signs erected on private property should have the permission of property owners and the City Council.
- (c) 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.
- (d) The location of signs must give consideration to visibility and other traffic safety aspects.
- (e) Signs will not be permitted on or adjacent to motorways.
- (f) For the above noted safety reasons, vehicle mounted signs situated on State Highways are also discouraged by Transit New Zealand.

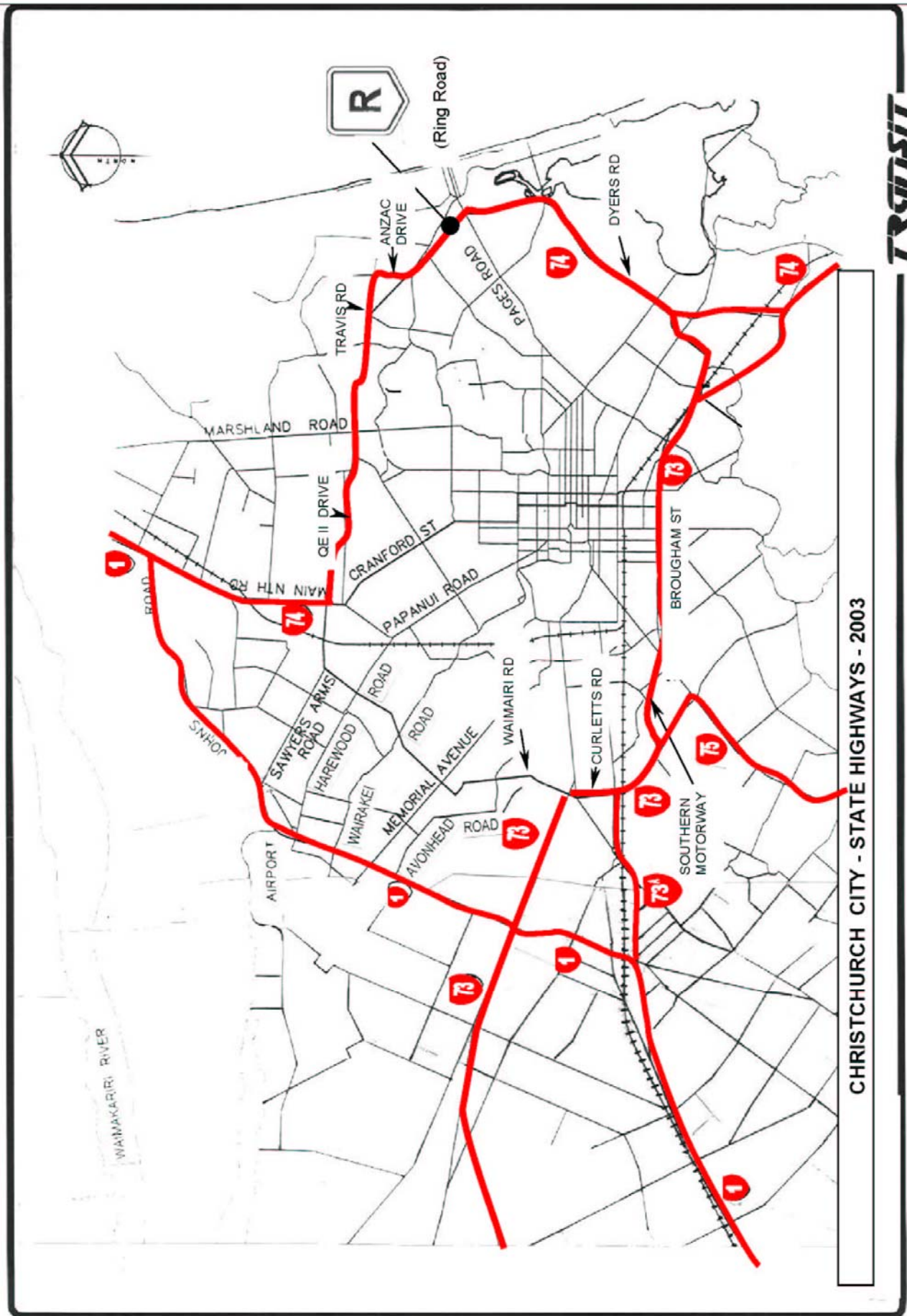
Use of Vehicles for Election Promotions

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 includes caravans or trailers.

Vehicle mounted signs are not permitted parked on roadways unless associated with street meetings in progress or attached to parked caravans with people in attendance at the time. Sign writing on the bodywork of candidates' vehicles, giving basic information such as the name of the candidate, their party and contact phone numbers is permitted. Any signs mounted on vehicles must be in accordance with requirements of the Land Transport Rules.

General Use of Public Places

Tables for the purpose of checking electoral rolls in public places may be permitted in certain public places subject to the approval of the Council. Any associated signage must comply with the requirements for the particular public place if approval is granted for such.



12 Electoral Rolls and Provision of Names of Persons Returning Completed Voting Documents

- The preliminary electoral roll for Christchurch City will be available for public inspection from Friday 27 July 2007 to 4pm Friday 24 August 2007 at the following places:

Civic Offices	163 Tuam Street (Receptionist, ground floor)
Akaroa Service Centre	78 Rue Lavaud, Akaroa
Beckenham Library and 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
Little River Service Centre	State Highway 75, Little River
Lyttelton Service Centre	33 London Street, Lyttelton
Papanui Library and Service Centre	Cnr Langdons Road and Restell Street, Papanui
Shirley Library and Service Centre	36 Marshland Road, Shirley
Sockburn Service Centre	149 Main South Road, Sockburn

The Community Libraries at:

Akaroa	2 Selwyn Avenue, Akaroa
Bishopdale	Bishopdale Mall, Harewood Road
Diamond Harbour	Waipapa Avenue, Diamond Harbour
Halswell	381 Halswell Road, Halswell
Hornby	Goulding Avenue, Hornby
Linwood	10 Cranley Street, Linwood
Little River	State Highway 75, Little River
Lyttelton	35-37 London Street, Lyttelton
New Brighton	213 Marine Parade, New Brighton
Redwood	339 Main North Road, Redwood
Sumner	14 Wakefield Avenue, Sumner

- Those eligible to vote are:
 - all residents enrolled on the Parliamentary Electoral Roll;
 - all non-resident ratepayers enrolled on the Ratepayer Electoral Roll.
- Persons are qualified to be enrolled on the Parliamentary Electoral Roll if they:
 - are a New Zealand citizen or a permanent resident of New Zealand; and
 - are 18 years of age or over; and
 - have at some time resided continuously in New Zealand for one year or longer; and
 - are not disqualified under the Electoral Act 1993.
- Residents of Christchurch City are enrolled automatically on the City's Residential Electoral Roll if they are registered as Parliamentary electors. Therefore, there is no need to enrol separately for the city's elections.
- Ratepayers who are not residents of Christchurch City but pay rates on property within the city, may be entitled to enrol on the non-residential Ratepayer Electoral Roll. Companies, businesses, trusts and societies which are ratepayers, may also nominate an elector to vote on their behalf, provided any such elector resides outside Christchurch City.
- The preliminary electoral roll is in seven books - one for each ward.

- Any alterations to the residential roll should be made:
 - (i) by completing the appropriate form parliamentary elector's enrolment 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 non-residential ratepayer electoral roll should be made through the Electoral Office (phone (03) 941-8533).
- Hard copies of the preliminary electoral rolls may be purchased from the Electoral Officer for \$35 (incl GST) for a full set of seven 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 Friday 24 August 2007 and comes into force on 18 September 2007. The final electoral roll is the roll used for issuing voting documents. Hard copies of this final roll will also be available for purchase.
- Details appearing in the electoral rolls are electors names (surname, then first names) listed alphabetically. The qualifying address of the elector is shown alongside.
- With regard to a listing of non-resident ratepayer electors, a candidate may purchase mailing labels and/or postal address lists from the electoral officer.

SUPPLY OF RESIDENTIAL ELECTORAL ROLL DATA IN ELECTRONIC FORM

Information contained in the residential electoral rolls is not available from the electoral officer 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 from the Electoral Enrolment Centre (EEC). The EEC contact person is Bob Chandler, phone (04) 801-0700 or fax (04) 801-0709.

PROVISION OF NAMES OF PERSONS RETURNING COMPLETED VOTING DOCUMENTS

Candidates or candidate scrutineers may now request, *before the close of voting*, the electoral officer to provide a listing of names of persons from whom voting documents have been received. Such a list can be supplied in either hard copy or electronic form. A charge of \$30 plus GST will be made for each separate list supplied (ie if supplied on a daily basis, there will be a charge of \$30 plus GST per day.)

13 Voting and Special Voting

- The election is being conducted by postal vote. Voting documents will be posted out to all electors whose names appear on the final electoral roll. Delivery by NZ Post will commence on Friday 21 September 2007, and all electors should have received their voting documents by Wednesday 26 September 2007.
- For all issues, the names of the candidates will be arranged in random order on the voting documents, ie, rather than being shown alphabetically by surname, the names of the candidates will appear in a different order on each individual voting document. This arrangement is being used because of a perception that an alphabetical arrangement unfairly favours those candidates whose surnames are at or near the beginning of the alphabet.
- Each elector, after receiving their voting document, should complete it, seal it in the return, postage paid envelope, and post or deliver it to the electoral officer.
- If hand delivered, completed voting documents can be lodged in the ballot bag which will be located immediately adjacent to the reception desk on the ground floor of the Civic Offices, 163 Tuam Street, Christchurch.
- If posting completed voting documents back, it is recommended these be posted no later than 5pm on Wednesday 10 October 2007 to guarantee delivery before the close of voting (12 noon, Saturday 13 October 2007).
- 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 document previously posted to them
 - who spoil or damage a voting document previously posted to them
- Special votes will be available from Friday 21 September 2007 until noon on Saturday 13 October 2007 at the following places, or by phoning the electoral officer on (03) 941-8533:

Civic Offices	163 Tuam Street, Christchurch
Akaroa Service Centre	78 Rue Lavaud, Akaroa
- Special votes can be posted directly out to applicants. The completed voting document 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 2007. 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 Parliamentary Electors for verification that the elector is eligible and has enrolled as a parliamentary elector, or has forwarded change of address details.

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

14 Early Processing of Returned Voting Documents

- Returned voting documents 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 documents involve the following functions:
 - opening envelopes
 - extracting voting documents
 - 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 2007).
- 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, in full compliance with the strict legal requirements.
- Candidate scrutineers are not permitted to observe the early processing functions.

15 Scrutineers

- Candidates may appoint scrutineers to oversee various functions of the election. These functions are:
 - the scrutiny of the roll
 - the preliminary count (after 12 noon on election day)
 - 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 no later than 12 noon on Friday 12 October 2007). A sample letter of appointment is attached as Appendix B.
- Each appointed scrutineer must report initially to the electoral officer or deputy 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 officer or deputy electoral officer.
- 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 processing centre (located at 95a Sawyers Arms Road, Papanui, Christchurch) during normal office hours between Friday 21 September 2007 and noon, Saturday 13 October 2007.
- The preliminary count of votes will commence once voting closes at 12 noon on Saturday 13 October 2007.
- 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 2007.
- 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. Scrutineers will be required to hand their mobile phones in on arrival at the election processing centre.

16 Preliminary 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.

- The preliminary count will take place from 12 noon Saturday 13 October 2007 at the election processing centre (located at 95a Sawyers Arms Road, Papanui, Christchurch)
- Preliminary results will be emailed or faxed to candidates and the news media as soon as practicable. The results will also be available on the Council's internet site (www.ccc.govt.nz) or by telephoning the Election Office on (03) 941-8533.

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 preliminary results will be available, although it is expected they should be available by :

- **approximately 5pm on election day (Saturday 13 October 2007) in the case of the Mayoral, Council, Community Board and Regional Council elections**
- **approximately 5pm on Sunday 14 October 2007 in the case of the Canterbury District Health Board election**

17 Community Boards

Status of Community Boards

A community board:

- (a) is an unincorporated body; and
- (b) is not a local authority; and
- (c) is not a committee of the relevant territorial authority

Christchurch Community Boards

Christchurch City has eight communities and community boards, as follows:

Akaroa/Wairewa	Lyttelton/Mt Herbert
Burwood/Pegasus	Riccarton/Wigram
Fendalton/Waimairi	Shirley/Papanui
Hagley/Ferryhead	Spreydon/Heathcote

Membership of Community Boards

The six metropolitan community boards each have seven members, comprising five directly elected members and two members appointed by the Council, being the two Councillors representing the ward in which the community is located. The Lyttelton/Mt Herbert and Akaroa/Wairewa Community Boards each have six members, comprising five directly elected members and one appointed member, being the Councillor representing the Banks Peninsula ward.

Standing for both the Council and a Community Board

A person elected as a Councillor and a Community Board member is deemed to be elected as a Councillor and a Community Board member but is then deemed to have vacated the office as a Community Board member, and the next highest polling Community Board candidate is deemed elected. (If there is no highest polling unsuccessful candidate, in this instance, an extraordinary vacancy occurs and a by-election is required.) (sections 88A, 88B, Local Electoral Act 2001)

Role of Community Boards

The role of a community board is to:

- (a) represent, and act as an advocate for, the interests of its community; and
- (b) consider and report on all matters referred to it by the Christchurch City Council, or any matter of interest or concern to the community board; and
- (c) maintain an overview of services provided by the Christchurch City Council within the community; and
- (d) prepare an annual submission to the Christchurch City Council for expenditure within the community; and
- (e) communicate with community organisations and special interest groups within the community; and
- (f) undertake any other responsibilities that are delegated to it by the Christchurch City Council.

Powers of Community Boards

- (1) A community board has the powers that are:
 - (a) delegated to it by the Council.
 - (b) prescribed by the Order in Council constituting its community.
- (2) The powers of a community board prescribed by Order in Council expire at the close of 6 years after the order comes into force.
- (3) Despite subsection (1), a community board may not :
 - (a) acquire, hold, or dispose of property; or
 - (b) appoint, suspend, or remove staff.

18 Election Offences

Electoral officers have a duty, under the Local Electoral Act, to report offences to the police (except failure to file a return of electoral expenses under s109 as set out in s138(2)). This applies to the receipt of any written complaint that an offence, under the Act, has been committed or where the electoral officer becomes aware for any other reason that an offence may have been committed.

The following table summarises the offence provisions of the Local Electoral Act. This is a general summary only and is intended to give a broad idea of the types of offences. The full provisions of the Act relating to election offences are set out on pages 38 to 43.

Summary of Offences Relating to Elections and Polls				
Item	Offence		Maximum Penalty	Ref.
	Type	Description		
1	Illegal nomination	<ul style="list-style-type: none"> Nominated as candidate while incapable Nominating candidate who is incapable Nominator not qualified 	\$2,000	s121 LEA
2	Interfering with or influencing voters	<ul style="list-style-type: none"> Interfering with voters Imitation voting document Unauthorised instructions to voter(s) 	\$5,000	s122 LEA
3	Official documents	<ul style="list-style-type: none"> Intentional alteration to voting or other official document Forged document(s) or marks Unauthorised supply of voting document Unauthorised possession of voting document Intentional interference with ballot box or box/parcel of voting documents 	Electoral officer or electoral official – 2 years imprisonment Other person – 6 months imprisonment	s123 LEA
4	Voting	<ul style="list-style-type: none"> More than once at same s124 election or poll LEA Interference with vote already cast 	2 years imprisonment	s124 LEA
5	Bribery	Influencing behaviour to vote or refrain from voting by offering: <ul style="list-style-type: none"> Money or valuable consideration Employment or office Gifts, loans, promises, agreements 	2 years imprisonment	s125 LEA
6	Treating	Offering and/or accepting food, drink, entertainment or provision	2 years imprisonment	s126 LEA
7	Undue Influence	Use or threaten: <ul style="list-style-type: none"> Force Violence Restraint Abduction, duress or fraudulence	2 years imprisonment	s127 LEA
8	Personation	<ul style="list-style-type: none"> Vote in the name of another person Multiple voting at the same election or poll 	2 years imprisonment	s128 LEA
9	Infringement of Secrecy	Failing to maintain secrecy	6 months imprisonment	s129 LEA

Summary of Offences Relating to Elections and Polls				
Item	Offence		Maximum Penalty	Ref.
	Type	Description		
10	Disclosing voting or state of election or poll	Unauthorised disclosure of information by official, JP or scrutineer	Electoral officer or deputy electoral officer - \$5,000 Other person - \$2,000	s130 LEA
11	Contravention of LEA or LER by official	Intentional or reckless act of commission or omission	\$2,000	s131 LEA
12	Claiming and Paying Expenses	Breaches of s105 LEA	\$5,000	s132 LEA
13	Return of Electoral Expenses	<ul style="list-style-type: none"> • Failure by candidate to transmit return • False return 	\$1,000 + If elected - \$400 per day until compliance 2 years imprisonment or \$10,000	s133 LEA s134 LEA
14	Unauthorised advertising	Contravention of advertising prohibition in s113(1) LEA	\$1,000	s135 LEA
15	Excessive expenditure	Exceeding prescribed maximum amount	Intentionally – 2 years imprisonment or \$10,000 Other circumstances - \$5,000	s136 LEA

Full Provisions of Local Electoral Act 2001 relating to Election Offences

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 105**.
- (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 advertisements

- (1) Every person commits an offence who willfully contravenes section 113(1).
- (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.
- (3) Despite subsection (1), an electoral officer is not required to report the failure by a candidate at an election to file the return required by section 109(1) within the period prescribed in s.section 109, if the candidate files that return promptly after being required by the electoral officer to file the return.

19 Remuneration

Members Remuneration and Expenses

Christchurch City Council

Salaries are currently paid at the following rates, which will continue to apply until the present members go out of office following the elections:

Mayor	\$146,110 pa
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Deputy Mayor	\$89,137 pa
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Councillors	\$77,977 pa
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Chairpersons of Community Boards:

Six metropolitan Community Boards	\$35,850 pa
Akaroa/Wairewa and Lyttelton/Mt Herbert Community Boards	\$11,412 pa

Members of Community Boards:

Six metropolitan Community Boards	\$22,450 pa
Akaroa/Wairewa and Lyttelton/Mt Herbert Community Boards	\$6,273 pa

The present Council has decided to recommend to the incoming Council that (subject to the approval of the Remuneration Authority) the following salaries apply in respect of the positions shown following the elections:

Deputy Mayor	\$92,955 pa
Councillors	\$79,995 pa
Metropolitan Community Board Chairs	\$31,925 pa
Banks Peninsula Community Board Chairs	\$31,925 pa
Metropolitan Community Board members	\$15,291 pa
Banks Peninsula Community Board members	\$15,291 pa

(The Mayor's salary is set independently by the Remuneration Authority.)

Mileage and some other allowances are also payable, within an expenses framework approved by the Remuneration Authority.

Canterbury Regional Council (ECan)

The following salaries currently apply, and will continue at the rates shown until the present members go out of office following the elections:

Chair	\$133,235 pa
Deputy Chair, Chair Planning, Chair Regulation Hearing and Chair Regional Land Transport Committees	\$52,300 pa
Chair Finance and Audit Committee and Portfolio Chairs	\$48,150 pa
Area Committee Chairs, Chair Maori Advisory Committee	\$45,000 pa
Councillors	\$43,150 pa

Plus allowance of \$31,000 pa for Councillor members of the Hearing Committees for Natural Regional Resources Plan.

Canterbury District Health Board

The following salaries currently apply, and will continue at the rates shown following the elections:

Board Members	
Chairperson	\$52,000 pa
Deputy Chair	\$32,500 pa
Member	\$26,000 pa

Statutory Advisory Committees (comprising both Board and Community members) paid pro-rata up to 10 meetings per year, ie

Chairperson	\$3,125 maximum	(ie \$312.50 per meeting)
Member	\$2,500 maximum	(\$250 per meeting)

District Health Board members' salaries are set by the Government, on the recommendation of the Minister of Health.

Role of Remuneration Authority

The Remuneration Authority is responsible for approving elected member remuneration for individual city, district and regional councils. Each council is required to submit a proposed remuneration structure to the Authority for its approval, within a total pool amount established for that council by the Authority. In the period between the date of the election and approximately February 2008, interim salaries will apply in respect of the all members of the Christchurch City Council, Christchurch Community Boards and the Canterbury Regional Council. It is expected that the quantum of these interim salaries will be announced by the Remuneration Authority in July 2007.

Following the elections, the Christchurch City Council and the Canterbury Regional Council will be required to agree on their proposed remuneration structure, and submit their remuneration proposals to the Remuneration Authority for approval.

In the case of the City Council, any resulting increases (over and above the interim salaries payable) for the Deputy Mayor, chairpersons of standing committees and community boards can be backdated to the date on which they were appointed to those positions. However, should the agreed remuneration structure approved by the Remuneration Authority include both salary and meeting fees, there will be no backdating of meeting fees.

Tax status of elected members

The IRD views the relationship between an elected member and a Council as a statutory relationship of service. The IRD does not view it as an employer/employee relationship. Therefore, elected members are not employees of the Council for income tax purposes.

Consequences of income tax status of elected members

This means that remuneration paid to elected members is taxable but it is not classified as 'salary or wages' under the Income Tax Act. Instead, it is classified as a 'withholding payment' and the Council is required by the Withholding Payments Regulations to deduct tax at 33% at the time of payment unless an exception applies.

Because of the nature of their relationship with the Council, elected members are entitled to deduct expenses incurred in earning their remuneration from the Council. This means that they can deduct home use expenses, miscellaneous expenses, and vehicle expenses if they incur these in the course of earning their Council remuneration. Election expenses are not tax deductible.

Elected members are also responsible for paying their own accident compensation levies.

20 Governance Responsibilities

The Purpose of Local Government

The Local Government Act 2002 outlines the purpose of local government in New Zealand.

The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end, this Act---

- (a) states the purpose of local government; and
- (b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and
- (c) promotes the accountability of local authorities to their communities; and
- (d) provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach.

Treaty of Waitangi

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to local government decision-making processes, Parts 2 and 6 of the Local Government Act provide principles and requirements for local authorities that are intended to facilitate participation by Maori in local authority decision-making processes.

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:

- Air quality
- Civil defence emergency management
- Coastal environment
- Energy
- Land
- Natural hazards
- Navigation safety
- Pests and biosecurity
- Public passenger transport
- Regional land transport
- Waste, hazardous substances and contaminated sites
- Water quality, quality and ecosystems

Territorial Authorities (City or District Councils)

These 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.

21 Role and Time Commitments of Members

1. CHRISTCHURCH CITY COUNCIL

ELECTED MEMBERS

Elected members, acting as the Council, are responsible for governance, including:

- the development and adoption of Council policy
- monitoring the performance of the Council against its stated objectives and policies
- prudent stewardship of Council resources
- employment of the Chief Executive.

Elected members are also responsible for representing the interests of the residents and ratepayers of the city.

Unless otherwise provided in the Local Government Act 2002 or in the Council's Standing Orders, the Council can only act by majority decisions at meetings. Any individual member (including the Mayor) has no authority to act on behalf of the Council unless provided for by statute or the Council has expressly delegated such authority.

Elected members are expected to attend the meetings of the Council, as well as the committees and subcommittees, working parties, and external organisations to which they are appointed. An elected member who is unable to attend a meeting should advise the Chair or Chief Executive as soon as possible.

Each Council must adopt a Code of Conduct for its members. Each elected member must comply with the Code of Conduct.

Members come into office on the day after they are declared to be elected except that a candidate unopposed at the election comes into office on polling day. It is important to note however that no person is capable of acting as a member of any local authority until he or she has, at a meeting of the local authority, made a declaration as required by the Local Government Act. This is done at the first meeting after the local authority elections. This meeting is called by the Council's Chief Executive as soon as practicable after the results of the election are known.

MAYOR

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of the Council. The Mayor also has the following roles:

- presiding at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined by Standing Orders)
- advocating on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council
- spokesperson for the Council
- ceremonial head of the Council
- providing leadership and feedback to other elected members on teamwork and chairing of committees
- fulfilling the responsibilities of a Justice of the Peace (while the Mayor holds office).

DEPUTY MAYOR

The Deputy Mayor must be elected by the members of the Council at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members, and if the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers, of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of the Council.

COMMITTEE CHAIRPERSONS

The Council may create one or more committees (this includes subcommittees) of the Council. A committee chairperson presides over all meetings of the committee, ensuring that the committee acts within the powers delegated by Council. Committee chairpersons may be called on to act as official spokespersons on issues within the terms of reference for their committees. Chairpersons may be removed from office by resolution of the Council. The Council may also appoint deputy chairpersons of committees, who shall fulfil the functions of the chair when the chairperson is absent.

COMMUNITY BOARDS

Community Boards provide a level of local government below city and district councils. The role of each Community Board includes:

- Representing the interests of its community.
- Considering and reporting on matters referred to it by the Council, of interest or concern.
- Maintaining an overview of council services to the community.
- Preparing an annual submission to the Council for its annual plan.
- Communicating with community organizations and special interest groups.
- Undertaking any other responsibilities that are delegated to it by the Council.

Community Boards will at their first meetings appoint chairpersons and deputies.

2. CANTERBURY REGIONAL COUNCIL

Elected members govern the Region by participating in legally constituted meetings of the Council and committees. The members thus collectively exercise the powers, duties, authorities and responsibilities vested in the Council by the Local Government Act and other Acts. Individual members do not have any specific authority to act or make decisions as individuals. Actions of Councillors are covered by an adopted Code of Conduct.

Members come into office on the day after they are declared to be elected except that a candidate unopposed at the election comes into office on polling day. It is important to note however that no person is capable of acting as a member of any local authority until he or she has, at a meeting of the local authority, made a declaration as required by the Local Government Act. This is done at the first meeting after the local authority elections. This meeting is called by the Council's Chief Executive as soon as practicable after the results of the election are known.

At the first meeting the Council will also appoint a Chairperson and Deputy Chairperson.

3. DISTRICT HEALTH BOARDS

The Canterbury District Health Board was established under the New Zealand Public Health and Disabilities Act 2000. The CDHB has the responsibility for the provision of health services to the Canterbury community.

The Board is the governance body setting the strategic direction of the organisation. Board membership is a combination of elected and appointed members and delegates responsibility on decisions on management matters to the Chief Executive.

- 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. Depending on the role (Mayor, Deputy Mayor, Committee Chair, Councillor, Community Board Chair or Community Board member) the time commitment can be significant. Candidates need to be aware that election to public office can have a significant effect on family life, and on their personal circumstances. This can range from needing to take time off work to attend meetings, to attending night meetings, receiving telephone calls at all times of the day and night, or being asked by constituents to discuss issues when shopping at the supermarket, watching sport, attending cultural or entertainment events or even walking the dog. Some members of the community see elected representatives as being available 24 hours a day, seven days a week.

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 10-20 hours per week

Canterbury Regional Council

Chairperson	- full time
Deputy Chairperson and Chairpersons of Standing Committees	- between 20 and 40 hours or more per week
Councillors	- between 20 and 30 hours or more per week

Canterbury District Health Board

Time requirements for board members vary from District Health Board to District Health Board, depending on the way the Board works, how efficiently members work and on members' experience.

Board members should be prepared to commit the equivalent of approximately 60 days per annum for Board business. This includes preparation time, board meetings, committee meetings and community liaison activities. The Chairperson and Deputy Chairperson have a higher workload than other board members.

22 Accountability

- The Local Government Act 2002 reflects a clear view that local authorities that are effective, responsible, and accountable to the communities they represent are a fundamental part of our system of democratic governance, rather than a collection of assets and services.

The Act provides greater scope for communities to make their own choices about what local authorities do and the way they do these things. Local authorities have full capacity to undertake any act that promotes the purpose of local government, subject to other legislation.

Particular provisions in the Local Government Act 2002 that ensure the purposes of the Act are achieved include:

Section 10 which states that the purpose of local government is:

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.

Section 11 which states that the role of a local authority is to:

- (a) Give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
- (b) Perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

These statements envelop a number of related ideas that reflect the actual job of the Council and Councillors:

Democracy – ensuring opportunities for participation by electors in decision-making processes, within the overall framework of representative democracy.

Effectiveness- decision-making processes are intended to ensure that representatives are well informed about the preferences of electors, and electors are well informed about the actions of their representatives (and the likely consequences of those actions).

Local decision-making and accountability – a framework for decision-making that reflects the need to provide effective means for local accountability.

Community wellbeing – local government is given a broad mandate to promote community well-being, rather than simply being empowered to undertake particular tasks or activities. The four aspects of well-being are social, economic, environmental and cultural.

- Councils are required by the Local Government Act to prepare and adopt a **Long Term Council Community 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 the Local Government Act. Under this procedure, public notice is given of council proposals, following which members of the public have one month to make written submissions and, if they wish, appear before the council 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 Council Community Plan.

- 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 and Disqualifying Contracts

- Prospective candidates should be aware of the requirements of the Local Authorities (Members' Interests) Act 1968.
- This Act provides that a person is ineligible to be elected or appointed to an authority if they (or their partners or spouses) have a disqualifying contract or contracts exceeding \$25,000 in aggregate in the financial year in which the election or appointment takes place. When payments exceed \$25,000 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. These basic rules apply equally to candidates, and sitting members. Every candidate for election or appointment to an authority should consider whether they might be ineligible under this rule.

Exceptions

Certain types of contracts will not disqualify a candidate from election or appointment. A candidate will not be disqualified who has a contract with the authority that falls within either of the following two categories:

- Before the election or appointment, all of the candidate's obligations in respect of the contract have been formed *and* the amount to be paid by the authority has been fixed.
- Although the candidate's obligations under the contract may not have been performed before the election or appointment, the amount to be paid by the authority (or the method of determining the amount to be paid) has been fixed in the contract, *and*:
 - * the contract is for a period of not more than one year, or
 - * with the authority's consent, the candidate relinquishes the contract within one month of election or appointment and before starting to act as a member.

In all other cases a person is ineligible to be a member, unless the person terminates or surrenders the contract. The Audit Office cannot give either prior or retrospective approval for contracts between a candidate and an authority.

What if you are re-elected or re-appointed?

If you are:

- re-elected to the authority at a general election; or
- reappointed to the authority at any time,

your membership is considered unbroken under the Act. If you have been granted an approval for a disqualifying contract, and you are re-elected or re-appointed to the authority during the financial year to which the approval relates, the approval remains valid.

Re-election or re-appointment also overcomes a disqualification from the previous term. However, you could still be prosecuted for acting as a member while disqualified during the previous term.

- 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 Post-Election Processes

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 2007.

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 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.

Once members have been sworn in, a series of briefings, training and induction processes will be provided to assist elected members to settle into their duties as quickly and efficiently as possible.

This process will enable briefings to be given on key projects and issues and the Long Term Council Community Plan process.

Specific skill training will be offered in some areas, such as the hearing of applications for resource consent under the Resource Management Act.

Appointment to Outside Organisations

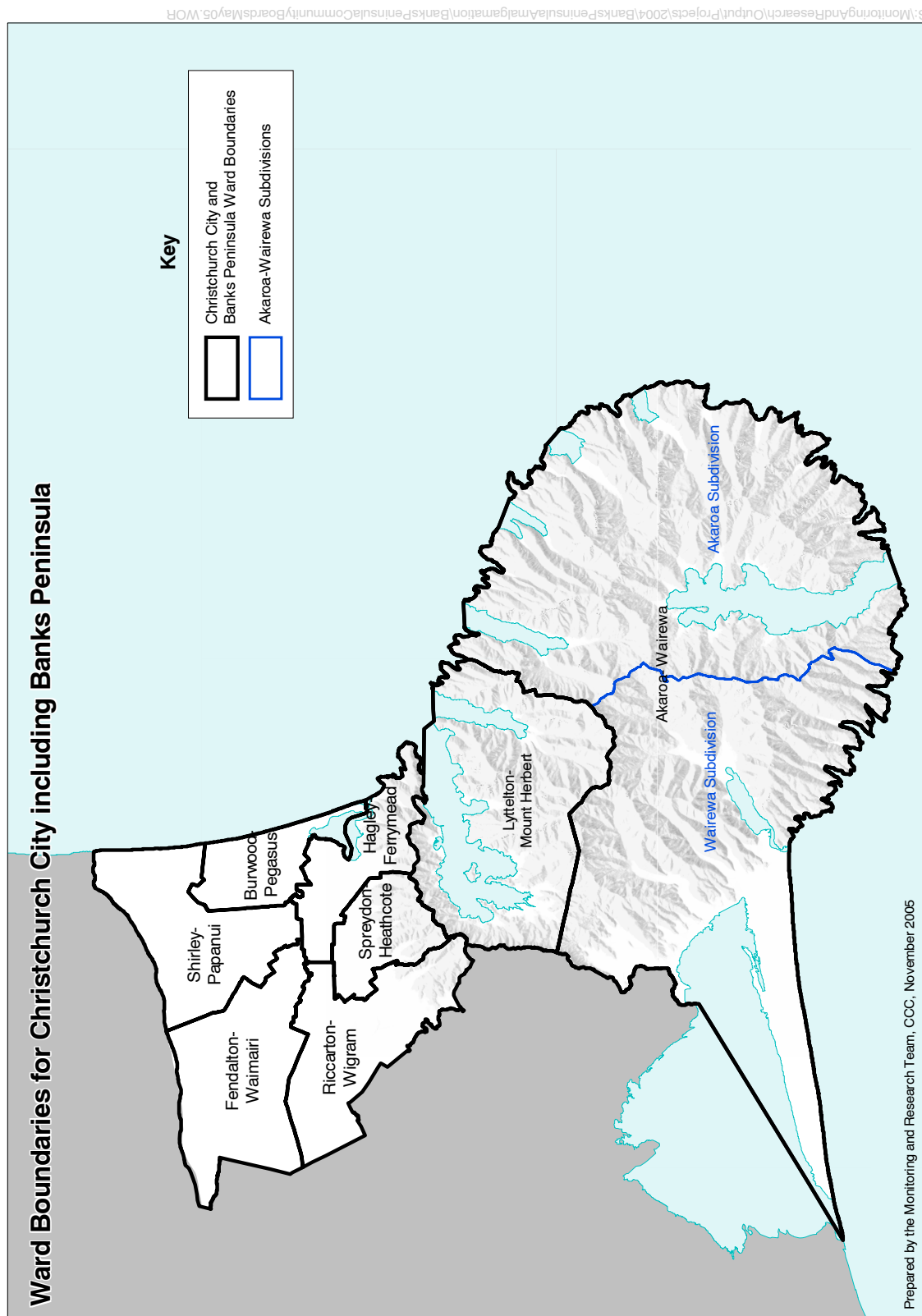
The Christchurch City Council appoints both Councillors and Community Board members to a wide range of external organisations either as a result of statutory requirements ie Trust Boards or by longstanding arrangement with particular organisations.

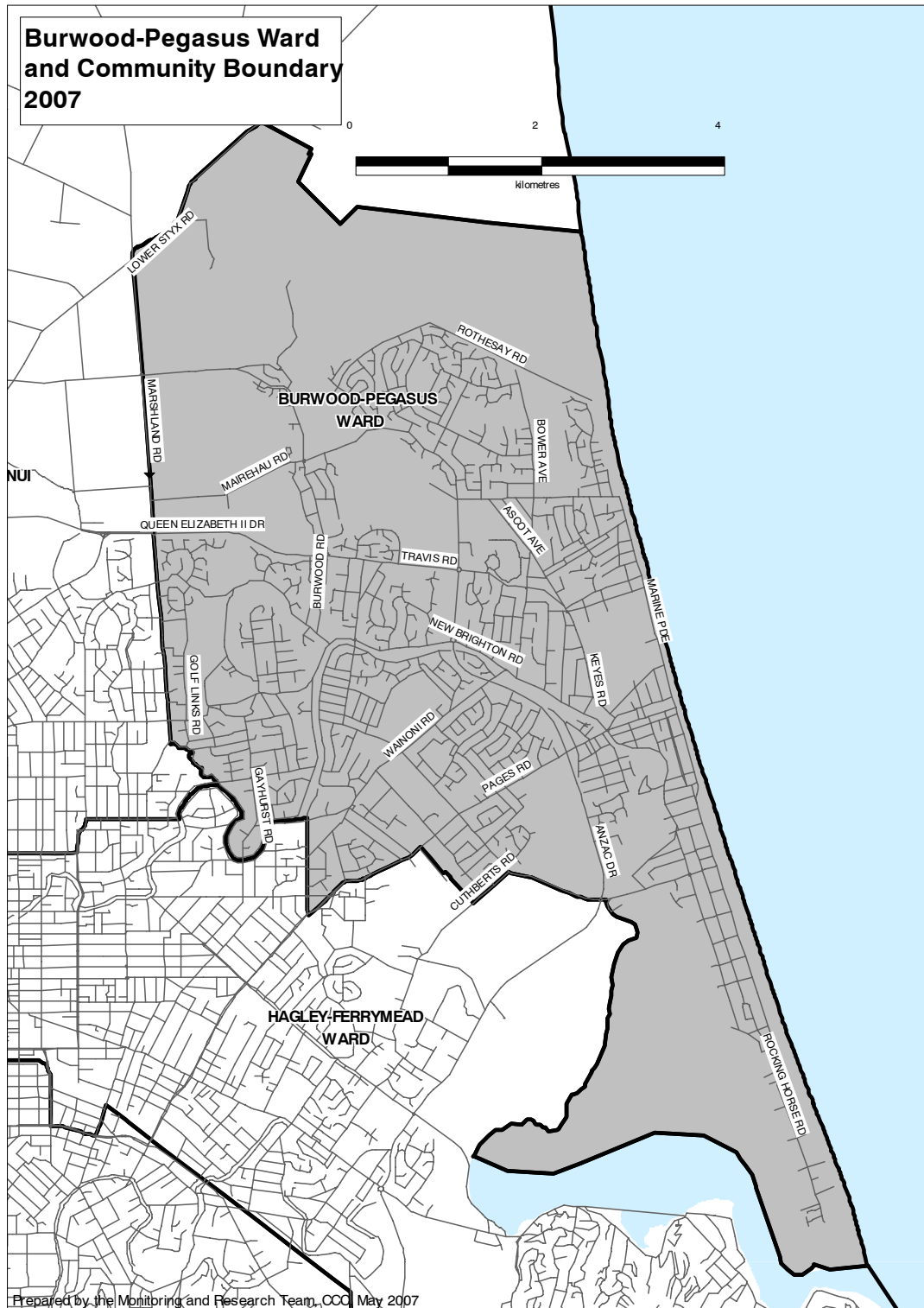
Examples of these are the Riccarton Bush Trust, the Canterbury Museum Trust Board and the Arts Centre of Christchurch.

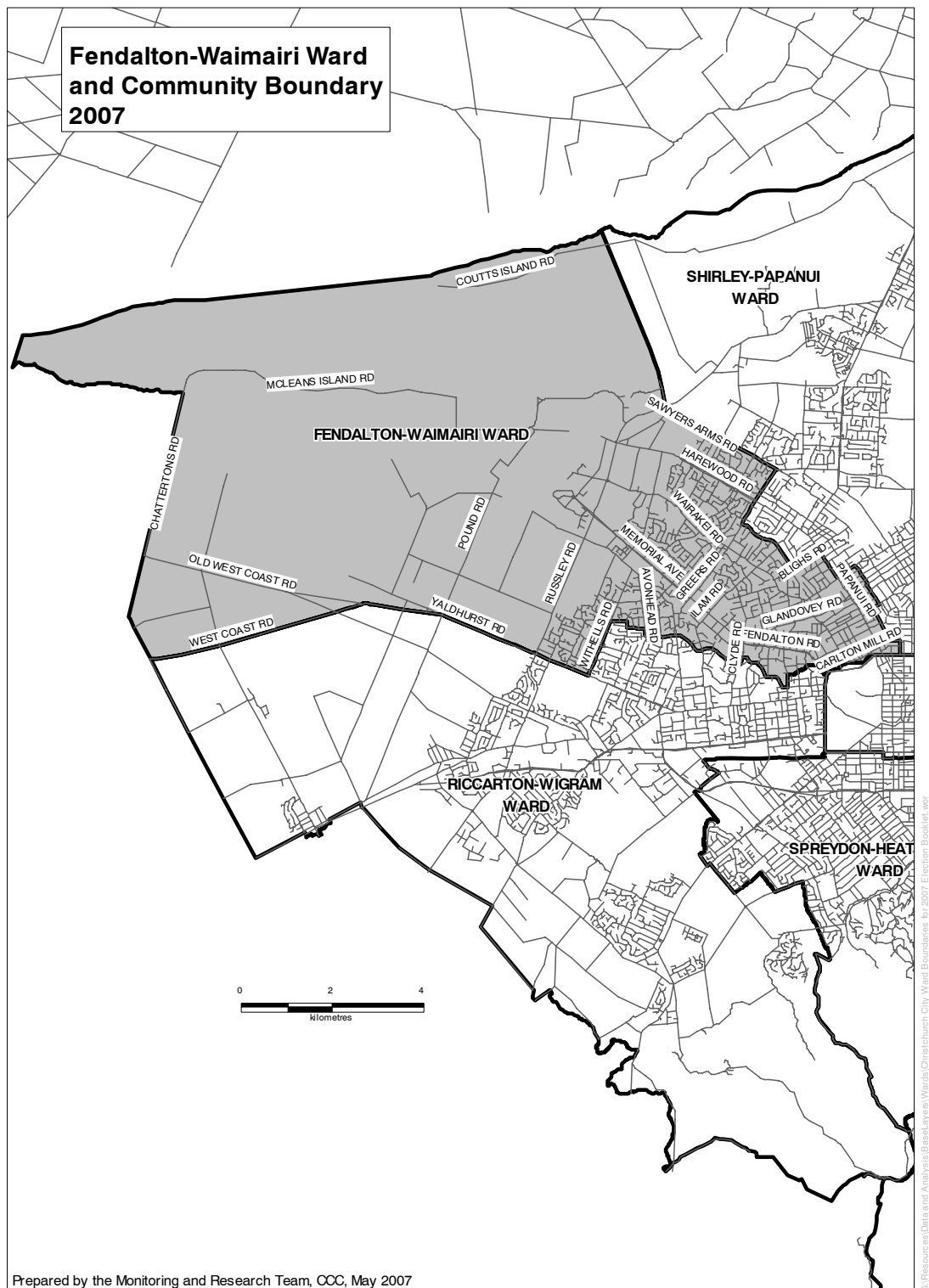
Canterbury District Health Board

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

25 Ward/Community Maps

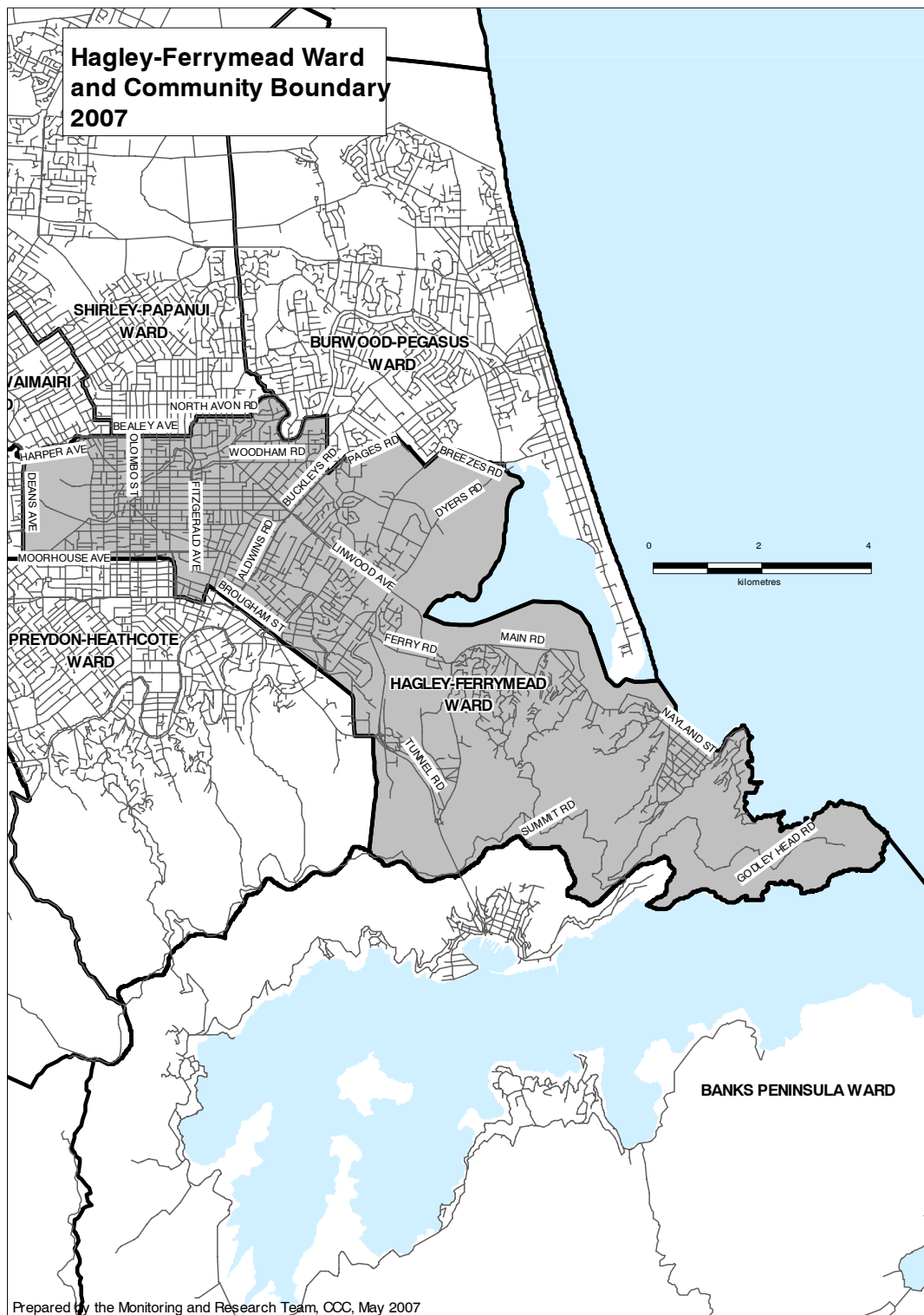


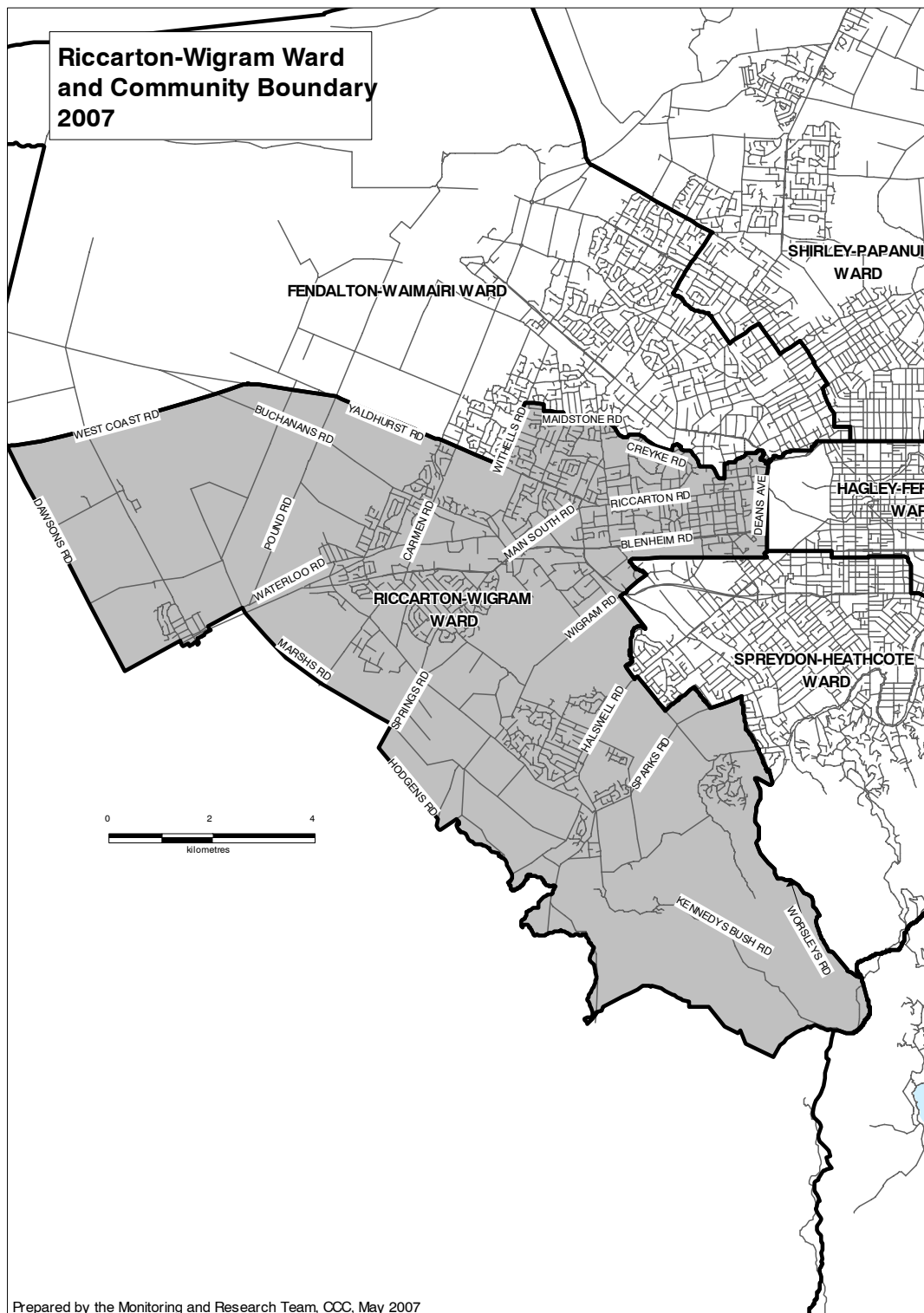


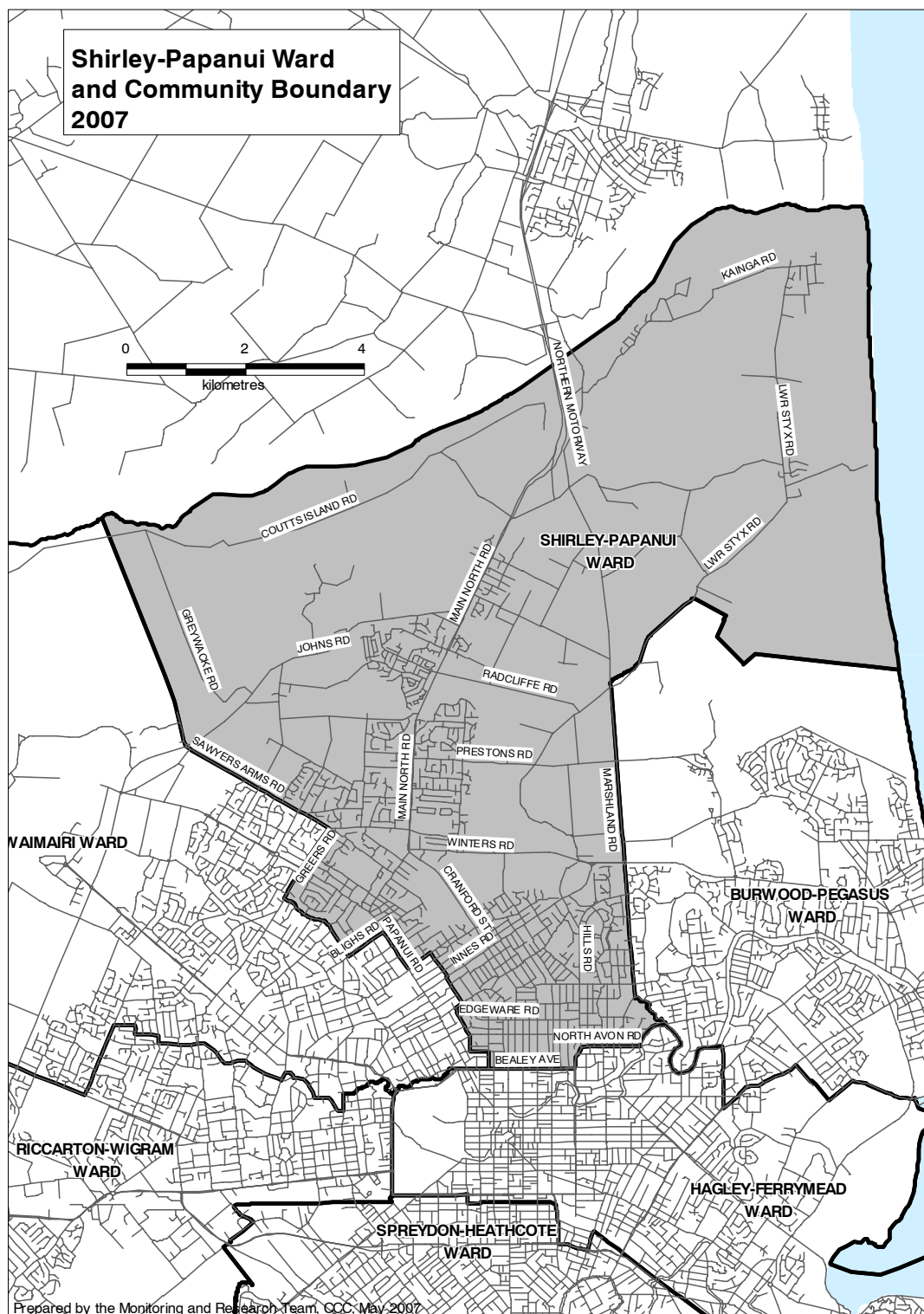


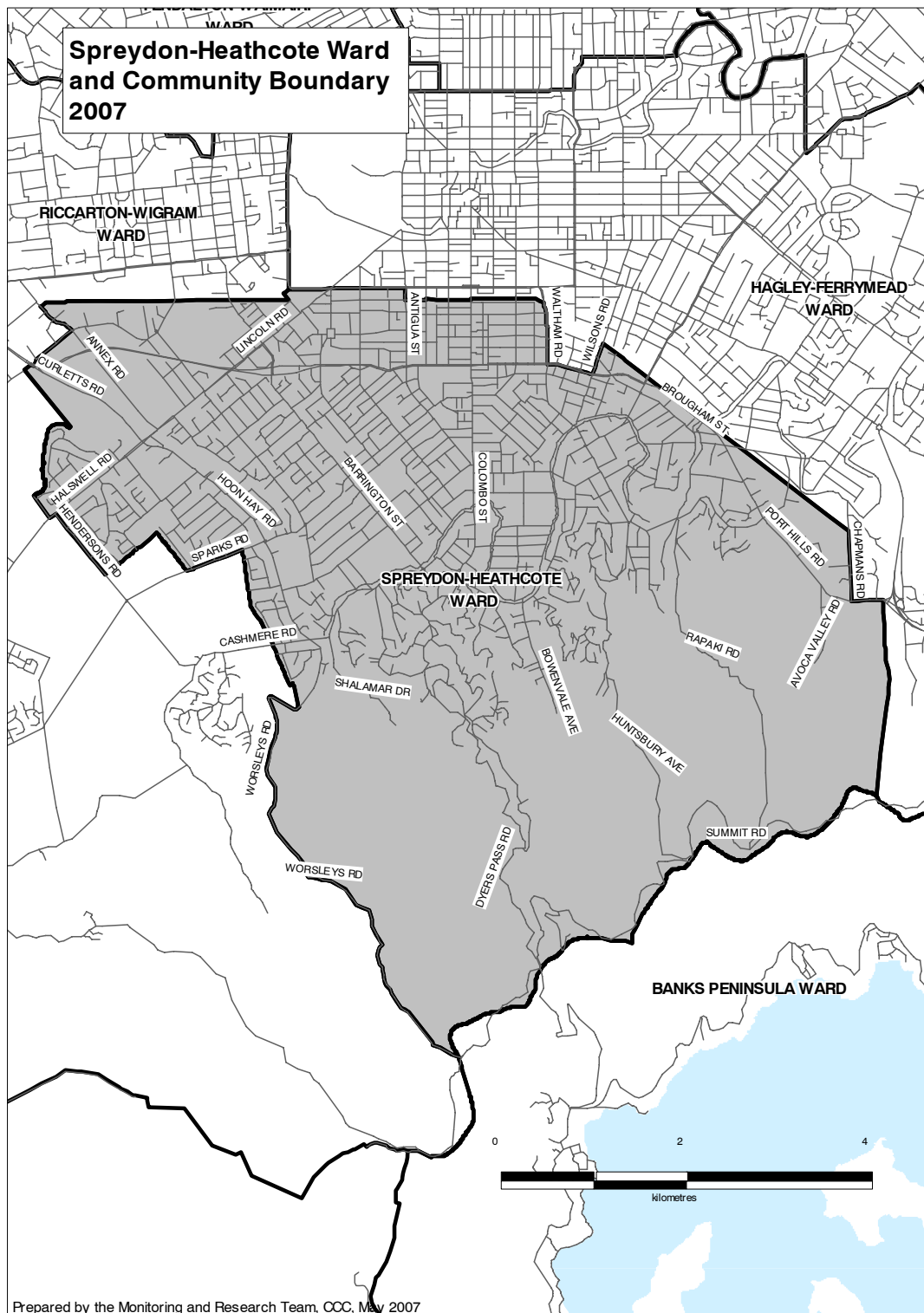
Prepared by the Monitoring and Research Team, CCC, May 2007

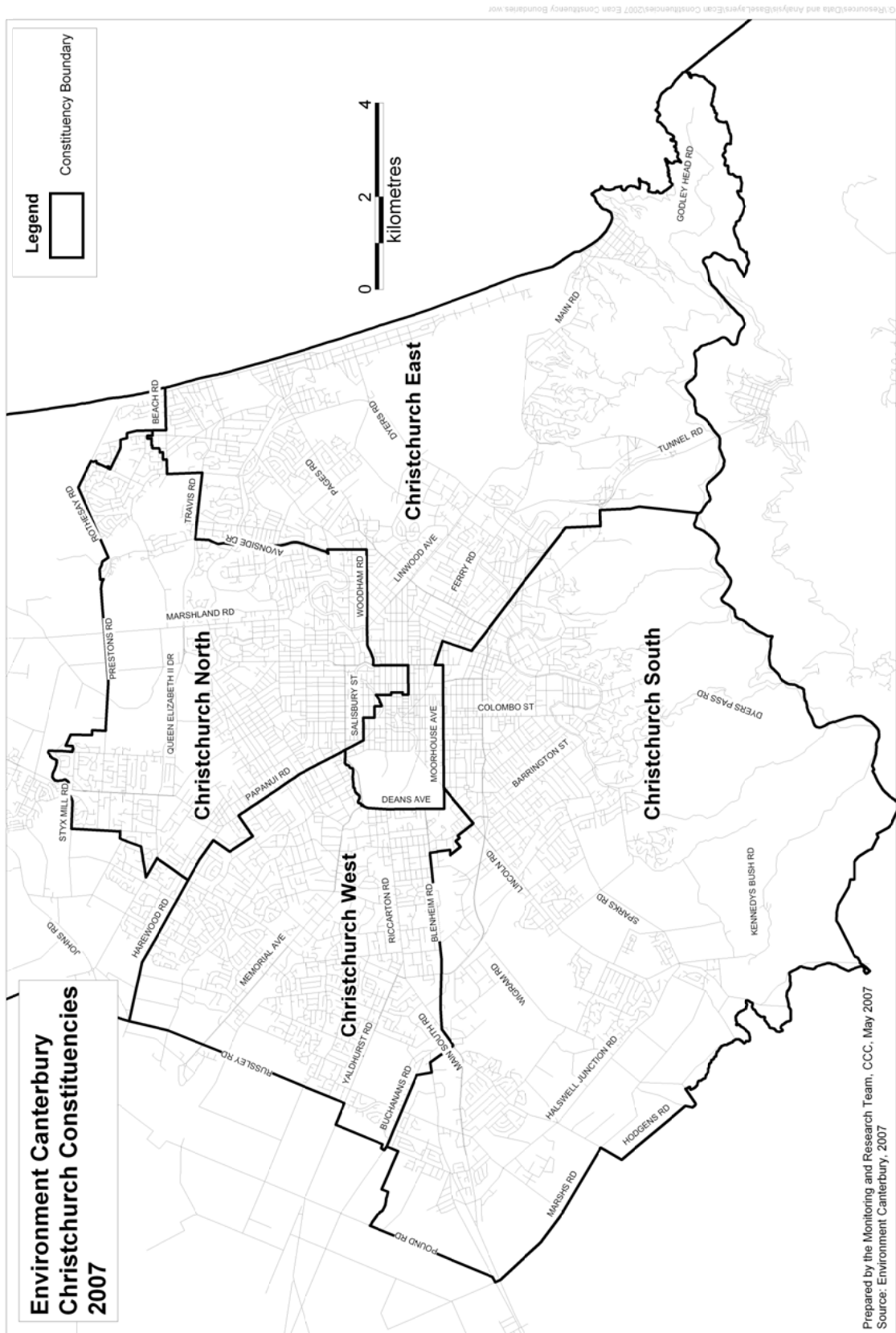
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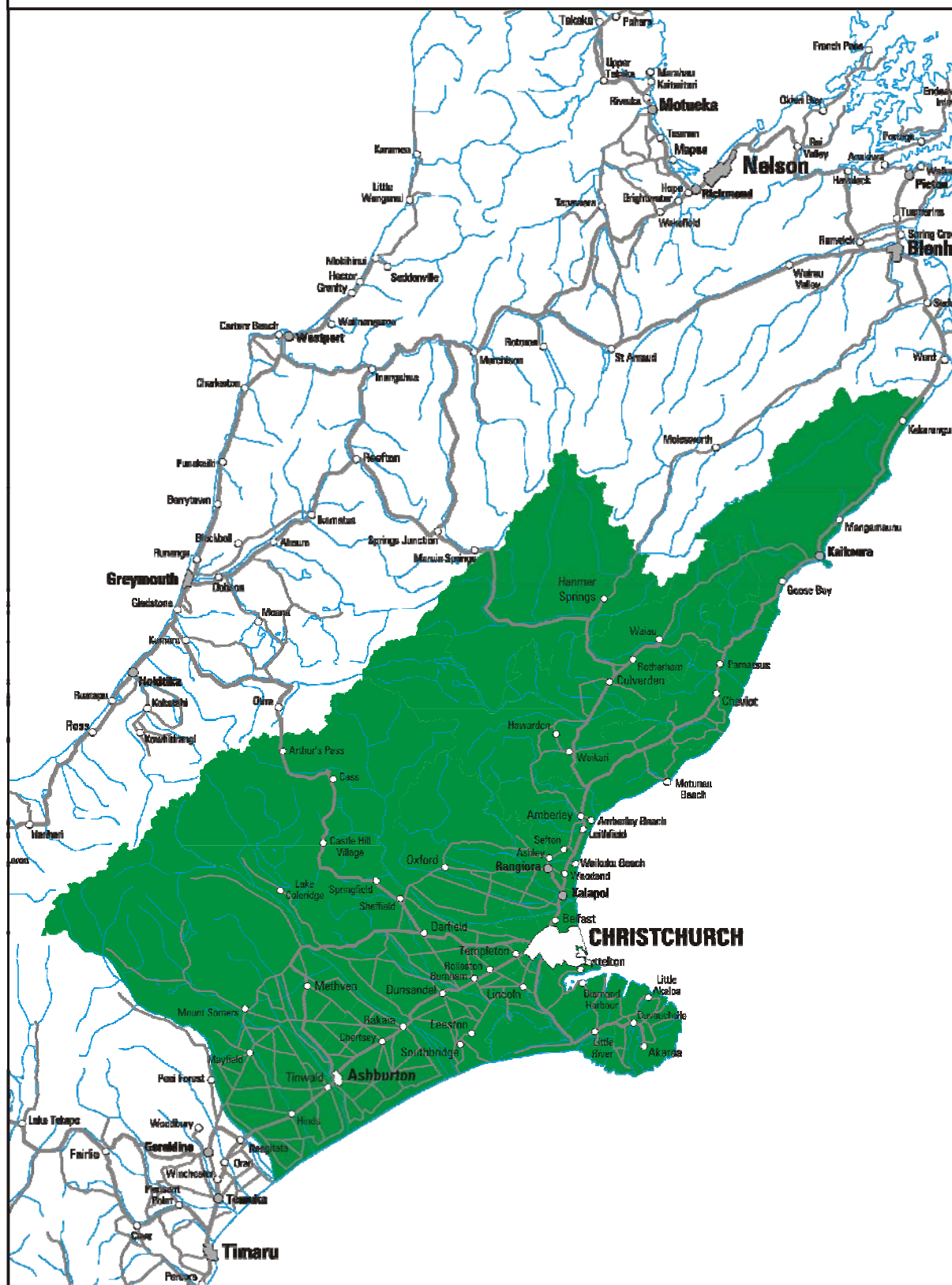






Prepared by the Monitoring and Research Team, CCC, May 2007
Source: Environment Canterbury, 2007

CANTERBURY DISTRICT HEALTH BOARD



26 2004 Election Results

ELECTION OF MAYOR OF CHRISTCHURCH CITY

Candidates	Votes Received	
MOORE, Garry (Christchurch 2021 - the Positive Choice)	61,170	(Elected)
KEOWN, Aaron (Independent)	11,476	
GOUGH, Jamie (Our Christchurch – Our Pride)	7,200	
NIMMO, Bob	2,378	
CHAPMAN, Kyle (National Front)	1,665	
TELFER, Paul (U-ACT)	1,560	
ANDERSON, Blair (HealTHChch mildgreens.com)	823	
KINGI, Sam (Anti-Capitalist Alliance)	719	
VERMUNT, Annalucia (Communist League)	395	
HANSEN, Michael (Economic Euthenic)	372	

ELECTION OF TWELVE COUNCILLORS FOR THE CITY OF CHRISTCHURCH

BURWOOD/PEGASUS WARD - TWO COUNCILLORS

Candidates	Votes Received	
EVANS, Carole (Independent)	6,810	(Elected)
SHERIFF, Gail (Independent)	6,634	(Elected)
WILLIAMS, Chrissie (Labour for Christchurch 2021)	5,022	
MONEY, Kim (Independent Citizens)	4,765	
DAVIDSON, Rob (Labour for Christchurch 2021)	4,471	

FENDALTON/WAIMAIRI WARD - TWO COUNCILLORS

Candidates	Votes Received	
HARROW, Pat (Independent Citizens)	7,248	(Elected)
BUCK, Sally (Making it Happen – Independent)	6,476	(Elected)
KUNNEN, Mark (Positive, Responsible, Accountable)	4,817	
WALL, Mike (Independent Citizens)	4,736	
BURKE, Faimeh (Christchurch 2021)	3,369	
WILLIAMSON, Gina (Independent)	1,980	
COUCH, Michael (Christchurch 2021)	1,734	

HAGLEY/FERRYMEAD WARD - TWO COUNCILLORS

Candidates	Votes Received	
COX, David (Independent)	5,082	(Elected)
CRIGHTON, Anna (Labour for Christchurch 2021)	4,358	(Elected)
RUTLAND, Linda (Labour for Christchurch 2021)	3,978	
BOOTH, Robin (Elect Robin Booth)	2,332	
O'ROURKE, Denis (Experienced Independent)	2,214	
GARDENER, Kevin (Responsible and Accountable Representation (Independent))	2,037	
BLAXALL, Peter (Independent Citizens)	1,527	
SMITH, Brendan (Independent)	1,511	
CAMERON, Rod (Independent)	1,299	
MIDDLEMISS, Janet	469	
FINDLAY, Paul (Independent)	288	

RICCARTON/WIGRAM WARD – TWO COUNCILLORS**Candidates**

	Votes Received	
BROUGHTON, Helen (Independent Citizens)	7,401	(Elected)
SHEARING, Bob (Independent Citizens)	6,106	(Elected)
GANDA, Ishwar (Labour for Christchurch 2021)	5,778	
MORA, Mike (Labour for Christchurch 2021)	5,447	
KEOWN, Aaron (Independent)	3,415	

SHIRLEY/PAPANUI WARD – TWO COUNCILLORS**Candidates**

	Votes Received	
WITHERS, Norm (Independent)	8,031	(Elected)
CONDON, Graham (Independent)	7,383	(Elected)
BUTTON, Ngaire (Independent Citizens)	3,695	
STONHILL, Ingrid	3,216	
WHEELER, Pam (Labour for Christchurch 2021)	2,975	
MEEHAN, Martin (Independent)	1,812	
ROSS, Ralph (Independent)	1,274	
RIGBY, Chris (Anti-Capitalist Alliance)	395	

SPREYDON/HEATHCOTE WARD – TWO COUNCILLORS**Candidates**

	Votes Received	
CORBETT, Barry (Independent)	9,538	(Elected)
WELLS, Sue (Independent)	8,990	(Elected)
ANDERTON, Carole (Progressive for Christchurch 2021)	6,150	
CLEARWATER, Phil (Progressive for Christchurch 2021)	4,461	
HANSEN, Michael (Haughty Naughty Nudist)	386	

ELECTION OF THIRTY COMMUNITY BOARD MEMBERS OF THE CITY OF CHRISTCHURCH**BURWOOD/PEGASUS COMMUNITY BOARD – FIVE MEMBERS****Candidates**

	Votes Received	
ROWLANDS, Don (Labour for Christchurch 2021)	7,702	(Elected)
BURT, Glenda (Independent)	6,937	(Elected)
HAMMOND, Carmen (Labour for Christchurch 2021)	6,813	(Elected)
KELLAWAY, Caroline (Labour for Christchurch 2021)	6,673	(Elected)
LOMAX, Tina (Labour for Christchurch 2021)	6,475	(Elected)
LEA, Andy (Labour for Christchurch 2021)	5,670	
ALDERSON, Richard (Independent)	5,564	
TE HAE, Dean (Labour for Christchurch 2021)	4,752	
STEERE, Mike (Working for a SAFER Community)	4,256	
SIBBALD, Peter F (Independent)	2,980	

FENDALTON/WAIMAIRI COMMUNITY BOARD – FIVE MEMBERS**Candidates**

	Votes Received	
WALL, Mike (Independent Citizens)	9,389	(Elected)
CARTER, Val (Independent Citizens)	8,684	(Elected)
COLLEY, Cheryl (Independent Citizens)	7,260	(Elected)
YOON, Andrew (Independent Citizens)	6,231	(Elected)
BURKE, Faimeh (Christchurch 2021)	6,042	(Elected)
HAMPTON, George (Independent Citizens)	5,943	
WILLIAMSON, Gina (Independent)	4,851	
GOUGH, Jamie (Our Christchurch – Our Pride)	4,701	
COUCH, Michael (Christchurch 2021)	4,291	
BATTY, Stuart J (Independent)	3,962	
KAMEL, Ola (Christchurch 2021)	2,747	

HAGLEY/FERRYMEAD COMMUNITY BOARD – FIVE MEMBERS**Candidates****Votes Received**

TODD, Bob (Labour for Christchurch 2021)	5,762	(Elected)
JOHANSON, Yani (Labour for Christchurch 2021)	5,569	(Elected)
SMITH, Dr Brendan (Independent)	4,911	(Elected)
FREEMAN, John (Independent)	4,750	(Elected)
LOWE-JOHNSON, Brenda (Labour for Christchurch 2021)	4,644	(Elected)
BOOTH, Robin (Elect Robin Booth)	4,547	
CAMERON, Rod (Independent)	4,517	
GORTON, Angela (Labour for Christchurch 2021)	4,217	
BLAXALL, Peter (Independent Citizens)	4,084	
LINGHAM, Sharon (Independent)	3,518	
OSMERS, Karla (Christchurch 2021)	2,745	
FINDLAY, Paul (Independent)	1,522	
HAWKER, Wayne (Independent)	1,408	

RICCARTON/WIGRAM COMMUNITY BOARD – FIVE MEMBERS**Candidates****Votes Received**

* SHEARING, Bob (Independent Citizens)	8,697	
KEAST, Lesley (Labour for Christchurch 2021)	8,143	(Elected)
MORA, Mike (Labour for Christchurch 2021)	7,650	(Elected)
LALOLI, Peter (Independent Citizens)	7,017	(Elected)
BENNETT, Neville (Independent Citizens)	6,167	(Elected)
SUTCLIFFE, Tony (Independent Citizens)	4,736	(Elected)
CHAMBERLAIN, David (Independent Citizens)	4,693	
FORD, Alec (Christchurch 2021)	4,146	
TERRIS, Joy (Christchurch 2021)	3,993	
MOSKOVIS, Basil (Labour for Christchurch 2021)	3,421	

(* Section 88A of the Local Electoral Act 2001 provides that if a person is declared to be elected as a member of the Council, and that person is also declared to be elected as a member of a Community Board, that person must be treated as having vacated office as a member of the Community Board. As Bob Shearing was elected both as a Councillor and as a member of the Riccarton/Wigram Community Board, he thus automatically vacated his position as a member of the Board in favour of the next highest polling candidate, being Mr Tony Sutcliffe).

SHIRLEY/PAPANUI COMMUNITY BOARD – FIVE MEMBERS**Candidates****Votes Received**

EVANS, Megan (Independent)	7,926	(Elected)
PALMER, Yvonne (Independent)	6,392	(Elected)
BUTTON, Ngaire (Independent Citizens)	6,156	(Elected)
BUSH, Bill (Independent)	5,909	(Elected)
BARRY, Myra (Independent for Christchurch 2021)	5,685	(Elected)
HILLS, Dennis (Independent for Christchurch 2021)	5,484	
WRIGHT, Steve (Labour for Christchurch 2021)	5,009	
ROSS, Ralph (Independent)	4,026	
WARDLE, Douceline (Independent)	3,921	
GOURLIE, Chris (Labour for Christchurch 2021)	3,078	
DORREEN, Tracey (Labour for Christchurch 2021)	2,890	
LINGHAM, Sharon (Independent)	2,658	
LOUDON, Tracey (Independent)	2,250	

SPREYDON/HEATHCOTE COMMUNITY BOARD – FIVE MEMBERS**Candidates****Votes Received**

MENE, Chris (Progressive for Christchurch 2021)	9,300	(Elected)
CLEARWATER, Phil (Progressive for Christchurch 2021)	8,728	(Elected)
ALPERS, Oscar (Christchurch 2021)	7,557	(Elected)
DE SPA, Paul (Independent)	7,393	(Elected)
WOODS, Megan (Progressive for Christchurch 2021)	6,739	(Elected)
MAUNSELL, Elizabeth (Progressive for Christchurch 2021)	6,640	
CARTER, Lynda (Independent)	6,470	
DRAYTON, David (Independent Citizens)	5,603	
HANSEN, Michael (Nifty)	1,073	

SEVEN MEMBERS TO REPRESENT THE CANTERBURY DISTRICT HEALTH BOARD

Candidates

MORRELL, David	(Elected)
BOOTH, Robin	(Elected)
WEBB, Olive	(Elected)
JAMES, Alister	(Elected)
CARTER, Heather	(Elected)
KANE, Jo	(Elected)
MALCOLM, Laurence	(Elected)
PRICE, Felicity	(Excluded)
CARTER, Eleanor	(Excluded)
WILKIE, Alison	(Excluded)
BENNETT, Neville	(Excluded)
McKEAN, Winston	(Excluded)
CAMERON, Rod	(Excluded)
EVANS, Sandi	(Excluded)
McKENZIE, Andrew John	(Excluded)
KIRK, Ray	(Excluded)
TELFER, Paul	(Excluded)
WATERFIELD, Stephanie Jane	(Excluded)
DEAN, John	(Excluded)
STIRLING, Tahu	(Excluded)
McILRAITH, Kathryn	(Excluded)
WEBSTER, Mark	(Excluded)
O'CONNELL, Kevin Patrick	(Excluded)
Van HOUT, Peter	(Excluded)
DOWIE, Tom	(Excluded)
KING, Mary	(Excluded)
STOCKS, Peter	(Excluded)
McKEOWN, Robert H	(Excluded)
HANSEN, Michael	(Excluded)

There were 108,866 valid votes

The final quota as determined at the last iteration was 12502.986229341.
(8986 informal votes, 11582 blank votes recorded).

27 2006 Election Results, Christchurch City (Banks Peninsula) Elections

ELECTION OF ONE COUNCILLOR FOR THE BANKS PENINSULA WARD

Candidates	Votes Received	
PARKER, Bob	2,503	(Elected)
UTTERIDGE, Tony (Independent)	1,306	

ELECTION OF FIVE MEMBERS OF THE LYTTELTON/MOUNT HERBERT COMMUNITY BOARD

Candidates	Votes Received	
REID, Claudia (Peninsula Now)	1,463	(Elected)
AGAR, Jeremy (Peninsula Now)	1,303	(Elected)
KOTTIER, Dawn Te-Riaki (Independent)	1,285	(Elected)
BOULD, Stuart (Peninsula Now)	1,245	(Elected)
JOLLIFFE, Ann (Independent)	1,225	(Elected)
GRIFFEN, Lachie (Independent)	1,104	
ADAMS, Raymond W (Independent)	1,060	
COUCH, Douglas F H (Independent)	932	
GODFREY, Euan (Independent)	742	

ELECTION OF TWO WAIREWA MEMBERS OF THE AKAROA/WAIREWA COMMUNITY BOARD

Candidates	Votes Received	
MILLER, Stewart (Independent)	315	(Elected)
MORGAN, BRYAN (Independent)	271	(Elected)
PHILLIPS, Esther (Independent)	162	

ELECTION OF THREE AKAROA MEMBERS OF THE AKAROA/WAIREWA COMMUNITY BOARD

The following candidates were elected unopposed:

Candidates

LOWNDES, Steve
McKEAN, Winston
RYDER, Eric

(Under section 109(2) of the Local Electoral Act 2001)

ELECTORAL EXPENSES

[illegible]

Please turn over for Electoral Donations and Declaration

ELECTORAL DONATIONS		
<p><i>(Here set out separately the name and description of every person or body of persons from whom or which any donations (whether of money or of the equivalent of money or of goods or services or of a combinations of those things) of a sum or value of more than \$1000 (such amount being inclusive of GST) and of a series of donations made by or on behalf of any one person that aggregate more than \$1000 (inclusive of GST) was received by the candidate or by any other person on the candidate's behalf for use by or on behalf of the candidate in the campaign for his or her election. The amount of each donation received is to be set out separately. If a donation of a sum of more than \$1000 was received from an anonymous person, the amount of the donation must be stated and the fact that the person who made the donation is anonymous must also be stated.)</i></p>		
NAME	DESCRIPTION	AMOUNT

[illegible]

TOTAL		
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Signature	
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CHRISTCHURCH CITY ELECTIONS

13 OCTOBER 2007

APPOINTMENT OF SCRUTINEER

The Electoral Officer
Christchurch City Council
P O Box 237
Christchurch
Fax: 941-8696

I, a candidate for the
office of for the election being held on Saturday
13 October 2007 hereby appoint as my
scrutineer.

.....
Signature of candidate

.....
Date

***Note:** This letter must be returned to the Electoral Officer or Deputy Electoral Officer no later than 12 noon on Friday 12 October 2007.*