

Introduction

Welcome to the council elections Candidate Handbook. If you are reading this document, you are obviously interested in local government and considering standing as a member for your council.

This booklet explains:

- the nomination and election processes
- aspects of legislation that guide the conduct of council elections.

Although the booklet outlines key legal requirements and obligations, you should also consult:

- the *Local Government Act 1999* (LGA), and
- the *Local Government (Elections) Act 1999* (LGEA) and the Regulations under that Act.

The *Local Government (Elections) Act 1999* and Regulations contain:

- the guidelines and procedures relating to the conduct of council elections
- any prescribed forms.

The legislation may be purchased from:
Service SA, Government Legislation Outlet,
Adelaide Service SA Centre
108 North Terrace, Adelaide
[telephone 13 23 24 - local call cost]

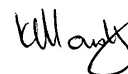
or

downloaded from
www.legislation.sa.gov.au/index.aspx

As Electoral Commissioner I am the Returning Officer for all council elections and polls and responsible for their management.

Deputy Returning Officers and electoral officers can provide information about processes and procedures and respond to any concerns or questions you may have about the content of this booklet. Neither I nor any electoral official will provide any advice which may be regarded as legal opinion. Candidates must seek their own formal legal advice on any matters of contention.

Queries about the contents of the booklet can also be directed to the Electoral Commission SA, Level 6/60 Light Square, Adelaide SA [telephone 1300 655 232].



K Mousley
Electoral Commissioner

July 2010

Visit www.lga.sa.gov.au
For more information on the council, an explanation of the voting system and results

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Candidate Checklist

Eligibility

LGEA s17

- Have you checked your eligibility to be a candidate?

Nominations

LGEA s19, LGEA Reg 5

Form

- Have you completed the correct Nomination Form (LG3 or LG4 or LG5)?

Profile

- Have you completed your profile?
- Does it meet the legislative requirements?
- Have you included the statement declaring you take responsibility for the content of the profile?
- Have you signed and dated the profile?
- Have you included contact details in your profile - either a street address (not a PO box), email address or telephone number at which you can be contacted?
- Is your profile 150 words or less?

Photograph

- Are you submitting a photo?
- Is your photo endorsed on the back as required?

You must lodge the nomination form AND profile (with optional photo) by close of nominations

Campaigning

LGEA ss27, 28, 57-66, 89

Authorisation, identification, publication of material

- Have you authorised your campaign material?
- Does it meet the requirements?

It is an offence to publish inaccurate or misleading material

Availability of information

- Have you checked with your council regarding requirements on the display of signage?

Illegal practices

LGEA ss57-66, 89

- Have you read the statement for candidates outlining elector material and illegal practices and restrictions if you are a candidate?

A consolidated form will be forwarded after nomination close

Scrutineers

LGEA ss32, 61, 66

- Have you received your Scrutineer Authority Form/s?
- Have you discussed with your scrutineers the rights and responsibilities of a scrutineer as outlined on the back of the Scrutineer Authority Form?
- Have you appointed scrutineers and signed the Scrutineer Authority Form/s?

Forwarded after nomination close

Campaign Donations Return

LGEA ss80-90, LGEA Reg Form 2

- Have you completed your return due 30 days after the conclusion of the election?
- Form LG 2

Refer all queries to the council CEO

Abbreviations

LGA	Local Government Act 1999
LGEA	Local Government (Elections) Act 1999
LGEAReg	Local Government (Elections) Regulations 2010
Reg	Regulation
s	Section
cl	Clause

Council Election Timetables

The *Local Government (Elections) Act 1999* provides for periodic elections to determine the membership of each council to be held every four years. Supplementary elections may be held to fill mid-term casual vacancies subject to certain conditions.

The *Local Government (Elections) Act 1999* outlines the timeframes within which periodic and supplementary elections must be held, as well as a framework for election conduct.

All elections are conducted by post and voting is voluntary.

The key dates for periodic and supplementary council elections are summarised.

Council Elections November 2010

The significant dates for the elections are as follows:

ROLL CLOSE

Friday 13 August 2010

Public notice inviting nominations
By Thursday 2 September 2010

NOMINATIONS OPEN

Tuesday 7 September 2010

NOMINATIONS CLOSE

12 noon, Tuesday 21 September 2010

Draw for position of candidate names on the ballot paper
As soon as practicable after 4pm, Tuesday 21 September 2010

Public notice of nominations received and notice in writing to candidates

No later than Thursday 7 October 2010

Mail-out of voting packs to electors

Monday 25 to Friday 29 October 2010

POLLING DAY – CLOSE OF VOTING

5pm, Friday 12 November 2010

SCRUTINY AND COUNT

9am, Saturday 13 November 2010

Provisional declaration

Manual Counts - immediately after the completion of each election count
Computer Counts - immediately after the count has been completed

Written advice to candidates notifying the election results

Immediately after the conclusion of the elections

Public notice of election results

Within a month after the conclusion of the poll

ROLL CLOSE		
Not less than 13 weeks before close of voting		[s15(7)(a)]
Public notice inviting nominations No later than 14 days before nominations close		
		[s18]
NOMINATIONS OPEN		
No earlier than 14 days before the day nominations close		[s19(4)]
NOMINATIONS CLOSE		
12 noon, the 6th Tuesday after the day fixed for roll close		[s23(a)]
Draw for position of candidate names on the ballot paper As soon as reasonably practicable after 4pm the day nominations close		
		[s29(2)]
Public notice of nominations received and notice in writing to candidates Within 16 days of close of nominations		
		[s26(1)(2)]
Mail-out of Voting Packs to Electors As soon as practicable after 21 days and not later than 14 days before close of voting		
		[s39(1)]
POLLING DAY – CLOSE OF VOTING		
5pm on the last business day before the second Saturday in November		[s5]
SCRUTINY AND COUNT		
Commences the day after polling day – close of voting		[s47(1)(b)]
Provisional declaration Immediately after the count is completed		
		[s48(1)(c)]
Request for recount Within 72 hours after provisional declaration		
		[s49(1)(2)]
Written advice to candidates notifying election results Immediately after the conclusion of the election		
		[s50(3)(a)]
Public notice of election results Within one month of the conclusion of the election		
		[s50(3)(b)]

Note

Several public notices may be published earlier than the full permitted statutory period as the Government Gazette is published on a Thursday.

Supplementary Elections

A supplementary election will be held to fill any casual vacancy unless -

- the vacancy occurs on or after 1 January of a year in which a periodic election is due to be held, and before nominations for that election are invited *or*
- the vacancy is for an office other than mayor *and*
- the area of the council is not divided into wards *and*
- there is no other vacancy for a member of council *and*
- it is the policy of the council that it will not fill such a vacancy until the next election.

[LGEA s6]

*Local Government
(Elections) Act 1999*

ROLL CLOSE	
On the date fixed for the close of roll by the proclamation or notice fixing polling day	[s15(7)(b)]
This date must not be less than 8 weeks before the polling day for the election	[s15(9)(b)]
Public notice inviting nominations No later than 14 days before nominations close	
	[s18]
NOMINATIONS OPEN	
No earlier than 14 days before the day nominations close	[s19(4)]
NOMINATIONS CLOSE	
12 noon on the day appointed by the Returning Officer, not less than 21 days before polling day	[s23(b)]
Draw for position of candidate names on the ballot paper As soon as reasonably practicable after 4pm the day nominations close	
	[s29(2)]
Public notice of nominations received and notice in writing to candidates Within 16 days of close of nominations	
	[s26(1)(2)]
Mail-out of Voting Packs to Electors As soon as practicable after 21 days and not later than 14 days before close of voting	
	[s39(1)]
POLLING DAY – CLOSE OF VOTING	
At 12 noon on a day fixed by public notice by the Returning Officer	[s6(6)(8)]
SCRUTINY AND COUNT	
As soon as practicable after 12 noon	[s47(1)(a)]
Provisional declaration Immediately after the count is completed	
	[s48(1)(c)]
Request for recount Within 72 hours after provisional declaration	
	[s49(1)(2)]
Public notice of election results Within one month of the conclusion of the election	
	[s 50 (3)(b)]

The Role of the Returning Officer

The State Electoral Commissioner is appointed as the Returning Officer for all council elections and polls in South Australia (LGEA s10).

The Electoral Commissioner may;

- investigate any matter concerning the operation or administration of the Act, including a matter that may involve a breach of the Act; or
- bring proceedings for an offence against the Act (LGEA s92).

The Returning Officer (RO):

- is responsible for the management of council elections and polls
- appoints appropriate Deputy Returning Officers (DROs) and other electoral officers, some of whom may be council staff, who are directly responsible to the Returning Officer
- provides information on election procedures and general matters including:
 - method of voting and vote counting
 - organisation and conduct of the election
 - election requirements
 - preparation of candidate profiles and instructions which are forwarded to electors with the ballot papers.
- delegates certain electoral responsibilities to DROs and provides those officers with appropriate training and support
- is not subject to the directives of the council Chief Executive Officer (CEO) or council members in regard to the administration of the election, or matters pertaining to the election
- is impartial and accountable to council, and ultimately answerable to a Court of Disputed Returns, for any errors or breaches of the electoral provisions.
- may, after consultation with the LGA,
 - arrange advertising including information on candidates
 - encourage voting at elections
 - inform electors on postal voting and the method of voting
 - advise potential electors (other than those on the House of Assembly Roll) of the requirement to apply to be on the Council Voters Roll

The Returning Officer **will not**:

- provide legal advice
- view, check or comment on electioneering material. It is your responsibility to ensure that material complies with the *Local Government (Elections) Act 1999* or any Commonwealth and State Laws, and is capable of sustaining any legal challenge.

The Voters Roll

The voters roll is a combined list of House of Assembly electors and council records containing details of natural persons, bodies corporate and groups who have made application for enrolment. With the exception of House of Assembly electors, the roll expires on 1 January of each election year and electors must renew their enrolment.

Qualifications for Enrolment

[LGEA s14]

The following are entitled to be on the Council Voters Roll for an area or ward:

1. **A natural person** who
 - is enrolled on the State roll as resident of the area or ward; or
a natural person who is provisionally enrolled as an elector for the State roll (and is entitled to vote if they are 18 years or over on or before the close of voting) or
 - have made application to the CEO as:
 - a resident of the area for at least one month; or
 - is a ratepayer within the area or ward and is sole owner of that rateable property; or
 - is a ratepayer, sole occupier of property in the council, but not residing at that property.
2. **A body corporate** who has made application to the CEO as a ratepayer, and is the sole owner or sole occupier of rateable property within the area or ward
3. **A group of persons** (consisting of natural persons, bodies corporate or partly of natural persons and partly of bodies corporate) who have made application to the CEO as ratepayers and joint owners, owners in common or joint occupiers of rateable property, provided that:
 - at least one member of the group is not on the voters roll as a natural person (being a natural person aged 18 years or over) or body corporate, and
 - no member of the group is on the voters roll by virtue of the State roll or as a resident in respect of rateable property for which the entitlement is to be claimed; and
 - no member of the group is an occupier, though not an owner, and resident of the rateable property.

To be enrolled on the voters roll for an area or ward for 2 (body corporate) or 3 (group of persons), a designated person must be nominated to vote on their behalf.

Applications to be enrolled must be checked against the assessment record to check eligibility.

Note

State Crown entities are not entitled to be enrolled (LGA s302).

Roll Details and Responsibilities

The CEO for each council is responsible for the maintenance of the voters roll for the area, and must set out in relation to each enrolled natural person, body corporate or group:

- natural person – full name and address of the person
- body corporate or group – full name, residential address and date of birth of the designated person, name of the body corporate or group, address of the place of residence or rateable property which entitles the person, body corporate or group to be enrolled
- if the body corporate or group nominate an additional address for which the designated person wishes the postal voting papers to be forwarded and
- any prescribed particulars (ie details of the ward in which the elector is entitled to vote).

The voters roll must be brought up to date whenever an election or poll is to be held to reflect entitlements at the roll close date -

- a) for a periodic election, the roll closes not less than 13 weeks before the close of voting
- b) for any other election or a poll, the roll closes not less than eight weeks before polling day, on a day fixed by the proclamation or notice fixing polling day for the election or poll.

Note

- *any person believing their name should appear on the voters roll, and it does not, should contact the council office as soon as practicable*
- *where the disclosure of any address may place the safety of a person at risk, that address may be suppressed from the voters roll*
- *if an elector does not update their enrolled address until **after** roll closure they will not be entitled to receive voting material for their new address*
- *a copy of the current voters roll for the council area is available at the council office for public inspection (without charge)*
- *a copy of the voters roll will be available to candidates from close of nominations until the close of voting. Any further copies may be purchased from the CEO on payment fixed by Council*
- *the roll is **not** available in electronic format.*

Entitlement to Vote

A Natural Person

A person who is entitled to vote at an election or poll include:

- persons on the State roll (including provisional voters who turn 18 years on or before close of voting)
- natural person in their own right
- for a body corporate if the person is:
 - an officer of the body corporate and
 - the natural person is the designated person on the voters roll for the body corporate
- for a group if the persons is:
 - a member of the group or an officer of a body corporate that is a member of the group and
 - the natural person is the designated person on the voters roll for the group.

The name of the natural person or the designated person for the body corporate or group must be on the voters roll and the person must declare their eligibility to vote.

Multiple Entitlements

An elector can only vote once for an area election (ie for a Mayor or Area Councillors) and once in any Ward election (ie for Ward Councillors). A designated person may only vote in one capacity at an election.

Omissions from the Roll through Administrative Error

If the name of a person, body corporate or group has been omitted in error from the voters roll for an election or poll, an entitlement to vote is given as if the error had not occurred.

Briefing Session for Intending Candidates

A briefing session will be conducted by a representative from council to inform intending candidates of the election process and to answer questions on issues that may need clarification.

The date, time and location of the briefing session will be determined by the council CEO and advertised in the public notice inviting nominations. The briefing would be expected to last one to two hours.

The council representative will discuss council issues and CEO responsibilities such as:

- the role and responsibility of a councillor
- time commitment
- allowances and expenses
- the availability of a copy of the voters roll on request (for the election being contested by the candidate)
- signage
- campaign donation return requirements.

In addition to the briefing session, a DVD will be included with each nomination kit containing information relating to the electoral process. This information will cover the following topics:

- nomination procedures
- the requirements for a candidate's profile and photograph
- details concerning the draw for position of candidate names on the ballot paper
- the voting material mail-out and return
- scrutiny details and counting procedures
- appointment of scrutineers
- illegal practices.

Nomination Requirements and Procedures

The nomination process is managed by the Returning Officer with certain responsibilities delegated to electoral officers.

Who Can Nominate [LGEA s17]

You must declare your eligibility for election on the nomination form ie that you are:

- an Australian citizen or have held office as a member of a council at any time between 5 May 1997 and 1 January 2000
and as at roll close
- an elector for the council area or
- the designated person of a body corporate or a group either of which has its name on the council's voters roll (you must be an officer of the body corporate or a member of the group or an officer of a body corporate that is a member of the group) or
- your name has been omitted in error from the council's voters roll or you are the designated person of a body corporate or a group which has had its name omitted in error from the council's voters roll and you would otherwise be eligible for nomination.

A Deputy Returning Officer will rely on your declaration of eligibility on the nomination form.

A body corporate or group can only nominate the designated person to stand as a candidate for an election.

Who Cannot Nominate

You cannot nominate as a candidate if you:

- are a member of an Australian Parliament (including any State or Territory Parliament)
- are an undischarged bankrupt or benefiting from a law for the relief of insolvent debtors
- are an employee of the council
- are disqualified from election by court order under the *Local Government Act 1999* or
- have been sentenced to imprisonment and are, or could become, liable to serve the sentence or the remainder of the sentence.

Note – You cannot

- *nominate for more than one position on a council (LGEA s19(7))*
- *nominate for election to more than one council; in the event of multiple nominations, all nominations are void at the time of close of nominations*
- *be a candidate at a supplementary election if you are a member of another council.*

How and Where to Nominate

You may nominate by completing and lodging with an electoral officer appointed for the council:

- the appropriate nomination form and, at the same time
- a candidate profile that complies with the Regulations – see page 13
- a photograph (optional) – see page 15.

You can lodge your nomination during business hours on any day from the day nominations open until 12 noon on the day nominations close. The location for the receipt of nominations will be advertised.

Note - Late nominations cannot be accepted.

It is recommended that you lodge your nomination early and allow sufficient time to rectify any problem with your nomination or profile. Your nomination will be invalid if the details supplied by you on your nomination form, or your profile, are not satisfactory at the close of nominations.

Nomination Forms

There are three types of nomination forms available from your council office and any other advertised location:

Nomination Form LG3 To be completed by an elector nominating in their own right

Nomination Form LG4 To be completed by the designated person of a body corporate

Nomination Form LG5 To be completed by the designated person of a group

Check that:

- you complete the correct nomination form
- each section of the form is completed correctly.

Your Name on the Ballot Paper

Your nomination may be rejected if, in the opinion of the Returning Officer, the name under which you nominate is:

- obscene *or*
- frivolous *or*
- has been assumed for an ulterior purpose.

Note

- *titles and honorifics are not permitted on the ballot paper*
- *your surname will be printed on the ballot paper in CAPITALS and will appear before any other name (eg PATTERSON Don - WILLIAMS Jenny - McDONALD Percy).*

You may ask that:

- the name by which you are generally known appears on the ballot paper by completing the relevant section on the nomination form
- certain letters of your surname are displayed in lower case (eg McMILLAN, MacMILLAN, van der MEER).

Candidate Contact Details

Please provide your contact details on the nomination form so that electoral officers can resolve any queries with you and provide any relevant information in a timely fashion.

You may:

- include one contact telephone number for release to the media and/or public; this number is **optional** and if you do not wish to release a number, leave this section on the nomination form blank
- also indicate whether you approve your profile being released to the council/media for further publication.

Display of Nomination Forms

After your nomination has been accepted, a copy of the first page of the nomination form will be displayed at the Council office.

**Dispute over
Validity of a
Nomination**

The Returning Officer will resolve any dispute as to the validity of a nomination.

**Withdrawal of
Nomination**

You, a body corporate or group of persons can withdraw a nomination at any time before the close of nominations by notice in writing using the relevant form:

Form LG7	Withdrawal of Nomination by a Candidate
Form LG8	Withdrawal of Nomination by a Body Corporate or Group

The withdrawal form may be lodged with an electoral officer at the council office or with the Deputy Returning Officer.

A nomination cannot be withdrawn after the close of nominations unless you cease to be qualified for election.

**Publication of
Candidate
Statements**

Following a recent change to the Local Government (Elections) Act 1999, the LGA will be establishing a website on which all candidates' profiles will be published (www.lgcandidates.sa.gov.au). The Returning Officer will forward a copy of each candidate's profile to the LGA for this purpose. Candidates will have the option of providing an electoral statement to the LGA to be published on this website, in addition to their official profile. The website will be an inexpensive way for candidates to provide extra information to voters and for voters to obtain information about all the candidates standing for their Council from a single site.

Details about how and when candidates can provide an election statement for publication on this site will be included in the nomination kit available from Councils and ECSA prior to nominations opening.

Candidate Profiles and Photographs

Your nomination cannot be accepted unless it is accompanied by your candidate profile. The profile must:

- be accompanied by a statement by you declaring 'I take responsibility for the content of the profile'
- be signed and dated by you
- contain contact details of the candidate being either the candidates address (not being a post office box), email address or telephone number at which you can be contacted
- not be more than 150 words. *Manually count the words in your profile and write the word count at the bottom of the profile*
- be typed or handwritten in legible form
- be accurate and not misleading
- not contain offensive or obscene material
- not refer to another person who has nominated as a candidate for election to the council (either at the same election or any other election to be held on the same day) without the written consent of that person. *Lodge that consent with your profile.*

The signature, date and contact details printed at the bottom of your profile do NOT form part of the 150 words.

Before lodging your profile it is recommended that you read the brochure entitled 'Profile and Photograph Requirements' (included in the nomination kit) and use the check boxes to ensure your profile is acceptable.

Note

If your profile does not meet legislative requirements, the Returning Officer will take all reasonable steps to notify you of the matter in order for you to address the matter before close of nominations. If the matter has not been rectified your nomination will be rendered invalid.

Profile Content

Your profile provides electors with a brief overview of your past and current experience to assist them to make choices when voting.

Your profile may include:

- current or past work experience/qualifications
- work or community interests
- community involvement including membership of clubs/boards
- personal information eg marital status/children
- declarations of public policy and promises of public action.

Profiles will be included in the voting material mailed to electors.

Your profile must not 'comment' on the decisions or actions that have been made or taken by the council or on decisions or actions of past or present members of the council.

The word 'comment' is taken to mean a criticism, value judgement or endorsement of a decision about a council or council members. It does not preclude statements of fact that are neutral but is intended to exclude commentary that is either negative criticism or positive endorsement.

Look at examples 1 and 2 to see how an unacceptable statement can be altered to make it acceptable.

Example 1	<i>Unacceptable</i>	'I have served on the Council's effective environmental committee which has led to the successful and much appreciated greening of the town's former barren sports field. My future commitment, if elected, is to support all reasonable environmental causes.'	This statement loses neutrality and becomes a commentary
	<i>Acceptable</i>	'I have served on the Council's environmental committee which has led to the redevelopment of the town's sports field. My future commitment, if elected, is to support all reasonable environmental causes.'	
Example 2	<i>Unacceptable</i>	'The Council has made many poor decisions in relation to child care in our area, culminating in the closure of the Main Street child care centre. The current Council clearly does not care about young mothers or young families – elect me to Council as someone who does care about young families.'	
	<i>Acceptable</i>	'I have a passionate interest in the development of facilities for young mothers and young families and am committed to the development of such facilities if elected to Council.'	This statement is acceptable as it is not criticising a council decision but reflects a statement of public policy

What Constitutes a Word

Make sure your profile does not exceed 150 words by **manually counting** the words - do NOT use the word count facility on a computer. When counting the words, the following principles apply:

SANFL	1 word
GP	1 word
10/4/03	1 word
1996-97	1 word
a, and, it or in	1 word
isn't	1 word
PhD	1 word
normally hyphenated words (ie re-election, sub-committee)	1 word
email address	1 word
telephone number	1 word
community-minded	2 words
forward-looking	2 words
is not	2 words
10 April 2003	3 words
Doctor of Philosophy	3 words
general practitioner	2 words
South Australian National Football League	5 words
punctuation marks	not counted

Include the word count at the bottom of the profile.

Your name, *as it appears on the ballot paper*, will be printed above the profile and is not included in the word count. Titles and honorifics, if you require them, are permitted in the body of the text only.

Note

If your profile exceeds the 150 word limit and you have not reduced the number of words to 150 or less by the close of nominations, the Returning Officer will exclude from the profile all words appearing after the 150th word.

Electoral officers are not responsible for checking the accuracy of any information you include in your profile and neither the Returning Officer, election staff nor council staff bear any liability for the publication of a profile under the Act and Regulations.

Printing

For consistency and fairness each candidate will be allocated an equal amount of space on the profile sheet (regardless of the number of words in the profile) ie a candidate with a two word profile will be allocated the same amount of space as a candidate with 149 words. Profiles will be printed:

- in the same order as the names appear on the ballot paper
- with continuous text (no paragraph breaks)
- in the same size font and exclude: • dot points, underlining, **bolding** or CAPITALS (entire words).

Candidate Photographs

It is your decision whether to submit a photograph. If you choose to provide one, it may be in either colour or black and white, though profiles and photographs are reproduced only in a black and white format.

If you choose to submit a photograph, the photograph:

- should be the same size as an Australian passport photograph (*but not essential*)
- must *predominantly* show your head and shoulders
- must have been taken within the last 12 months
- must have a statement signed by you on the back stating 'This is a photograph of (*insert your name*) taken within the last 12 months'
- must be received by the Deputy Returning Officer no later than the close of nominations.

Photographs will be printed adjacent to your profile. If you choose **not** to submit a photograph, the words 'Photograph Not Provided' will be displayed in a square adjacent to your profile. Refer to the last page of this section to see how a completed profile will look.

Note

- *Photographs will **not** be accepted on disk and cannot be accepted through electronic means ie email [LGEA, Regulation 5 (8)]*
- *The quality of the photograph supplied will determine the clarity of the reproduction.*

Example of how a Candidate's Profile should be Submitted

<p>HAVOC Davey</p> <p>Retired journalist Davey Havoc has been Mayor of Paradise for four years. Davey has served on a number of Council Committees including the RSB Group Committee, Paradise Aged Day Care Committee and the Paradise Hospital Board. He helped form the Paradise Hills Sustainable Development Group of which he is a member and represents Paradise on the Local Government Committee of the Recycling Program. He is also Chair of the Financial Management Committee of the Paradise Council. At State level he is Deputy Chair of the Environment Protection Authority and is a member of the Local Government Association's CFS Working Party. He lives in North Paradise with his wife Lisa, formerly of the Paradise Industrial Institute and is the father of two adult sons. He has a passionate vision for the future of Paradise City and looks forward to continuing to serve the community. Email dhavoc@bigpond.com</p> <p><i>Word Count - 145 words</i></p> <p>I take responsibility for the content of the profile.</p> <p>Signed <i>DAVEY HAVOC</i></p> <p>Dated 14 September 2010</p> <p>Contact Details: Davey Havoc - PO Box 9, Paradise SA 5888. Ph 8333 3333</p>

Your profile:

- **MUST** provide either a street address (not a post office box), an email address or a phone number at which you may be contacted
- **MUST** include a statement of responsibility for the content of the profile
- **SHOULD** include a word count
- **MUST** be signed and dated.

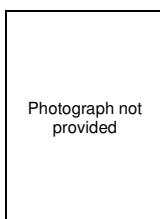
Example of a Completed Profile Sheet

Council Logo

City of Paradise Election of Mayor

Profiles for each of the 3 candidates are printed below in the same order as their names appear on the ballot paper. This information has been provided by the candidates and neither the Returning Officer nor City of Paradise take responsibility or bear liability for the information contained within.

K Mousley, Returning Officer



HAVOC, Davey

Retired journalist Davey Havoc has been Mayor of Paradise for four years. Davey has served on a number of Council Committees including the RSB Group Committee, Paradise Aged Day Care Committee and the Paradise Hospital Board. He helped form the Paradise Hills Sustainable Development Board of which he is a member and represents Paradise on the Local Government Committee of the Recycling Program. He is also Chair of the Financial Management Committee of the Paradise Council. At State level he is Deputy Chair of the Environment Protection Authority and is a member of the Local Government Association's CFS Working Party. He lives in North Paradise with his wife Lisa, formerly of the Paradise Industrial Institute and is the father of two adult sons. He has a passionate vision for the future of Paradise City and looks forward to continuing to serve the community. Email dhavoc@bigpond.com

Contact Details - Davey Havoc - PO Box 98, Paradise SA 5888 Ph 8333 3333



LEE, Rebecca

If elected I will strive to ensure Council makes sound decisions that reflect what the community wants and ensures Paradise is a better place to live, to bring up children and to retire. I have no vested commercial interests nor am I affiliated with any minority group or political party. My only interest is to improve upon what we are already privileged to enjoy. Personal details: born Adelaide, 1967; married, daughter aged 11, son aged 3; lived in Paradise since 1976. Occupation: owner/operator of a small fitness centre and director of a public company. Professional qualifications and memberships: Bachelor of Commerce (Paradise University); Master of Business Administration (Paradise University) and Fellow of the Australian Institute of Company Directors. Past community involvement: Member Paradise Soccer Club and President Paradise Rotary Club.

Contact Details - Rebecca Lee, PO Box 27, Paradise SA 5888 Ph 8222 2222



DUNLOP, Rick

Many times over the years people from the community of Paradise have approached me about running for Mayor. After some long and careful consideration I have decided take their advice and stand at the forthcoming mayoral election. I have lived in Paradise for over 20 years and been involved with the affairs of council for a considerable number of those years. The community of Paradise is dear to my heart, and the competent administration of its affairs is a matter of paramount concern to me. I aim to work to improve our environment, address the issue of youth unemployment in the area and strive to upgrade and maintain the council's involvement in community facilities. I have always been available to listen to people's problems and attempt to provide solutions. I look forward to representing you.

Contact Details - Rick Dunlop, 7 Way Lane, Paradise SA 5888 Ph 8444 4444

After the Close of Nominations

Public Announcement of Nominations Received and the Draw to Determine the Order of Names of Candidates on the Ballot Paper

As soon as reasonably practicable after 4pm on the day of the close of nominations, the Deputy Returning Officer will:

- publicly announce the names of candidates who have nominated
- declare elected any candidates where the number of nominations received does not exceed the number of vacancies
- conduct a draw by lot to determine the order of names of candidates on the ballot papers when the number of nominations received exceeds the number of vacancies.

Insufficient Nominations Received

If insufficient, or no nominations are received to fill positions on council, the Returning Officer, in consultation with the council concerned, will arrange for a supplementary election to be conducted.

Public Notice of Nominations Received

The Deputy Returning Officer will arrange for the publication of a notice stating:

- the names of
 - candidates and the vacancies for which they nominated
 - the names of any candidates elected unopposed
- dates for the mail-out of voting material
- postal voting procedures and the latest date for the return of completed voting material
- close of voting and scrutiny and count details.

Letter to Candidates

The Deputy Returning Officer will prepare and forward a letter advising either that you have been elected, if the number of candidates does not exceed the number of vacancies or, for a contested election:

- the names of candidates
- the order in which their names will appear on the ballot paper
- postal voting procedures and voting material mail-out dates
- scrutiny and count details.

In addition you will be forwarded:

- a statement relating to illegal election practices
- a copy of a 'Campaign Donations Return'
- copies of the Scrutineer Authority Forms.

If these forms are mislaid or lost, contact the Electoral Commission SA or your council for replacements.

Failure of an Election [LGEA s7]

An election fails if between the close of nominations and the close of voting:

- a nominated candidate dies and the election is to fill one vacancy *or*
- two or more candidates die.

Campaigning by a Candidate

You may campaign at any time, however when determining your campaign strategy and expenditure you may wish to consider:

- the possibility of being elected unopposed at the close of nominations
- the timetable for the mail-out of materials.

Information Available to Assist your Campaign

Council offices have:

- information on the council area including boundaries
- a printed copy of the voters roll for the area or ward for which you nominate
 - the roll is **not** available in electronic format
 - the voters roll will be available from the close of nominations until the close of voting
 - further copies area available from the council at a fee fixed by council.
- information on existing council activities, services and issues in the council area
- information regarding election signage permitted by council.

With reference to the voters roll, note that State electoral roll information will contain enrolled address data only. Privacy considerations prohibit the release of postal details and no address information is available for electors whose address is suppressed.

Various provisions of the *Local Government (Elections) Act 1999*, if breached, may lead to criminal prosecution. The following sub-sections set out the requirements.

Publication of Electoral Material [LGEA s27,28]

Electoral material can only be published, in either printed or electronic form, including the Internet, if it contains:

- the name and address of the person authorising its publication and
- in the case of printed material, the name and address of the printer
- if the material is published in a newspaper as a letter to the editor, the name and address (not a post office box) of the writer.

Any electoral material that you publish must comply with these requirements and not be misleading. Refer to LGEA ss27, 28 reproduced on page 35 - 'Statement of restrictions relating to electoral material and illegal practices.'

Note

- *Restrictions applying to information contained in the candidate's profile lodged with the nomination form do not apply. You may state your opinions but be aware that you could face possible civil proceedings for defamation if an organisation or person is sufficiently aggrieved by a statement you might make.*

Signage

For guidance on moveable signs and their removal see LGA 1999 ss226, 227 and check your council by-laws relating to the design, display and removal of election signage. See also Election Signs LGA Guidelines www.lga.sa.gov.au/goto/guidelines

Caretaker Policy

Council resources are not to be used during your campaign, including: offices, support staff, hospitality services, equipment and stationery during an election period and must not be used in connection with an election.

Illegal Practices

The illegal practices covered in Part 12 of the *Local Government (Elections) Act 1999* include:

- violence, intimidation or bribery eg;
 - inducing a person to submit or withdraw their candidature for election or
 - influencing the vote of a person at an election or poll or
 - otherwise interfering with an election or poll.
- dishonestly exercising, or attempting to exercise, a vote at an election or poll to which a person is not entitled
- dishonestly influencing or attempting to influence the result of an election or poll
- interfering with the statutory rights of another person
- unlawfully interfering with a computer program or system used by an electoral officer for the purposes of an election or poll
- attempting by secret or dishonest means to determine how another person has voted
- opening an envelope containing a vote (except for the Returning Officer or an appointed electoral officer)
- disclosing how another person has voted (acquired through assisting the person to vote)
- making a statement in a claim, application, return or declaration, or in answer to a question that is, to the person's knowledge, false or misleading in a material respect
- marking a vote, or making any other mark in writing on a ballot paper (except as authorised by the Act or by the person to whom the ballot paper has been issued).

In addition, you, or a person acting on your behalf (with your authority or not), is not permitted to assist a person voting at the election.

The Criminal Law Consolidation Act 1935 s85(3) covers damage to property and encompasses defacing, destroying or removing other candidates' election posters.

Illegal practices detailed in the Act are reproduced on page 35 - 'Statement of restrictions relating to electoral material and illegal practices.'

Campaign Donations Return

Please direct any queries in relation to campaign donations to the council CEO.

All candidates, whether or not successful or the recipient of any gifts, must lodge a Campaign Donations Return with the council CEO disclosing gifts and details of persons/organisations providing those gifts.

You have 30 days after the conclusion of the election to complete and forward the return.

Form LG2	Campaign Donations Return
-----------------	---------------------------

The campaign donations return should include:

- the total amount or value of all gifts received
- the number of persons who gave those gifts
- the amount or value of each gift
- the date each gift was given
- the name and address of the person who gave the gift. If the gift was given by an unincorporated association, the name of the association and the names of the executive committee must be stated.

Details of private gifts or those less than \$500 are NOT required.

Note

Legal requirements relating to the disclosure of campaign donation returns are reproduced on the relevant Campaign Donations Return which will be sent to you after nominations close.

Commencement of the disclosure period differs depending on whether you are a new candidate or have been previously elected or appointed to council.

For all candidates, the disclosure period ends 21 days after polling day.

You are required to keep copies of records for four years.

Complaints Protocol	
Process	<p>Any person, or organisation may make a complaint under the <i>Local Government (Elections) Act 1999</i>. All complaints should be addressed and sent to:</p> <p style="padding-left: 40px;">Electoral Commissioner Electoral Commission SA GPO Box 646 ADELAIDE SA 5001</p> <p style="padding-left: 40px;">or faxed to: 08 7424 7477</p> <p>The complaint must:</p> <ul style="list-style-type: none">• be in writing;• establish the facts of the alleged offence; and• provide evidence of the alleged offence (eg copy or photograph of the material).
Recording	<p>All written complaints lodged with the Electoral Commissioner will be recorded as received and notification of the receipt of complaint will be issued. The Electoral Commissioner will advise whether any action can be taken.</p>
Resolution	<p>The Electoral Commissioner may seek further information from the alleged offender. Any person or organisation who receives such a request should provide the information to the Electoral Commissioner as soon as possible. Such cooperation will be taken into consideration by the Electoral Commissioner in determining whether to prosecute alleged offenders.</p> <p>The Electoral Commissioner has powers under the Act to seek the withdrawal or retraction of material if it contains a statement purporting to be a statement of fact that is 'inaccurate and misleading to a material extent.'</p> <p>All complaints will be examined after the election period with specialist legal assistance from the Crown Solicitor's Office. Prosecution action may be taken where, in the Commissioner's opinion, a breach of the legislation has occurred.</p> <p>Penalties can only be imposed by a court following a successful prosecution.</p>
Media	<p>Questions or inquiries by the media on what complaints have been received and seeking confirmation of the nature of a complaint or even the existence of a complaint will receive a response along the following lines:</p> <p>'Complaints are often received during an election period and must be submitted in writing to the Electoral Commissioner. All written complaints are assessed; some may warrant further investigation and if appropriate, prosecution proceedings may follow. If a candidate believes that an illegal practice has occurred and that practice has affected the election outcome, they are able to petition the Court of Disputed Returns. It is therefore not appropriate for complaints to be discussed in any way. The matter can, of course, be taken up by the media with the candidate allegedly lodging the complaint.'</p> <p>Such a reply ensures that the Electoral Commissioner or any electoral officer does not become inappropriately drawn into election debate as they must maintain a position of strict neutrality and cannot comment on candidate campaign issues or on the relevant merits of a candidate's credentials.</p>

The Mail-Out of Voting Material and Close of Voting

Voting Packs

If an election is contested, the Returning Officer must as soon as possible after 21 and before 14 days prior to polling day, issue voting material to every elector whose name appears on the voters roll.

Each voting pack will contain:

- a ballot paper for any contested election
- a copy of the profile for each candidate
- a postal voting guide
- an envelope bearing a tear off flap for a declaration by the elector to the effect that:
 - the voter is aged 18 years or over or a provisional elector who turns 18 years on or before the close of voting
 - the ballot paper in the envelope is marked with his or her vote
 - he or she has not already voted at this election or poll in any other capacity.
- a reply paid envelope.

To be accepted, the declaration must be completed and signed by the elector or the designated person of a body corporate or group.

Assistance to Voters - Restrictions on Candidates or Persons Acting on their Behalf

Neither you, nor a person acting on your behalf, with your authority or not, nor a scrutineer, is allowed to assist:

- a person wishing to vote at an election or poll who is disabled and unable to vote *or*
- a voter wishing to obtain, complete or return postal voting papers *or*
- have in your possession or attempt to gain possession of postal voting papers except for ballot papers issued to you in your own right.

Issue of Replacement Ballot Papers

Following written advice, the Deputy Returning Officer may issue replacement ballot paper/s if satisfied that the original voting material forwarded to an elector:

- has not been received by the elector *or*
- has been lost *or*
- has inadvertently been spoiled.

A form for this purpose is available from the Deputy Returning Officer or council and the original voting material will be cancelled.

Last voting papers issued/reissued All elections	
By post	5pm, two business days before the close of voting
In person	By close of voting on polling day

Close of Voting

For periodic elections, voting closes at 5pm the last business day before the 2nd Saturday in November of the year of the election. Ballot paper envelopes will be processed ready for the scrutiny and count the next day which will commence at a time determined reasonable by the Returning Officer.

Supplementary elections close at 12 noon on polling day and the count commences as soon as practicable after that time.


Scrutineers

[LGEA ss32, 57 to 66]

You may appoint one or more scrutineers to observe the conduct of the election and counting of votes. No more than two scrutineers per candidate are permitted in the place for the counting of votes, at any stage of the scrutiny and counting of votes at the same time.

Your scrutineer must identify themselves to the electoral officer in charge of proceedings at the preliminary scrutiny or counting centre and hand in a completed Scrutineer Authority Form, signed by you.

Four forms will be forwarded to you if the election for which you nominate is contested and copies of the form are available at the council office.

		Scrutineer Authority Form		LG 15
Please PRINT details on this form				
This form must be handed to the Deputy Returning Officer/Electoral Official in charge of the proceedings at the preliminary scrutiny or counting centre				
NOTE:				
<ul style="list-style-type: none"> • A candidate may appoint up to two scrutineers who may be present at the same time during the counting of votes. • A candidate in an election for the council (including a candidate who has already been declared elected) is not eligible for appointment as a scrutineer. 				
To The Returning Officer/Deputy Returning Officer/Electoral Officer for				
Name of Council				
As a candidate contesting an election in the above named Council, I hereby appoint the following person to represent me during the scrutiny and count of the ballot papers:				
Scrutineer Information				
Surname				
Given Names				
Residential Address				
Contact Number				
Scrutineer Signature				Date / /
Candidate Information				
Surname				
Given Names				
Contact Number				
Name of Election <small>(Circle applicable)</small>	Mayor	Area Councillor	Ward Councillor	
Candidate Signature				Date / /

You might wish to discuss the Protocol for Scrutineering, with your scrutineer/s.



Protocol for Scrutineering

LG 15

1. Purpose

This protocol is intended to guide:

- electoral officials in their dealings with scrutineers monitoring election processes;
- scrutineers in their role as a monitor of electoral proceedings.

2. Role of a Scrutineer

A scrutineer acts as an independent observer of electoral processes and does this, on behalf of a candidate, in order to verify that procedures undertaken by electoral officials are fair, proper, transparent and according to law. The intention is not to secure partisan advantage for a candidate.

3. Appointment

- A scrutineer must have written authority to represent a candidate.
- The authority must be in a format determined by the returning officer and be signed by the candidate.
- Scrutineers must present themselves to the officer-in-charge with the signed authority on arrival at the scrutiny location.

4. Expected Behaviour

It is expected that electoral officials, where permissible, will make every attempt to allow scrutineers to monitor activities involving manual and/or computer aided processes for the issuing, scrutiny, rejection and counting of ballot material and votes.

Scrutineers may verify that proper procedures are followed and challenge aspects of the voting and counting processes but must not be aware of any elector details or how an elector voted.

Scrutineers **must** address all queries to the officer-in-charge. That person must consider any request to count more slowly or display details of a particular ballot paper in the light of consequences to the count being completed within acceptable timeframes.

5. Unacceptable Behaviour

Electoral officials should not hinder a scrutineer from legitimately and quietly observing electoral processes in the premises in which they are working. However the Electoral Commission SA reserves the right to advise officers-in-charge of their capacity to request a scrutineer to vacate those premises if their behaviour is disorderly.

6. Electoral Offences

A scrutineer, acting on behalf of a candidate, is prohibited from undertaking activities contrary to fair electoral practice eg bribery, intimidation etc. Prescribed offences are outlined in the *Local Government (Elections) Act 1999* Part 12.

Such offences can place democratic electoral processes at risk. The office will request in writing a report on any apparent breach under the Act and, subject to advice from the Crown Solicitor's Office, will address the matter through appropriate legal channels.

Note

- *you cannot act as a scrutineer if you are a candidate in any election for the council as at close of voting (even if you have already been declared elected)*
- *a scrutineer must not assist another person voting at an election or poll*
- *illegal practices that apply to you, the candidate, also apply to your scrutineers as they act on your behalf.*

The Scrutiny

Ballot paper envelopes received by the Returning Officer throughout the course of the election are checked daily by electoral officers to determine whether they can be accepted for further scrutiny or rejected.

Examples of rejected envelopes include:

- the declaration is unsigned or signed by an unauthorised person
- the declaration flap is missing
- ballot papers are returned outside the ballot paper envelope
- it is a duplicate of an envelope already received.

Following the preliminary scrutiny, all envelopes are stored securely until the start of the count.

The Examination and Count of Ballot Papers

Candidates will be advised when the scrutiny and count will commence, following the close of nominations.

Processes are as follows:

The declaration flaps on accepted ballot paper envelopes are removed and kept to one side. The envelopes are then randomly rearranged, and opened. Any ballot papers removed should be for the council and ballot paper type indicated on the ballot paper envelope.

If there are **more** ballot papers removed from an envelope than were mailed out or different ballot papers than the voter's entitlement, they are placed back into the envelope which is then stored with other rejected envelopes.

When all ballot papers have been extracted from the envelopes, informal ballot papers are set aside and formal ballot papers are sorted according to 1st preference votes for each candidate and counted.

Preferences are then distributed until the required number of candidates are elected.

The preference distribution for more complex counts will take place at a central count centre where all preferences from ballot papers accepted for scrutiny will be data entered on approved count software. You will be advised of the scrutiny location.

After the distribution of preferences, the Deputy Returning Officer will provisionally declare the result/s and securely store all envelopes and ballot papers.

Ballot Paper Formality

Election of ONE candidate

To be formal, a ballot paper must have the number 1, or a tick ✓ or cross ✕ against one of the candidate's names and **may** have further consecutive numbers against the names of other candidates.

Election of MORE THAN ONE candidate

Consecutive preferences commencing with the number 1, or a ✓ or ✕, must be indicated on the ballot paper for at least the number of candidates to be elected.

Example

If there are 4 vacancies, a ballot paper must contain the number 1, or a ✓ or ✕, against one candidate's name and at least the numbers 2, 3 and 4 against the names of other candidates. Numbers up to 4 cannot be duplicated or omitted.

Note

- a tick ✓ or cross ✕ is equivalent to the number 1
- numbers outside the boxes next to names of candidates are acceptable providing the voter's intention is clear
- unlike State parliamentary legislation a ballot paper is not informal if:
 - there is repetition or omission of a number **after** the number of candidates to be elected; however the ballot paper must be set aside as exhausted at a count where the ballot paper does not express a preference for a continuing candidate
 - the elector can be identified from the ballot paper (eg the elector's name is on the ballot paper).

Ballot Paper Formality - One Candidate to be Elected eg mayoral election

To be formal, a ballot paper must have the number 1 (or a ✓ or a ✕) against one of the candidate's names and MAY have further consecutive numbers against other candidates' names.

Examples of Formal Ballot Papers

<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">1</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">4</div> <p>.....</p>	<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">✓</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">4</div> <p>.....</p>	<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">✕</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">4</div> <p>.....</p>
<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">1</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>John Smith 29 Wilson Street Paradise</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">29</div> <p>.....</p>	<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"></div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">✓</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"></div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"></div> <p>.....</p>	<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"></div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"></div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">✕</div> <p>.....</p>
<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">1</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">2</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p>	<p>BALLOT PAPER</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">1</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"></div> <p>.....</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">3</div> <p>.....</p>	

Ballot Paper Formality - More than One Candidate to be Elected eg periodic area/ward elections

Consecutive preferences commencing with the number 1 (or a ✓ or a ✕) must be indicated on the ballot paper at least up until the number of candidates to be elected.

For example, if there are 3 councillors to be elected for a ward, for a ballot paper to be formal it must contain the number 1 (or a ✓ or a ✕) against a candidate's name and the numbers 2 and 3 against other candidates' names. Duplication or omission of consecutive numerical preferences up to three is not permissible.

Examples of Formal Ballot Papers - 3 candidates to be elected

BALLOT PAPER

1	.....
3	.....
2	.....
4	.....
6	.....
5	.....

BALLOT PAPER

✓
3	.....
2	.....
4	.....
6	.....
5	.....

BALLOT PAPER

✕
3	.....
2	.....
4	.....
6	.....
5	.....

BALLOT PAPER

1	.....
3	.....
2	John Smith 29 Wilson Street Paradise
7	.....
8	.....
9	.....

BALLOT PAPER

3	.....
2	.....
✓

BALLOT PAPER

5	.....
4	.....
4	.....
3	.....
2	.....
✕

**Ballot Paper
Informality**

A ballot paper is **informal** if:

- there is no vote marked on it
- the first preference is not indicated (ie. the number 1, a ✓ or a ✕ does not appear in or by any square)
- the number 1, a ✓ or a ✕, or any combination of these appears in or against two or more squares (ie. more than one first preference indicated).

Examples of Informal Ballot Papers

BALLOT PAPER

BALLOT PAPER

2	.....
3	.....
4	.....
5	.....
6	.....
7	.....

BALLOT PAPER

1	.....
2	.....
3	.....
4	.....
5	.....
✕

BALLOT PAPER

1	.....
2	.....
1	.....
3	.....
4	.....
5	.....

Informal – 3 candidates to be elected

BALLOT PAPER

1	.....
2	.....
3	.....
3	.....
4	.....
5	.....

BALLOT PAPER

1	.....
2	.....
4	.....
5	.....
6	.....
7	.....

Method of Vote Counting

All council elections are conducted using the vote counting system known as proportional representation (PR).

Electors are able to choose between candidates by numbering the candidates in order of preference. To be elected, a candidate must obtain a quota or proportion of the formal vote. This can comprise 1st preference votes and those received after the distribution of preferences.

Any votes for an elected candidate in excess of the quota (surplus votes) are transferred to candidates remaining in the count according to the next available preference shown on the ballot paper. If any seats remain unfilled, the lowest placed candidates are progressively excluded from the count and their votes transferred to candidates remaining in the count.

Explanations of the system can be found as follows:

- a simple description in flow chart form is provided on page 30
- a more detailed explanation from page 31
- a graphic explanation can be found on the ECSA website <http://www.ecsa.sa.gov.au/flash.htm>
- detailed examples are located in the Electoral Commission SA booklet 'Proportional Representation (PR) Count Processes and Examples' available in hard copy and on the ECSA website.

An Election for One Vacancy

Mayoral elections and most supplementary elections are conducted for one vacancy. All ballot papers have the vote value of one and there are no surplus votes to distribute.

An Election for Multiple Vacancies

Most councils have either multiple ward or area councillor vacancies at periodic elections. The count principles are the same as those used for elections for a single vacancy. However the count processes for two or more vacancies are more complicated, as the vote value of ballot papers may not always be one.

Data Entry Counts

Some complex counts will be completed by data entry at a computer processing count centre.

However, ballot papers will be counted to 1st preferences locally before being packaged and transported to a computer processing centre.

You are advised of arrangements and may appoint scrutineers to observe the data entry process.

The preferences on each ballot paper are keyed into a computer program by a data entry processing operator. After all preferences have been entered, they are keyed a second time to verify the initial process. The computer program will provide reports on incidents where the second entry does not match the first. The correct entry will then be made.

At the end of the data entry process, the computer program is activated and the result determined. A count report is made available to candidates.

Proportional Representation (PR) – a Simplified Explanation

Step 1

1st preference votes for each candidate on formal ballot papers are counted. Informal ballot papers are set aside.



Step 2

The quota (Q) is calculated.

$$Q = \frac{\text{Total number of formal ballot papers}}{\text{Number of vacancies} + 1} + 1$$



Step 3

Candidates with votes equal to or greater than the quota are elected.
 If all vacancies have been filled, the election is finished.
 If some vacancies remain unfilled, the votes of elected candidates are checked to see if any received more votes than the quota (surplus votes).

If YES



The successful candidate's surplus votes (those in excess of quota) are distributed to candidates remaining or continuing in the count, according to the next available preference marked on the ballot papers. The surplus votes are distributed at a transfer value (TV):

$$TV = \frac{\text{Surplus votes}}{\text{Total formal ballot papers}}$$

Total votes for each of the continuing candidates are calculated.

- Step 3 is revisited.

If NO



If there are more candidates still in the count than there are vacancies remaining unfilled, the candidate with the least votes is excluded from the count. That candidate's votes are distributed to continuing candidates according to the next available preference indicated on the ballot papers.

(Note: there are special rules for breaking ties)

Each continuing candidate's total votes are calculated, then:

- Step 3 is revisited or
- if the number of continuing candidates is equal to the number of vacancies remaining unfilled, all those candidates are declared elected and the election is finished.

Under PR, candidates are elected in proportion to their support in the election.

For further explanations of the voting system

Visit www.ecsa.sa.gov.au/flash.htm

or

Refer to the booklet 'Proportional Representation (PR) Count Processes and Examples.'

A More Detailed Explanation of the PR Vote Counting System

The proportional representation (PR) vote counting system is assessed as a 'fair' system for counting votes to fill vacant positions in an election but is more complex than other counting systems, and may take longer to finalise. A candidate is elected after obtaining a quota or proportion of the formal vote.

The Quota

The quota is calculated by dividing the total number of formal ballot papers in the count by one more than the number of vacancies available, disregarding any fractional remainder and adding one.

Quota:

$$\frac{\text{No. of formal ballot papers}}{\text{No. of vacancies} + 1} + 1$$

Example: 1000 formal ballot paper, 2 vacancies

$$\text{Quota} = \frac{1000}{2 + 1} + 1 = 334$$

Each 1st preference on a ballot paper is worth one vote. The formal ballot papers are examined to determine the number of 1st preference votes each candidate has received. If a candidate:

- has received a number of votes which equal or exceed the quota, the candidate is elected*;
- is elected with exactly the same number of votes as the quota, these ballot papers are set aside as finally dealt with as there is no surplus (votes in excess of the quota) to distribute;
- gains more votes than the quota, the surplus votes are not wasted, but transferred or passed on to continuing candidates (candidates not already elected or excluded from the count) provided there are still vacancies to fill.

Surplus Votes

Candidates who receive a quota, or more, of 1st preference votes are elected immediately. The surplus votes of these elected candidates are transferred to continuing candidates according to the next available preference shown on the ballot papers. These ballot papers are distributed at a fraction of their value. Other candidates may now become elected. If two or more candidates are elected at the same stage of the count, the candidate with the largest surplus is said to be elected first. The surplus votes of a candidate elected at an earlier count are always passed on before the surplus of a candidate elected at a later count.

Surplus ballot papers when transferred do not keep their original value of 1. The value of each transferred ballot paper is calculated by dividing the surplus votes of the successful candidate by the total number of ballot papers received by that candidate.

Transfer Value (TV) for surplus ballot papers

$$\frac{\text{No. of elected candidate's surplus votes (in excess of quota)}}{\text{No. of ballot papers received}}$$

Example: Quota = 334, candidate has 450 votes from 450 ballot papers ie has 116 surplus votes

$$\text{TV} = \frac{116}{450} = .257777$$

(6 decimal places, not rounded up or down)

After all surpluses of elected candidates have been distributed and if vacancies remain, the candidate with the least number of votes is excluded and removed from the count.

- Exclusions** The preferences on ballot papers of the candidate with the least number of votes are examined and the ballot papers passed on to candidates remaining in the count according to the next available preference. Ballot papers are transferred as follows:
- the excluded candidate's 1st preference ballot papers are transferred first at the full value of one vote each
 - ballot papers received as a result of the transfer of a surplus are passed on at the same vote value as they were received ie at the surplus transfer value.

During an exclusion, each parcel of ballot papers received by the excluded candidate at different stages of the count process is transferred to continuing candidates at a separate count.

- Finalising the Count** The process of distributing surpluses of elected candidates and excluding candidates continues until all vacancies have been filled or until only two candidates remain in the count. At that stage, if neither candidate has a quota, the candidate with the highest number of votes is elected. This is the only situation where a candidate can be elected below quota.

A Glossary of Proportional Representation (PR) terms refer to page 43.

**A candidate may obtain quota by gaining*

EITHER

- a number of 1st preference votes equal to or greater than the quota

OR

- a combination of 1st preference votes and votes transferred from elected and/or excluded candidates.

Concluding the Election

Provisional Declaration

After the count has been completed, the Deputy Returning Officer will make a provisional declaration of the result, in the presence of any scrutineers who may advise you of the count figures. In addition you may obtain the information and the time of the provisional declaration from the council.

Results – LGA Website

The results of all elections will appear on the Local Government Association website. Visit www.lga.sa.gov.au/goto/electionresults

Recounts

- An unsuccessful candidate may request a recount, within 72 hours after the provisional declaration
- The request must be in writing to the Returning Officer with information supporting the request
- The Returning Officer will determine the validity of the request and consider whether there is a prospect that a recount would alter the result of the election and advise accordingly.

Alternatively, the Returning Officer may initiate a recount.

Other points to note:

- A scrutineer cannot request a recount for an election
- A recount cannot proceed without the approval of the Returning Officer
- A recount will be conducted as soon as possible after the provisional declaration.

Following an election for more than one vacancy, if a successful candidate dies between the close of voting and the first meeting of council after the election, the Returning Officer will recount the votes to determine the next most preferred candidate.

Where a recount is conducted, the Returning Officer, in accordance with the result of the recount, makes a final declaration.

Candidates for any election where a recount is conducted will be given reasonable notice of the time and place of the recount so they can arrange for scrutineers to be present.

Final Election Procedures

The Returning Officer concludes the election process by:

- confirming any provisional or final declaration
- forwarding a return to the council CEO certifying the result of the election
- notifying you, in writing, of the result of the election
- giving public notice of the election result
- preparing and certifying a ballot paper return.

You are entitled to request a copy of this return, within three (3) months of the election closing. [*Local Government (Elections) Act 1999 ss50-54*]

Court of Disputed Returns

The Court of Disputed Returns may consider a petition that disputes the validity of an election. The Court is constituted of a District Court Judge and has considerable powers as set out in Part 13 of the *Local Government (Elections) Act 1999*.

A petition to the clerk of the Court must be lodged within 28 days after the conclusion of the election. A copy of the petition must be served on:

- any person declared elected in the disputed election
- the council *and*
- if it is alleged that the election is invalid on account of an act or omission of an electoral officer - the Electoral Commissioner.

Statement of Restrictions Relating to Electoral Material and Illegal Practices

A. Electoral Material

27. Publication of electoral material

- 1) A person must not publish electoral material or cause electoral material to be published unless the material contains –
 - (a) the name and address of the person who authorises publication of the material; and
 - (b) in the case of printed electoral material – the name and address of the printer or other person responsible for undertaking its production.

Maximum penalty: \$2 500.

- 2) If electoral material is published in a newspaper that has been published at intervals of one month or less over a period of at least six months immediately preceding the publication of the electoral material, the name and address of the printer need not be contained in the electoral material.

- 3) If electoral material is published in a newspaper as a letter to the editor, it is an offence to publish the material without the name and address (not being a post box) of the writer of the letter.

Maximum penalty: \$2 500.

28. Publication of misleading material

- 1) If –
 - (a) electoral material contains a statement purporting to be a statement of fact; and
 - (b) the statement is inaccurate and misleading to a material extent, a person who authorised, caused or permitted the publication of the material (the ***publisher***) is guilty of an offence.

Maximum penalty: \$5 000.

- 2) It is a defence to a charge of an offence against subsection (1) for the defendant to prove –
 - (a) that he or she took no part in determining the contents of the material; and
 - (b) that he or she could not reasonably be expected to have known that the statement to which the charge relates was inaccurate and misleading.

- 2a) If the Electoral Commissioner is satisfied that published electoral material contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent, the Electoral Commissioner may request the publisher to do 1 or more of the following:

- (a) withdraw the material from further publication;
- (b) publish a retraction in specified terms and a specified manner and form,

(and in proceedings for an offence against subsection (1) arising from material, the publisher's response to a request under this subsection may be taken into account in assessing any penalty to which the publisher may be liable).

- 3) This section applies to material published by any means (including radio or television).

- 4) No action under this section lies against the Returning Officer with respect to the publication of material provided to the Returning Officer by a candidate for election under section 19.

B. Illegal Practices

57. Violence, intimidation, bribery, etc.

- 1) A person who exercises violence or intimidation, or offers or gives a bribe, with a view to –

- (a) inducing a person to submit or withdraw candidature for election; or
- (b) influencing the vote of a person at an election or poll; or
- (c) otherwise interfering with the due course of an election or poll,

is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for seven years.

- 2) A person who receives a bribe offered in contravention of subsection (1) is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for seven years.

- 3) In this section –

'bribe' includes any pecuniary sum or material advantage including food, drink or entertainment

58. Violence, intimidation, bribery, etc.

- 1) A person who dishonestly exercises, or attempts to exercise, a vote at an election or poll to which that person is not entitled is guilty of an offence.

Maximum penalty: \$5 000 or imprisonment for one year.

- 2) A person who dishonestly influences or attempts to influence the result of an election or poll is guilty of an offence.

Maximum penalty: \$5 000 or imprisonment for one year.

59. Interference with statutory rights

A person must not hinder or interfere with the free exercise or performance, by another person, of a right under this Act.

Maximum penalty: \$5 000 or imprisonment for one year.

60. Exception

No declaration of public policy or promise of public action constitutes bribery or dishonest influence.

61. Persons acting on behalf of candidates not to assist voters or collect voting papers

- 1) A person who is a candidate for election or acting on behalf of such a candidate (whether with or without the candidate's authority) must not act as an assistant to a person voting at the election.

Maximum penalty: \$5 000 or imprisonment for one year.

- 2) A scrutineer must not act as an assistant to a person voting at an election or poll.

Maximum penalty: \$5 000 or imprisonment for one year.

- 3) Without limiting the generality of subsection (1) or (2), a person acts as an assistant by assisting another to obtain, complete or return postal voting papers.

- 4) A person who is a candidate for election or acting on behalf of such a candidate (whether with or without the candidate's authority) must not have in his or her possession, or attempt to gain possession of, postal voting papers for that election (except any such papers issued to the person as an elector in his or her own right).

Maximum penalty: \$5 000 or imprisonment for one year.

62. Unlawful interference with computer programs

- 1) A person must not, without lawful authority to do so, tamper or interfere with a computer program or system used by an electoral officer for the purposes of an election or poll under this Act.
Maximum penalty: \$5 000 or imprisonment for one year.
- 2) In proceedings for an offence against subsection (1), the prosecution need not prove the absence of lawful authority and the onus is on the defendant to prove any such authority on which he or she relies.

63. Secrecy of vote

- 1) A person must not, by clandestine or dishonest means, attempt to discover how another person has voted.
Maximum penalty: \$1 250 or imprisonment for three months.
- 2) No person may open an envelope under this Act containing a vote except the Returning Officer, or an electoral officer acting with the authority of the Returning Officer.
Maximum penalty: \$750.
- 3) A person who acquires knowledge of the vote of another person through assisting the other person to vote, or otherwise in the exercise of powers or functions under this Act, must not divulge that knowledge.
Maximum penalty: \$2 500 or imprisonment for six months.

64. Unlawful declaration or marking of ballot papers

- 1) A person must not make a statement in a claim, application, return or declaration, or in answer to a question, under this Act that is, to the person's knowledge, false or misleading in a material respect.
Maximum penalty: \$5 000 or imprisonment for one year.
- 2) Except as authorised by this Act, a person (not being a person to whom the ballot paper has been lawfully issued) must not mark a vote, or make any other mark or writing on a ballot paper.
Maximum penalty: \$2 500 or imprisonment for six months.

65. Conduct of officers

An electoral officer must not fail, without proper excuse, to carry out his or her official duties in connection with the conduct of an election or poll.

Maximum penalty: \$2 500 or imprisonment for six months.

66. Conduct of scrutineers

- 1) A scrutineer must not interfere with or attempt to influence a person voting or proposing to vote at an election or poll.
Maximum penalty: \$5 000 or imprisonment for one year.
- 2) If a candidate appoints more than one scrutineer, not more than two of them may be present in the place for the counting of votes at the same time during the counting of votes.

Glossary of Electoral Terms

Acts	<ul style="list-style-type: none">• <i>The City of Adelaide Act 1998 & Regulations</i>• <i>Local Government Act 1999</i>• <i>Local Government (Elections) Act 1999 & Regulations.</i>
Area Councillor	A person elected to represent electors across the whole of the council area, rather than a particular ward.
Ballot Box	The sealed box into which ballot paper envelopes are placed by electors.
Ballot Paper	A paper printed for an election showing the candidates' names or the paper containing a question to be decided in a poll, which voters mark to record their vote.
Body Corporate	An entity legally incorporated in a corporation eg company, incorporated association, co-operative, trade union, friendly society or other like incorporated body; excludes partnerships, private trusts or unincorporated bodies.
Bribe	Any monetary sum or gift, including food, drink and entertainment, given or promised for corrupt behaviour.
Campaign Donation Return	A return in a prescribed form, which must be completed by any person who is a candidate for election to an office of a council, within 30 days after the conclusion of the election, to the Chief Executive Officer.
Candidate	A person who has nominated for the position of either mayor or councillor. Eligibility criteria for candidates are set out on the nomination form.
Chief Executive Officer (CEO)	The chief executive officer of a council has specific electoral functions to perform including certifying the voters roll and administering Part 14 of the <i>Local Government (Elections) Act 1999</i> relating to candidates' campaign donations returns.
Close of Voters Roll	The closing time for enrolment and enrolment changes. Roll close for the November 2010 elections is the close of business 5pm on Friday 13 August 2010.
Close of Voting	(see Polling Day)
Council	An area constituted under the <i>Local Government Act 1999</i> .

Councillor	A person elected to represent a council ward or area.
Crown Entities (State only)	Includes State government departments, agencies subject to ministerial direction and other government instrumentalities.
Court of Disputed Returns	The Court has the jurisdiction to hear and determine any petition addressed to it disputing the validity of an election under the Act. The procedure and powers of the Court are the same as those of the District Court when exercising its civil jurisdiction.
Declaration of the Results	A return forwarded to the council chief executive officer, prepared by a Deputy Returning Officer, certifying the election results and the names of the elected candidates.
Deputy Returning Officer	A person appointed by the Electoral Commissioner to manage certain delegated election responsibilities.
Designated Person	A natural person of or above 18 years of age who is an officer if body corporate or a member of group and is authorised by the body corporate or group to vote on its behalf.
Draw or Lot	An object such as a slip of paper drawn from others to make a choice. The order of candidates' names on the ballot-papers is determined by a draw or 'lot'.
Election	Voting for representatives to occupy official positions; the successful candidature of a participant in an election.
Elector	A person, body corporate or group of persons enrolled on the voters roll for a council; a designated person to vote on behalf of a body corporate or group.
Electoral Commission SA (ECSA)	The Electoral Commissioner is the chief executive of the Electoral Commission SA and is the Returning Officer for all local government elections. ECSA staff assist the Electoral Commissioner in the discharge of statutory duties.
Electoral Commissioner	The person responsible for the administration of local government and State parliamentary electoral legislation in South Australia. The Electoral Commissioner is appointed as the Returning Officer for each council.
Electoral Material	An advertisement, notice, statement or representation calculated to affect the result of an election or poll.

Electoral Material Authorisation	Electoral material must contain the name and address of the person authorising publication and, in the case of printed material, the name and address of the printer or person responsible.
Electoral Offence	Any action which breaches electoral law as specified by the <i>Local Government (Elections) Act 1999</i> .
Electoral Officer	A person appointed as an electoral officer under the <i>Local Government (Elections) Act 1999</i> and includes the Returning Officer, Deputy Returning Officer and other persons appointed to assist in election conduct.
Formal Ballot Paper	<p>One candidate to be elected: a ballot paper is formal if the number 1 appears opposite the name of one candidate.</p> <p>More than one candidate to be elected: a ballot paper is formal if, commencing with the number 1, the numbers opposite the names of other candidates are consecutive up to at least the number of candidates required to be elected (ie if three candidates are to be elected, the numbers 1, 2 and 3 must appear). A tick ✓ or cross ✗ appearing beside a candidate's name on a ballot paper is equivalent to the number 1.</p>
Gift	Money, donations, property and services (other than voluntary labour) provided to another person.
Group	Consists of natural persons or bodies corporate or a combination of both.
Illegal Practice	An offence under Part 7 and Part 12 of the <i>Local Government (Elections) Act 1999</i> . The Deputy Returning Officer must forward to candidates, within 16 days of the close of nominations, a written statement outlining illegal practices.
Informal Ballot Paper	A ballot paper which does not comply with the formality rules governing the election and cannot therefore be accepted into the count.
Legislation	(see Acts)
Mayor	The elected leader or principal officer in a council, usually of a city or town. Other titles: Lord Mayor of a capital city council, chairman/chairperson. Normally elected by popular vote.
Name	Name of a candidate for election, includes a name by which the candidate is generally known.

Nomination	The completion and lodgement of a nomination form, which must contain a declaration of eligibility by the candidate, and a candidate's profile. A photograph of the candidate (black & white or colour) is optional.
Offence	(see Electoral Offence)
Officer of a Body Corporate	Director, manager, secretary, public officer or person taking part in the management of affairs of the body corporate.
Poll	Either an election or a survey of a particular group.
Polling day	The closing time for the receipt of returned voting material. For the November 2010 council elections – 5pm, Friday 12 November 2010.
Prescribed Person	A person who held office as a member of council at any time between 5 May 1997 and 1 January 2000.
Provisional Declaration of the Result	A public announcement by the Deputy Returning Officer of the names of candidates provisionally elected after the conclusion of counting.
Provisional Enrolment	A natural person is entitled to be on the voters roll because they are enrolled on the House of Assembly roll as a provisional elector, and who may vote if they turn 18 years of age on or before the close of voting.
Public Notice	A notice placed in the <i>Government Gazette</i> and in a newspaper circulating in the council area. All statutory election notices are public notices with the exception of the notice relating to the use of postal voting.
Ratepayer	A person appearing in the council assessment record as the owner or occupier of rateable property.
Recounts	An unsuccessful candidate may request a recount within 72 hours of a provisional declaration by writing to the Returning Officer. The Returning Officer will then decide if a recount is required. In addition the Returning Officer may initiate a recount during the 72 hour period.
Regulations	Regulations under the <i>Local Government (Elections) Act 1999</i> and the <i>City of Adelaide Act 1998</i> .
Returning Officer	The Electoral Commissioner is the Returning Officer for each council.

Roll	(see Electoral Roll)
Scrutineer	A person appointed in writing, by a candidate, to represent the candidate at the scrutiny and count of ballot papers. A candidate may appoint a number of scrutineers but no more than two of them may be present at the scrutiny and count at the same time. A scrutineer may also be appointed for a poll.
Voters Roll	The voters roll is a combined list of House of Assembly electors and council records containing details of natural persons, bodies corporate and groups who have made application for enrolment. With the exception of House of Assembly electors, the roll expires on 1 January of each election year and electors must renew their enrolment.
Voting Material	(see Voting Pack). Materials required for an election. Includes ballot paper/s, ballot paper envelopes, postal voting guide, candidate profiles, declarations by persons voting or claiming to vote, applications for voting papers and records relating to their issue; voters rolls.
Voting Pack	Voting material mailed to each eligible elector containing: <ul style="list-style-type: none"> • a ballot paper for each contested election • a profile for each of the candidates • a ballot paper envelope (with attached declaration flap) • a postal voting guide • a reply paid envelope to contain the voter's completed ballot material.
Ward	A division of a council area.
Withdrawal of Nomination	A nominated candidate, or a body corporate or group of persons who have nominated a candidate may, by notice to the Returning Officer, withdraw the nomination at any time before the close of nominations.

Glossary of Proportional Representation (PR) Terms

Continuing Candidate A candidate not already elected or excluded from the count.

Droop Quota A formula for calculating the *quota*, often expressed as a percentage, necessary for a candidate's election in certain forms of proportional representation - including the single transferable vote system used in council elections. The total number of formal votes is divided by one more than the number of seats to be filled and adding one to the result.

$$Q = \frac{V}{S + 1} + 1$$

Q is the *quota* of votes necessary for election
V is the total number of *formal votes* or *ballot papers*
S is the number of *seats* to be filled.

Exclusion The elimination of a candidate from the vote counting process through failure to acquire sufficient votes to remain in contention for a vacancy.

Exhausted Ballot Paper A ballot paper that can no longer be used in the count as it expresses preferences for a limited number of candidates (at least as many as there are vacancies), not all.

Loss By Fraction The transfer of ballot papers with a transfer value of less than 1 may result in a loss of votes which occurs when ballot papers showing the next available preference for a particular continuing candidate are multiplied by the transfer value and the result is a number with a remainder. These remainders are ignored.

eg Transfer value = 0.074321
Number of ballot papers = 431
No. of ballot papers x transfer value
431 x 0.074321 = 32.032351
The result is 32.

Even where the result is, eg 32.999999, the result is 32, not 33.

When several remainders occur, they can mount up to a loss of whole votes and are recorded as such on the scrutiny sheets.

NAP - Next Available Preference Ballot papers are transferred from an elected or excluded candidate according to the 'next available preference' marked on the ballot paper for a *continuing* candidate.

If the next available preference is for a candidate who has already been elected or excluded, the ballot paper is transferred according to the next available preference *after that candidate*.

If there is no next available preference on the ballot paper, the ballot paper with no such *NAP* is set aside as *exhausted*.

NV – No Value Instances can occur where by applying the transfer value to a number of ballot papers, the result is a figure less than 1.

e.g. $32 \text{ ballot papers} \times \text{TV of } 0.012543 = 0.401376$

Such a result is recorded on the scrutiny sheets as NV (no value).

Option Preferential This method allows the elector to vote for only the candidate most preferred or for some or for all candidates.

Order of Election This is determined by the count at which a candidate achieves quota, with a candidate gaining quota earliest having priority. If two or more candidates are elected at the same count, the candidate with the largest surplus is said to be elected first.

The order of election is significant where there are surpluses to be transferred. The surplus votes of the candidate elected earliest are always distributed before those of later elected candidates.

Preferential Voting A voting system in which voters are required to mark the ballot paper with consecutive numbers indicating the order in which the various candidates are preferred.

Proportional Representation - PR A system designed to ensure that seats in the elected body are allocated as nearly as possible in proportion to the votes received. It is usually used for the election of candidates in multi-member electoral districts.

Electors are able to choose between candidates by numbering the candidates in order of preference. To be elected a candidate must obtain a quota or proportion of the formal vote. This can comprise 1st preference votes and those received after the distribution of preferences. Any votes in excess of the quota are transferred to second and subsequent preferences. If any seats remain unfilled, the lowest placed candidates are progressively excluded from the count and their votes transferred to candidates remaining in the count. This system is used for the South Australian Legislative Council, local council and a number of medical board elections and Commonwealth Senate elections.

Quota The term used for the number of votes which a candidate must receive in order to be elected.

The quota is calculated by dividing the total number of formal ballot papers by one more than the number of vacancies to be filled and then adding one to the result (disregarding any remainder).

Proportional Representation Count	
Guide as to the proportion of the vote needed to be elected	
No. of vacancies	% of formal vote required to be elected
1	50% + 1 vote
2	33.3%
3	25.0%
4	20.0%
5	16.6%
6	14.2%
7	12.5%
8	11.1%
9	10.0%
10	9.0%
11	8.3%
12	7.6%
13	7.1%
14	6.6%
15	6.2%

Surplus Votes received by an elected candidate in excess of quota.

Transfer Value (TV) The value at which ballot papers are transferred to candidates remaining in the count (ie not already elected or excluded), provided further vacancies remain. A surplus is distributed to other candidates by transferring all the ballot papers of the elected candidate. Each ballot paper is regarded as representing only a fraction of a vote, so that the total value of the transferred ballot papers is only equal to the number of votes in the surplus. This fractional value is called the 'transfer value'. For council and SA Legislative Council elections the transfer value is applied as follows:

(1) Where a candidate is elected with a surplus of 1st preferences:

$$\frac{\text{Candidates surplus 1st preferences}}{\text{Total number of 1st preferences}}$$

(2) Where a candidate reaches quota through transferred votes:

$$\frac{\text{Surplus votes above quota}}{\text{Total number of ballot papers received.}}$$

